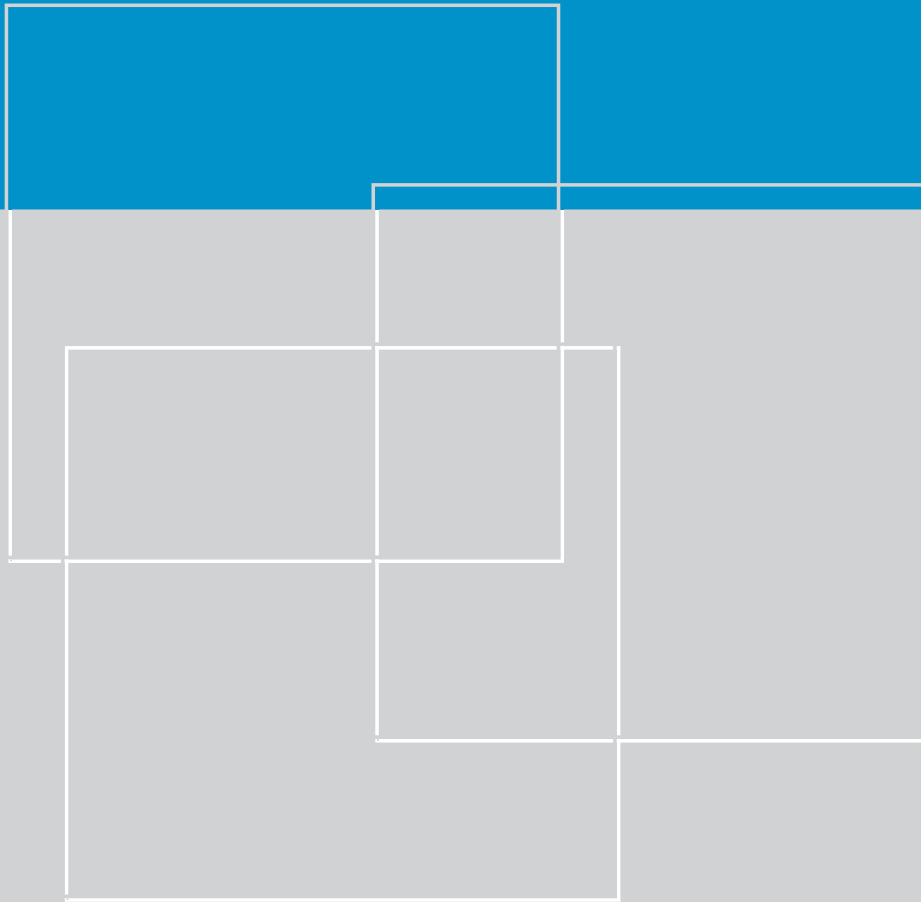




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MALAWI NATIONAL OCCUPATIONAL SAFETY AND HEALTH PROGRAMME 2011-2016

~MOVING TOWARDS ZERO ACCIDENTS AND DISEASES AT WORK~



MALAWI GOVERNMENT

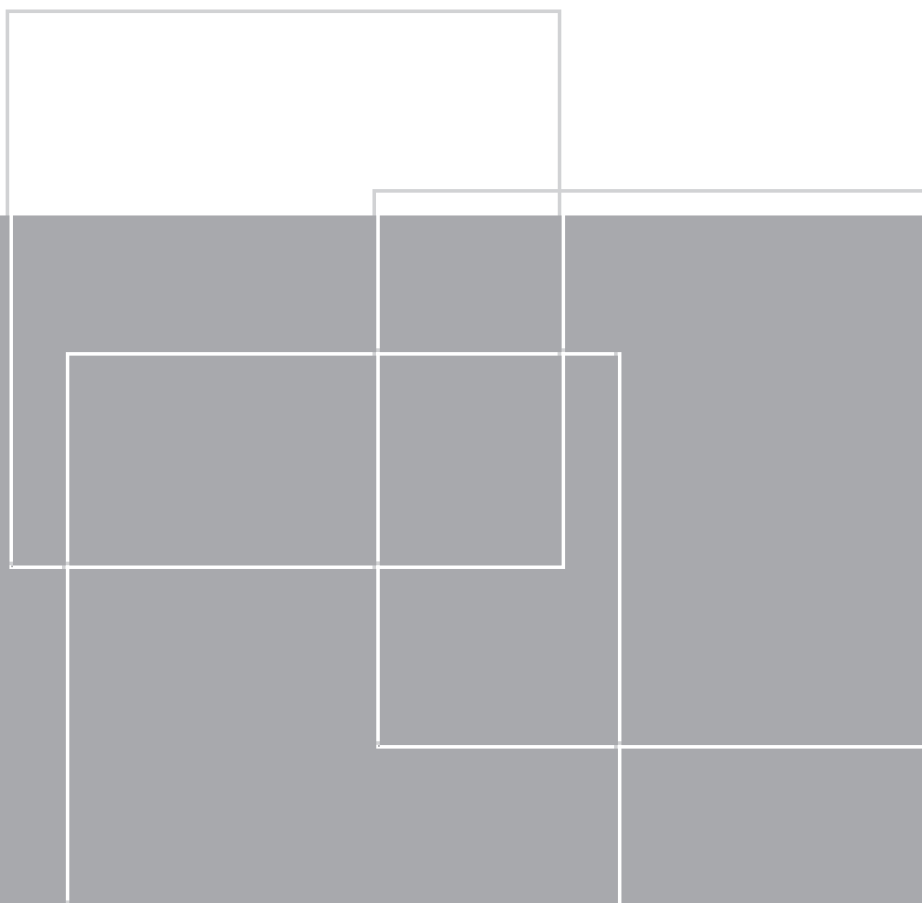




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~MOVING TOWARDS ZERO ACCIDENTS AND DISEASES AT WORK~

The European Commission (EC) under the terms of the Project on “Improving Safety and Health at Work through a Decent Work Agenda” provided funding to print this document. The opinions expressed herein are those of the author and do not necessarily reflect the views of the European Commission.

Acronyms

DW	Decent Work Agenda
DWCP	Decent Work Country Program
DOSH	Director of Occupational Safety and Health
EC	European Commission
ECAM	Employers' Consultative Association of Malawi
EU	European Union
IDRC	International Development Research Centre
ILO	International Labour Organisation
MCTU	Malawi Congress of Trade Unions
MDWCP	Malawi Decent Work Country Program
MDGs	Millennium Development Goals
MGD	Malawi Growth and Development Strategy
MoH	Ministry of Health
MoL	Ministry of Labour
NGO	Non Governmental Organisation
OSH	Occupational Safety and Health
OSHWA	Occupational Safety, Health and Welfare Act
WCC	Workers' Compensation Commissioner
WIND	Work Improvements through Neighbourhood Development
WISE	Work Improvements in Small Enterprises

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FOREWORD

The Government of the Republic of Malawi recognises that occupational safety and health is a very important component that contributes to a more inclusive and productive society through a reduction in occupational accidents and work-related diseases. For this reason, Malawi Government will remain committed towards safeguarding the safety and health of all categories of workers in all sectors of the economy including agriculture, mining and quarrying, small and medium scale enterprises (SME's) and the informal sector.

The ILO estimate that every day, 6,300 people die as a result of occupational accidents or work –related diseases, and more than 2.3 million deaths occur every year. Over 337 million accidents occur on the job annually; many of these resulting in extended absence from work. The cost of this daily adversity is vast and the economic burden of poor safety and health practices is estimated at 4 per cent of global Gross Domestic Product each year. While reliable global estimates are available on occupational accidents and fatalities, our national estimates have not been established and data are therefore not available. It is, however, a well known fact that occupational accidents and work-related diseases occur on daily basis of which some are reported while others are not and the true picture of the burden to the national economy is unknown.

While the overall occupational safety and health situation has improved in the recent past, the National Profile on occupational safety and health compiled in 2009 revealed that we still have a long road to travel on in order to timely recognise, evaluate and control potential occupational hazards arising in and out of the workplaces. Government is, therefore, make radical changes to ensure that no worker dies at work or suffer serious injuries due to poor safety and health management systems.

Government, in consultation with social partners and stakeholders, has prepared this National Programme on occupational safety and health to ensure continual improvement of the working conditions of our working population. Through this Programme, Government in collaboration with the social partners is committed to ensure sound policy and legislation and enforcement capacity.

Government is also committed to ensuring increased research efforts including epidemiological studies, increased awareness and information dissemination as part of promotional activities to ensure safety, health and welfare of our working population.

Finally let me, on behalf of Malawi Government, express my gratitude to the ILO and EU for the technical and financial assistance rendered to our country during development of this OSH Programme. While applauding both the EU and the ILO, let me take this opportunity to appeal to them to continue assisting Member States in their endeavours to create safe and health working environment. I also appeal to our Social Partners and other Stakeholders to cooperate and take an active role in the implementation of this Programme.

Eunice Makangala, MP

Minister of Labour

STATEMENT BY THE DIRECTOR, ILO, LUSAKA

Official ILO data indicates that 337 million workplace accidents and 2.3 million deaths occur every year, with some 6,300 deaths per day. In Malawi, the reported number of accidents stands at 24 to 36 per year. However, it is commonly acknowledged that there is gross underreporting of occupational accidents in the country. Occupational accidents have very negative consequences on both the social and economic sectors of the country. The loss of bread winners leaves behind orphaned children and widows. The loss of experienced and trained workers has cost implications in terms of loss of tacit knowledge, re-training and re-hiring of staff.

Because of the realization of the challenges faced by member countries in the area of occupational safety and health, the ILO, with the help of funding from the European Union, embarked on the implementation of a project aimed at improving safety and health at work through a decent work agenda in 2010. Implementation of this project commenced in November 2010 in Malawi. To date several activities have been implemented including training programmes in risk assessment and management and modern labour inspection techniques. Key among the activities that the project has been implementing is the development of a National Occupational Safety and Health Programme for Malawi. The National OSH Programme is one of the key indicators of enhanced occupational safety and health under Country Priority No. 2 of Malawi's Decent Work Country Programme for the period 2011-2016.

For Malawi to enhance occupational safety and health in its workplaces, however, the initiatives that have been put in place will require the support of everyone including decision makers such as the honourable members of parliament gathered here. Political will and adequate resource allocation to the institutions that are responsible for promoting occupational safety and health is of paramount importance to the enhancement of occupational safety and health.

With the concerted efforts of all stakeholders, I believe that safety and health conditions in industry will improve and put Malawi on a firm path towards the realization of its aspirations to promote and enhance decent work.

Martin Clemensson

Director, ILO Office

Zambia, Malawi and Mozambique

STATEMENT BY EMPLOYERS' CONSULTATIVE ASSOCIATION OF MALAWI (ECAM)

Since the National Profile on Occupational Safety and Health compiled in 2009 revealed that we still have a long road to travel on in order to timely recognize, evaluate and control potential occupational hazards arising in and out of the workplaces, the employers' prerogative has shifted towards addressing this. The health and safety of all workers is crucial in many ways. According to the European Agency for safety and health at work it is estimated that every year, 4.9 million accidents result in more than 3 days' absence from work. The cost of accidents at work and occupational illness ranges for most countries from 2.6 to 3.8% of Gross National Product (GNP). This suggests that individual businesses, as well as national economies incur substantial costs related to occupational safety and health.

Focusing on the promotion of safer and healthier workplaces as part of decent work by the Government of Malawi is warmly welcomed by employers in Malawi. As social partners we applaud these efforts in that they have an immediate impact on the health and in turn productivity of employees in our workplaces. ECAM is aware that health and safety are deeply embedded as one of the goals of decent work, decent work a theme through which as a country we can attain sustainable development. While we strive to improve the dignity of workers and so too uplift the dignity of the jobs they carry out, occupational safety and health standards are a major way of ensuring that enterprises are successful and sustainable and that our economy grows in the long run.

Research and indeed certain case studies suggest that a good working environment leads to better company performance. As an umbrella body we realize the huge costs small companies face through lost workdays whilst we appreciate that many economic consequences of accidents in the workplace are almost impossible to qualify. To this we indeed urge the Government to intensify capacity building of employers to effectively engage in reducing accidents and promoting safer workplaces. In order for the employers to properly manage safety and health risks they will have to incur huge costs. This suggests that a conducive economic environment should be always prevailing to foster this.

We appreciate the role social dialogue has played over recent years for the social partners to make contributions to this programme. Lastly I would like to thank the Ministry of Labour particularly the Directorate of Occupational Safety and Health for making the process highly consultative in the spirit of tripartism.

Buxton Kayuni

President

STATEMENT BY MALAWI CONGRESS OF TRADE UNIONS (MCTU)

In line with Malawi Decent Work Country Programme launched on August 9, 2011, Malawi Congress of Trade Unions as the most worker representative organisation is pleased to append its signature to this important programme that seeks to address the numerous challenges faced by Malawian workers in as far as Occupational Safety and Health is concerned. The National Profile which among other areas highlighted a number of gaps in as far as Occupational Health and Safety is concerned, as more workers continue to get exposed to hazards leading to loss of life and various degrees of injuries and diseases in the course of performing their duties on daily basis. Very little efforts are being made to address such challenges ranging from inadequate protection from legislation and inadequate capacity to prevent and handle such cases by relevant authorities and stakeholders.

It is the hope of Malawi Congress of Trade Unions that through the implementation of this programme, the capacity of handling Occupational Health and Safety issues by all relevant authorities will be strengthened through improved legislation and implementation of the agreed strategies with an aim of having a productive workforce in an effort to alleviate workers suffering thereby reducing their poverty and encourage work for economic growth of Malawi and its citizens.

Malawi Congress of Trade Unions is grateful for the continued technical and financial support from the European Union and the International Labour Organisation and all social partners involved in the formulation of this document and will work towards supporting its full implementation.

Robert Mkwezalamba

SECRETARY GENERAL

ACKNOWLEDGEMENTS

The development of the National OSH Programme in Malawi was a highly participatory process involving consultations with the social partners and development partners. It is, therefore, an indication of commitment of Government to consult and work with the Social partners and other Stakeholders to improving safety and health at work in the country.

The Ministry of Labour is grateful to the International Labour organisation for selecting Malawi, among other member states to participate in the project on “Improving safety and health at Work through a Decent Work Agenda”. The Ministry would like to thank all individuals who were involved in the formulation of the National OSH Programme (See Appendix 1). Special Thanks go to the International Labour Organisation particularly to Chief Technical Advisor for the the ILO-EU Project, Ms Amelie Schmitt for supporting the process of developing this National Programme. We also acknowledge the technical support provided by the various ILO experts, namely, Mr. Felix Martin Daza, Mr. Franklin Muchiri and Mr. George Mukosiko. We also recognise the key role of the Director of the ILO Area Office for Zambia, Malawi and Mozambique Mr Martin Clemensson for his administrative support to ensure implementation of activities towards the development of this National OSH Programme. Special thanks also go to the European Union for supporting the ILO’s decent work agenda and for providing the financial support.

Again the Ministry would like to express its profound gratitude to the Employers’ Consultative Association of Malawi (ECAM) and the Malawi Congress of Trade Unions (MCTU) for their active participation and contribution in the entire process of developing this Programme. The Ministry also recognises the valuable contributions made by various line Ministries and Departments, notably, Ministries of Development Planning and Cooperation, Ministry of Health and Environmental Affairs Department. The Ministry is also indebted to other key stakeholders such as the Malawi Bureau of Standards and the Malawi Energy Regulatory Authority.

I wish also to thank the members of staff in the Directorate of Occupational Safety and Health for their untiring efforts in coordinating the activities leading to the development of this Programme and Mr. H.K.K Nyangulu, Director of Occupational Safety and Health, in particular for providing leadership throughout the process.

Lastly, let me also thank those that were involved in one way or another during the development of this Programme

James Kalilangwe

SECRETARY FOR LABOUR

EXECUTIVE SUMMARY

The purpose of the National Programme on Occupational Safety and Health (NOSHP) is to guide a systematic and coordinated approach to strengthen a National System on Occupational Safety and Health aimed at fostering a preventative safety and health culture in Malawi.

The Programme provides an operational Framework to guide Government, Employers, Workers, Development Partners and other Stakeholders regarding priority areas of action towards realization of the Malawi Decent Work Agenda in the country in line with Malawi Growth and Development Strategy.

The main areas of action were identified through the Malawi Occupational Health and Safety Profile compiled in 2009. The Profile identified a number of shortfalls ranging from inadequate National regulatory framework, inadequate information documentation and dissemination, poor occupational safety and health management systems, non-ratification of international instruments, inadequate enforcement capacity to weak stakeholder cooperation, on the basis of the National Profile on occupational safety and health and through consultative process during development of the National OSH Programme, objectives and priority areas of action were identified.

The objectives include the following:

- (a) To improve capacity for occupational safety and health management.
- (b) To strengthen legal framework and infrastructure on occupational safety and health
- (c) To improve occupational safety and health information and documentation
- (d) To improve occupational safety and health promotion and safety and health culture
- (e) To improve the mainstreaming of HIV/AIDS and occupational TB management.

The priority areas include the following:

- a) Capacity building including training of inspectors
- b) Creating an OSH national committee
- c) Formulation of a coherent national OSH policy
- d) Review and harmonisation of the OSH legislation
- e) Formulation of specific regulations for high risk sectors including informal economy
- f) Establishment of a national occupational hygiene laboratory
- g) Strengthening of the capacity and operations of the national OSH information Centre (CIS)
- h) Formulation of inspection guidelines
- i) Formulation of an OSH communication, collaboration and networking strategy
- j) Mainstreaming of HIV/AIDS and occupational TB prevention at the workplace with the OSH services

- k) Strengthening of OSH system at national and enterprise levels
- l) OSH advocacy and awareness campaigns
- m) Scaling up OSH training in educational and vocational training institutions
- n) Review the current system of recording and reporting of occupational injuries.

These objectives and areas of action seek to achieve priority area of the Malawi Decent Work Country Programme, which addresses the need for strengthening the capacity of the occupational safety and health services and putting in place national systems, policy framework and strengthening HIV and AIDS Workplace response.

The National OSH Programme has been developed to respond and contribute to the Malawi Decent Work Country Programme which is in-line with the ILO's Decent Work Agenda and the Global Strategy for occupational safety and health and the overall goal of the Malawi Growth and Development Strategy II. It will therefore be reviewed in line with the MDWCP and the MGDS II to ensure that it responds to current and emerging issues.

1.0 INTRODUCTION

Occupational safety and health under social protection is one of the most challenging decent work deficits in Malawi. Inadequate national regulatory framework, inadequate information documentation and dissemination, poor occupational safety and health management systems, limited ratification of International instruments, inadequate enforcement capacity to weak stakeholder cooperation and coordination, capacity problems and the lack of a policy, national system and national programme as stipulated in the Malawi National OSH profile of 2009 militate against the realization of an acceptable level of occupational safety and health working environment. Hence the development of the Malawi National Occupational Safety and Health Programme in order to ascertain improvement in occupational safety and health.

The Malawi National Occupational Safety and Health Programme is an operational strategy that will run for the next five years, 2011 to 2016. It is designed to assist in attaining the goal of the Malawi Decent Work Country Programme on Social Protection and contribute to the realisation of the Malawi Growth Development Strategy (MGDS) II. The National OSH Programme aims at addressing the shortfalls and tackling decent work deficits to improve safety and Health at work. The current gaps were identified through the Malawi Occupational Health and Safety Profile and the consultative process during the preparation of the Decent Work Country Programme.

The National Occupational Safety and Health Programme will focus on five objectives namely to improve capacity for occupational safety and health management, to strengthen legal framework and infrastructure, to improve occupational safety and health information documentation and dissemination, to promote a national preventative safety and health culture; and to improve the mainstreaming of HIV/AIDS and occupational TB management. The priority areas include the following: capacity building including training of inspectors; creating an OSH national committee; formulation of a coherent national OSH policy, review and harmonisation of the OSH legislation, formulation of specific regulations for high risk sectors including informal economy; establishment of a national occupational hygiene laboratory; strengthening of the capacity and operations of the national OSH information centre (CIS); formulation of inspection guidelines; formulation of an OSH communication, collaboration and networking strategy; mainstreaming of HIV/AIDS and occupational TB prevention at the workplace with the occupational safety and health services; strengthening of OSH system at national and enterprise levels; OSH advocacy and awareness campaigns; scaling up OSH training in educational and vocational training institutions; review the current system of recording and reporting of occupational injuries.

2.0 SITUATION OF OSH IN MALAWI

The Malawi Occupational Health and Safety Profile revealed a number of shortfalls in the management of occupational safety and health in the country, some of which are highlighted below.

2.1 National regulatory framework

The Occupational Safety, Health and Welfare Act (OSHWA) administered by Ministry of Labour provides for the regulation of conditions of employment in workplaces with regard to safety, health and welfare of employees; for the inspection of certain plants and machinery; for the prevention and regulation of accidents occurring to persons employed or authorised to go into the workplace, and for some related matters. However, the Act does not provide and promote adequate occupational safety and health at work as it does not cover certain areas of economic activities and this compounded by inadequate legally enforceable technical standards to provide information, guidance or advice to protect workers on the job have not been developed. This means that there is gap in the protection of workers' safety and health at work.

The other challenge in promotion of safety and health at work result from fragmentation or overlaps in the management of safety and health at work in the country. This is the case because several institutions have also Act that deal with issues of safety and health with a particular bias. For instance the Environmental Health in Ministry of enforces environmental health while the Mines Department safety in mines. There must be proper collaboration of various enforcing authorities so that safety and health can be properly managed in the country.

2.2 OSH training institutions

There is partial coverage of occupational safety and health in training institutions in the country. The Malawi College of Medicine offers an introductory module in occupational safety and health to medical students in their third year of training. The Malawi Polytechnic on the other hand offers a Bachelor of Science degree in Environmental Health which covers some aspects of occupational health while Kamuzu College of Nursing offers a module of occupational safety and health to nursing students at the fourth year of their training. Technical and Vocational Colleges cover safety as a topic in the introduction stages of the various trades.

2.3 Information and Documentation

Ministry of Labour has established under it an Information and Documentation unit detailed to correct, document and disseminate information on occupational safety and health. However, the impact of the unit is very minimal as it lacks resources and infrastructure.

It should be pointed out that various institutions have information in different forms but this has not been processed for promotion safety and health in the country.

2.4 OSH Management system

Occupational safety and health management in the country is mainly by compliance to minimum standards set out by various Acts and their subsidiary regulations including the OSHWA. As such in most cases is taken as integral part of business management. Malawi has not yet adopted the ILO's OSH-MS, 2001 which is unique international model, compatible with other management systems, standards and guidelines.

However there multinational companies such as those in the sugar and tea sector manage safety and health using Management systems prescribed by their buyers or their parent companies.

2.5 International Instruments

Malawi has ratified a total of 29 conventions, of which, only one convention (convention 81) is particular to occupational safety and health. For the better management of OSH in the country, it is imperative that Malawi needs to move towards ratifying more conventions on OSH including convention 155 on Occupational Safety and Health and convention 187 on the Promotional Framework for Occupational Safety and Health.

It must be noted here that the OSHWA which came into effect in 1997 took into consideration of obligations in some of the conventions that were there then. Ratifying some of the conventions will be just a formality.

2.6 Stakeholders Collaboration

There is little collaboration in the promotion of safety and health at work as different authorities enforce different national legislation and regulations. The Directorate of Occupational Safety and Health under Ministry of Labour, Mines Department under Ministry Energy, Environmental Affairs and Natural Resources, Preventive Health Services in the Ministry of Health, the Malawi Bureau of Standards and other Stakeholders, all promote safety and health in their areas of specialisation. Efforts are underway to establish collaboration systems and infrastructure for promoting a preventative safety and health culture in the country.

2.7 Roles of social partners

The social partners are represented by the most representative organisations of workers and employers, namely Malawi Congress of Trade Unions (MCTU) and Employers Consultative Association of Malawi (ECAM). The roles of Malawi Congress of Trade Unions (MCTU) include collaborating with Government, Employers and other relevant stakeholders to safeguard the safety, health of workers. On the other hand ECAM, amongst others, provide guidance to its Members to provide working environments that is without risk to the safety and health.

2.8 OSH management in Malawi

Despite there being a number of challenges to OSH management in the country, there are a number of strengths that include but not limited to the following:

- a. The availability of legislation for the protection of workers' safety and health that is backed by the country's constitution;
- b. The availability of administrative structures in government and social partners as required by the laws of Malawi
- c. The availability of protection of individual workers' rights and health;
- d. The availability of workers' compensation system for work-related injuries, diseases and fatalities.

Management of occupational safety and health at work in the country is weakened by among others the following factors:

- a. Limited data on accidents, diseases and fatalities arising from and out of workplaces.
- b. Limited knowledge on current and emerging issues on OSH;
- c. Limited human and financial resources;
- d. Weak institutional policy and legislation;
- e. Inadequate equipment for OSH monitoring;
- f. Limited research capacity;
- g. Limited institutional based OSH skills development;
- h. Limited ratification of International Labour Standards; and
- i. Limited knowledge exchange with national and international institutions.

Opportunities the improvement safety and health are available in that

- a. Collaboration mechanisms with stakeholders such as training institutions so that they can offer formal OSH training can be easily agreed upon.
- b. Collaboration among all stakeholders could help mobilize funds for OSH dedicated laboratory equipment.
- c. Exploring available equipment within the country could provide a cheaper option than buying new equipment in the short term.

Occupational safety and health in Malawi is threatened by among other facts;

- a. Lack of management for success: the Directorate is not aware of the impact of its safety and health promotional interventions due to non availability of a Benchmark or Baseline data or information that identifies present performance and is used in setting targets and in evaluating progress.
- b. Fragmentation of OSH activities to different departments in the country:
 - i. Resources for OSH activities are thus divided among different departments;

- ii. No central Database or IMS on occupational accidents and work related deaths and diseases.

3.0 CURRENT POLICY INTERVENTIONS

Occupational safety and health has been taken on board directly or indirectly in a number of economic and development strategies and policies.

3.1 Malawi Vision 2020

Vision 2020 is a policy framework that sets out a long-term development perspective for Malawi. It emphasises long-term strategic thinking, shared vision and visionary leadership, participation by population, strategic management and national learning. The Vision 2020 states that “by the year 2020 Malawi as a God fearing nation, will be secure, democratically mature, environmentally sustainable, self-reliant with equal opportunities for and active participation by all, having social services, vibrant cultural and religious values and technologically driven middle income economy”. Vision 2020 recognises that a technologically driven economy is achievable with improvement in safety and health at work which will have a positive impact on working conditions, productivity and economic and social development.

3.2 Malawi Growth and Development Strategy II (MGDS II).

The overall aspiration of the Malawi Growth and Development Strategy is to transform Malawi from a predominantly importing nation to an exporting one. This expected to be achieved through sustainable economic growth and infrastructure development. Recognising that a safe and health workforce is required to contribute to high production and economic development, MGDS II has identified Labour and Employment as a cross-cutting issue. Under the Labour and Employment theme, MGDS II has placed emphasis on the promotion occupational safety and health at work, among others areas.

3.3 Malawi Decent Work Country Programme (MDWCP)

The Malawi Decent Work Country Programme was developed to contribute to the realisation of the aspirations of the Malawi Growth and Development Strategy through the promotion of sustainable enterprises thereby creating jobs and enhancing economic growth. The MDWCP provides a policy and operational framework to guide the Government, Social Partners and other stakeholders as well as development partners with regard to priority action towards the realization of the Decent Work Agenda in Malawi.

The MDWCP has identified three priority areas that require immediate attention, namely:

- 1) Creation of more and better employment and income generation opportunities, particularly for the vulnerable groups, including the youth, women and people with disabilities, as well as ensuring the elimination of the worst forms of child labour;
- 2) Enhancing and extending the coverage of social protection; and
- 3) Building of the capacities of the Government and social partners to improve service delivery.

The second priority Area, on enhancing and extending social protection, emphasises on the need for strengthening the capacity of the occupational safety and health services and putting in place national

occupational safety and health management systems and infrastructure, and policy framework including workplace response to HIV and AIDS.

4.0 THE NATIONAL OSH PROGRAMME

4.1 Goal

Setting pace towards sustaining a significant, continual reduction in the incidence of work-related fatalities with a reduction of at least 5% annually in the next five years.

4.2 Overall objective

The overall objective of the National OSH Programme is to guide the country in applying a systematic and coordinated approach in administering occupational safety and health services in working towards achieving the Zero Accidents and Diseases in the country on a continuous basis.

4.3 Specific objectives

The specific objectives of the National OSH Programme are as follows:

- a) To improve the national OSH management system and infrastructure
- b) To strengthen the legal framework;
- c) To improve OSH information management and dissemination;
- d) To promote a national preventative safety and health culture;
- e) To improve the mainstreaming of HIV/Aids and occupational TB issues in OSH.

4.4 Scope of the Programme

The Programme is to cover the legal framework, improving institutional capacity, information management and dissemination and promotional activities for awareness raising, advocacy and safety culture. It is envisaged that the Programme will benefit all workplaces in infrastructure development with particular attention to the agricultural, mining and quarrying, small and medium enterprises and the informal sector. The Programme will also develop good practices using the ILO's Work Improvements in Small Enterprises (WISE) and Work Improvements through Neighbourhood Development (WIND) methodologies. The National OSH Programme is intended to be implemented for a period of five (5) years from 2011 to 2016 in line with the Malawi Growth and Development Strategy II (MGDS II).

4.5 NATIONAL OSH PROGRAMME PRIORITIES

The Programme priorities are as follows;

- (a) Capacity building including training of inspectors
- (b) Creating an OSH national committee
- (c) Formulation of a coherent national OSH policy
- (d) Review and harmonisation of the OSH legislation

- (e) Formulation of specific regulations for high risk sectors including informal economy
- (f) Establishment of a national occupational hygiene laboratory
- (g) Strengthening of the capacity and operations of the national OSH information Centre (CIS)
- (h) Formulation of inspection guidelines
- (i) Formulation of an OSH communication, collaboration and networking strategy
- (j) Mainstreaming of HIV/AIDS and occupational TB Prevention at the workplace with the OSH services
- (k) Strengthening of OSH system at national and enterprise levels
- (l) OSH advocacy and awareness campaigns
- (m) Scaling up OSH training in educational and vocational training institutions
- (n) Review the current system of recording and reporting of occupational injuries.

5.0 IMPLEMENTATION AND MANAGEMENT OF THE PROGRAMME

The Programme will be implemented with the guidance of the National Steering Committee comprising Government, social partners and other relevant stakeholders. Individual Ministries including the Ministry of Labour and other organisations are expected to come up with their own action plans and the Committee will oversee implementation of the activities.

6.0 NATIONAL OSH COMMITTEE

The Programme shall be managed with direction from a National OSH Committee. The committee shall ensure systematic coordinating, providing direction and guidance and creating mechanisms to push the various stakeholders to implement programme activities under their jurisdiction.

The Composition of the Steering Committee is as follows:

Chairperson:	The Secretary for Labour
Vice Chairperson:	The President of the Employers Consultative Association of Malawi
Second Vice Chairperson:	The President of Malawi Congress of Trade Unions
Secretariat:	The Directorate of Occupational Safety and Health

MEMBERS

- Ministry of Labour
- Ministry of Health
- Ministry of Development and Cooperation
- Ministry of Finance
- Ministry of Agriculture, Irrigation and Water Development
- Ministry of Education, Science and Technology
- Ministry of Industry and Trade
- Ministry of Information
- Environmental Affairs Department
- Mines Department
- Employers Consultative Association of Malawi
- Malawi Congress of Trade Unions
- Malawi Bureau of Standards
- Malawi Energy Regulatory Authority
- National Construction Industry Council
- University of Malawi (College of Medicine)
- TEVETA

OBSERVERS

European Union

International Labour Organization

7.0 FINANCING AND SUSTAINABILITY

The Malawi Government through its national development strategy, the Malawi Growth and Development Strategy II, recognizes the importance of labour and employment, including OSH issues in wealth creation through sustainable economic growth and infrastructure development as a means of reducing poverty. The OSH activities and programmes will therefore be financed through the national budget and supported by social partners, development and cooperating partners among others. The Ministry of Finance will ensure that OSH issues are adequately funded in the national budget. Other likely sources of financing are social partners, regional and international organizations.

The Ministry of Development Planning and Cooperation will ensure that OSH issues are mainstreamed in sectoral strategies. Since this Ministry is, amongst others, responsible for reviewing development projects, it is expected that it shall critically review projects on OSH, taking into account that OSH is a tool for productivity and economic development, and upon approval, the Ministry of Finance is expected to fund the projects through the national budget or donor support or other arrangements such as allowing the Ministry of Labour to retain part of the revenue it collects through various fees payable for services provided under the OSH and Welfare Act.

8.0 ROLES AND RESPONSIBILITIES

8.1 Ministry of Labour

The Ministry of Labour has the mandate to ensure productive and decent employment for better standards of living. Specifically, the ministry is responsible for the enforcement of the Labour Relations Act, the Employment Act, the Occupational Safety, Health and Welfare Act and the Workers Compensation Act. These pieces of legislation, amongst others, aim at reducing all forms of discrimination in the Labour Market, promoting occupational safety and health, eliminating of Child Labour, promoting skills development and in general promoting sound labour administration.

The Ministry of Labour will provide overall leadership in the implementation of the programme. The Ministry will however, work in very close collaboration with Ministry of Health; Ministry of Energy, National Resources and Environment; Ministry of Development Planning and Cooperation, Ministry of Finance, Malawi Congress of Trade Unions, Employers Consultative Association of Malawi, Malawi Bureau of Standards, Malawi Energy Regulatory Authority, Technical Entrepreneurial Vocational Education and Training Authority, National Construction and Industry Council and other relevant stakeholders to set up and implement annual work plans, to coordinate activities of the programme, to provide guidance, to check and monitor the implementation of the programme and report to the Minister responsible for Labour.

8.2.1 General Duties of Employers

Every employer is obliged to ensure the safety, health and welfare at work of all his employees and those authorized to enter the workplace premises. This shall be done by abiding to all provisions made under the Occupational Safety, Health and Welfare Act and all relevant National legislation including International Standards that the Nation may adopt.

8.2.2 General Duties of Employees

Every employee at workplace is required to take reasonable care for the safety and health of himself and that of other persons that may be affected by his acts or omissions. He must not willfully and without reasonable cause do anything likely to endanger himself or others.

8.3 Ministry of Health

The Ministry seeks to achieve health for all Malawians by delivering health services and promote health information to the general public. The overall policy goal of the health sector is to raise the level of health status of all Malawians by reducing the incidence of illness and occurrence of death in the population.

The Ministry of Health in collaboration with the Ministry of Labour and other Stakeholders will be responsible for initiating projects on Occupational Health Services to ensure prevention, diagnosis and treatment of Occupational diseases.

8.4 Ministry of Finance and Development Planning

The Ministry of Finance and Development Planning is Malawi Government's main planning agency responsible for national economic and development planning, and monitoring and evaluation of socio-economic

economic issues in the country. Its main mandate is to provide professional advice and technical support to Government and the public on economic and social policy development and management so as to achieve faster and sustainable development.

The Ministry of Finance and Development Planning is to ensure incorporation of Occupational Safety and Health (OSH) in the national development projects. The Ministry of Finance has the mandate to formulate economic and fiscal policy and manage financial and material resources of the Government of Malawi in order to realise balanced and sustainable economic growth and to reduce poverty.

The Ministry of Finance and Development Planning to consider allocating the necessary budgetary support to the Ministry of Labour and related ministries and sectors for the implementation of the Occupational Safety (OSH) and Health Programme.

8.5 Ministry of Agriculture, Irrigation and Water Development

The Ministry of Agriculture, Irrigation and Water Development is responsible for enhancing agricultural productivity and food security. Amongst others, the ministry is responsible for provision of agricultural extension services, enhancement of livestock and fisheries productivity, promotion of diversification of agricultural production for domestic and export markets promoting dietary diversification, improving agricultural markets, increasing national food storage capacity and reducing poor harvest losses.

The Ministry of Agriculture, Irrigation and Water Development through its extension services and other stakeholders will be responsible for implementation of projects on strengthening the prevention of occupational accidents and diseases in agriculture and rural occupations.

8.6 The Ministry of Education, Science and Technology

The Ministry of Education, Science and Technology is the custodian of the Malawi's Education Sector as well as all matters relating to Science and Technology. The Ministry is the Government arm that is responsible for providing policy guidance and direction on all education, science and technology issues.

The Ministry of Education, Science and Technology in collaboration with the Ministry of Labour shall be responsible for developing and reviewing curriculum for Occupational Safety and Health (OSH) and the Ministry of Education shall introduce and provide training on Occupational Safety and Health (OSH) from Primary, Secondary to tertiary education including Technical and Vocational Training Institutions.

8.7 Ministry of Industry and Trade

The Ministry of Industry and Trade is responsible for promoting industrial development and technology transfer, including rural industrialization. It is also responsible for trade negotiations with bilateral, regional and multilateral partners and regulation in the domestic market. Last but not least, the Ministry is responsible for improving the private sector enabling environment, promoting small-scale enterprise development and promoting the development of the cooperative movement in Malawi.

The Ministry of Industry and Trade in collaboration with the Ministry of Labour shall ensure creation of an enabling environment for private sector growth and competitiveness. This will include meeting standards, promoting adoption of modern and appropriate technologies and ensuring compliance with the safety

and health legislation by the private sector.

8.8 Ministry of Information and Civic Education

The Ministry of Information and Civic Education has the responsibility to ensure improved access to relevant public information, promote popular participation of the citizens/communities in the development process, promote public access to affordable Information Communication Technologies (ICTs) and improve ICT use in public sector institutions

The Ministry of Information and Civic Education shall in collaboration with Ministry of Labour be responsible for implementation of activities on Occupational Safety and Health (OSH) regarding information, publicity and education in mass media.

8.9 Ministry of Energy, Natural Resources and Environment

8.9.1 Environmental Affairs Department

The Environmental Affairs Department is responsible for the enforcement of the environment management Act. The Act, amongst others aim at developing mitigation measures to climate change related impacts, improving coordination of environment and national resources programmes, promoting bio-diversity conservation programmes, promoting development and implementation of clean development mechanism projects, promoting projects on waste management and air pollution and other environmental friendly technologies and practices, conserving and protecting forest plantations and natural woodlands.

The Environmental Affairs Department under the Ministry of Energy, Natural Resources and Environment in collaboration with the Ministry of Labour shall be responsible for implementation of projects to ensure sound management of emissions or effluent arising from place of work to minimize environmental pollution.

8.9.2 Mines Department

The Department of Mines is responsible, amongst others for enforcement of legislation on sustainable use and management of mineral resources, providing infrastructure that is supportive to mining development and promoting participation of both local and foreign investors in the mining industries.

The Department of Mines under the Ministry of Energy, Natural Resources and Environment in collaboration with the Ministry of Labour shall be responsible for implementation of projects to ensure safety and health in the mining sector.

8.10 Employers' Consultative Association of Malawi

ECAM was established in 1963 and is registered under the Trustees Incorporation Act. The organization is an affiliate of the International Employers Organization (IEO). It is the most representative organization of the employers in Malawi and has a duty to promote and safeguard the interests of employers. On behalf of employers, ECAM participates in the formulation of labour and employment policies in the country and

is a member of the National Tripartite Labour Advisory Council (TLAC), which is the highest negotiation forum on labour relations in Malawi.

The Employers Consultative Association of Malawi shall be responsible for providing guidance and awareness to their members to ensure that Occupational Safety and Health (OSH) is taken as an integral part of business objectives with clear policies and indicators of success.

8.11 Malawi Congress of Trade Unions

Malawi Congress of Trade Unions is the most representative workers' organization in Malawi commanding 95% of unionized workers from 22 affiliated unions covering all the economic sectors, with over 200000 members. However over 4million Malawian are economically active, MCTU intends to organize such potential in its activities.

The Malawi Congress of Trade Unions shall be responsible for raising awareness on Occupational Safety and health issues, educating workers to include Occupational Safety and Health in social dialogue and collective bargaining agreements and shall participate actively in providing guidance in the implementation of the programme. Specific activities will include the following, OSH Policy formulation for MCTU, Leadership Training, Local Leaders Training, Negotiators Training, Trade Union OSH Material Development, General awareness on OSH and participation in the legal review.

8.12 Malawi Bureau of Standards

The Malawi Bureau of Standards (MBS) is a statutory organization established in 1972 by an Act of Parliament (Cap 51:02) of the Laws of Malawi. Amongst others, the Bureau has the mandate to ensure the health, safety and welfare of the consumers and the general public. It also facilitate domestic and international trade and advance international cooperation in the field of standardization.

The Malawi bureau of Standards shall ensure that it provides technical guidance to develop industrial specific standards, guidelines and codes of practice on Occupational Safety and Health.

8.13 Malawi Energy Regulatory Authority

The Malawi Energy Regulatory Authority (MERA) is a body corporate established by the Energy Regulation Act No. 20 of 2004 to regulate the activities of the energy industry in accordance with the Energy Regulation Act and the Energy Laws.

The Energy Laws comprise the following:

- 1) Energy Regulation Act, No. 20 of 2004;
- 2) The Rural Electrification Act, No. 21 of 2004;
- 3) The Electricity Act, No. 22 of 2004; and
- 4) The Liquid Fuels and Gas [Production and Supply] Act, No. 23 of 2004.

Amongst others, MERA, as the Energy Sector- regulator and in liaison with other stakeholders has the following functions:

- 1) Process license applications for energy undertakings;
- 2) Grant, revoke or amend licenses under the Act and Energy Laws;
- 3) Approve tariffs and prices of energy sales and services;
- 4) Develop and enforce performance and safety standards for energy exploitation, production, transportation and distribution;
- 5) Promote the interest of consumers of energy with respect to energy prices and charges and the continuity and quality of energy;
- 6) Monitor the efficiency and performance of energy undertakings, having regard to the purpose for which they were established;
- 7) Monitor the levels and structures of competition within the energy sector in order that competition in and accessibility to the energy sector in Malawi should be promoted;
- 8) Facilitate increasing access to energy supplies; Promote energy efficiency and energy savings;
- 9) Promote consumer awareness and education;
- 10) Promote the integrity and sustainability of energy undertakings;
- 11) Formulate measures to minimize the environmental impact of the exploitation, production, transportation, storage, supply and use of energy and enforce such measures by the inclusion of appropriate conditions to licenses held by energy undertakings; and
- 12) Promote the exploitation of renewable energy resources.

The Malawi Energy Regulatory Authority shall be responsible for implementation of projects to ensure safety in the transportation, storages, wholesaling and retailing of petroleum products including the overall responsibility to enforce standards in the energy sector.

8.14 The Academia

The University of Malawi (College of Medicine, the Polytechnic, Kamuzu College of Nursing and Chancellor College, Mzuzu University, Lilongwe University of Agriculture and Natural Resources and University of Science and Technology shall ensure development and review of curriculum to ensure provision of quality education on matters of safety and health.

8.15 National Construction Industry Council

The National Construction Industry Council shall be responsible for awareness raising and education of its affiliate members on matters of Safety and Health in the construction sector.

8.16 TEVETA

The Technical, Entrepreneurial and Vocational Education and Training Authority (TEVETA) was created in 1999 through an Act of Parliament with a specific mandate to facilitate the provision of technical, entrepreneurial and vocational education and training in Malawi. TEVETA has a mission to direct sustainable acquisition of internationally competitive and recognisable technical, entrepreneurial and vocational skills by Malawian workforce.

TEVETA shall ensure review and development of curriculum on Occupational Safety and Health (OSH) for Technical and Vocational Institutions and ensuring provision of the training in the Institutions including arranging tailor-made courses on Occupational Safety and health for industry.

8.17 Cooperating Partners (ILO/EU+)

The ILO recognises the plight of Member States when it comes to managing OSH, hence providing leadership in providing support to reverse cases of occupational accidents and work-related diseases. The first three (3) years of the implementation of this Programme will be technically supported by the ILO while the EU will provide financial assistance through a project on “Improving Safety and Health at work through a Decent Work Agenda”. It is envisaged that the ILO, UN Agencies such as UNDP, UNICEF, WHO and UNEP and other Donors will come forward to support the implementation of this programme.

9.0 MONITORING AND EVALUATION

Apart from self monitoring and evaluation by individual ministries and sectors, arrangements shall be made to ensure monitoring and evaluation by independent evaluators.

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APPENDICES

Appendix 1: Implementation plan

NO.	SPECIFIC OBJECTIVE	EXPECTED RESULTS	STRATEGIES	KEY ACTIVITIES	INDICATORS
1	To improve the national OSH system and infrastructure	Implementation of OSH activities enhanced	- Improving the competency of personnel involved in OSH activities - Increasing the pool of OSH professionals at all levels - Increasing Action oriented Programmes for the SMEs and the Informal Sector - Promoting OSH Management Systems at National and Enterprise Level - Increasing Social Dialogue on OSH at National and Enterprise Level - Improving the institutional capacity of all key stakeholders including learning institutions - Improving coordination of OSH activities and collaboration with the Workers' Compensation Division - Increasing enforcement capacity and adherence to safety standard	- Train OSH Officers and Officers from Social Partners and other stakeholders at post graduate level on safety and Health - Arrange for knowledge and practices exchange visits. - Engage Institutions to review curriculum to include OSH. - Acquire OSH monitoring equipment - Strengthen OSH research capacity	# of OSH officers and social Partners trained at post graduate level # of knowledge and practices exchange visits # of various training institutions curriculum with OSH related subjects # monitoring equipment acquired - Percentage change in OSH research capacity

2	To strengthen the Legal Framework		- Developing National OSH policy - Reviewing OSH legislation, standards, regulations and codes of practice - Ratifying conventions	- Hold Consultative Tripartite workshops - Draft and adopt Policy - Launch and disseminate Policy - Ratify ILO Convention 155, 161, 176 and 187 - Review Legislation	- Number of OSH Consultative Tripartite workshops - Number of OSH Policy documents - Number of ratified OSH related Conventions
3	To improve OSH information management and dissemination	Increased knowledge for decision making and OSH interventions	- Establishing OSH database - Establishing mechanism for dissemination of OSH information - Improving data collection and reporting mechanism and analysis on OSH activities - Undertaking OSH related research and development - Establishing a Networking Strategy	- Revitalise and strengthen the National OSH Information and Documentation Centre. - Compile data on occupational injuries and fatalities. - Analyze data and determine the high risk sectors, identifying the major hazards and risks in each sector.	- Number of timely-related, quality OSH related publications. - Percentage change in OSH related statistics - Percentage change in OSH related workplace accidents and fatalities
4	To promote the national OSH system and infrastructure in order to promote a preventative safety and health culture	Increased adoption of OSH practices at work	- Raising public awareness on OSH - Promoting OSH Management Systems at National and Enterprise - Developing advocacy strategy - Raising Awareness targeting the SMEs and the Informal Sector	- Organise awareness raising campaigns. - Disseminate information through mass media	- Number of OSH awareness campaigns - Percentage change in OSH knowledge by the public in particular the world of work

5	To improve the mainstreaming of HIV/AIDS and occupational TB issues in OSH	A well informed, healthy and productive workforce	Adopting and implementing National HIV and AIDS Workplace Policy and Promote HIV and AIDS Enterprise Policies.	- Implementing HIV and AIDS Workplace Education programmes - Implementing HIV and AIDS Workplace Policy programmes	Number of HIV and AIDS Workplace education programmes/ policy programmes
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Appendix 2: Monitoring and Evaluation Framework

OUTCOME	OUTPUT	INDICATOR	BASELINE	TARGET	MOV	FREQUENCY	TIMELINE	RESPONSIBLE OFFICES
Outcome 1. Improved national OSH management system and infrastructure	1.1 OSH Policy documents developed	Number of OSH policy documents	National OSH profile	National OSH policy documents and 5 sectoral policies	Policy Documents	Every 5 years.	2012-2016	MoL,
	1.2 Legislation and , regulations reviewed	1.2.1. No of regulations and legislation reviewed	Current legislation and 6 regulations	Up to date legislation and 14 regulations	Gazetted Legislation and 14 regulations documents	On going	2012-2016	
	1.3. Industry specific standards and guidelines developed	1.2.2. No. of industry specific OSH standards and guidelines	National Profile/ International standards		Industry specific standards and guidelines documents	Ongoing	2012-2016	
	1.4. OSH related ILO Conventions ratified.	# of OSH related ILO Conventions ratified.	Only 1 OSH related ILO Conventions ratified.	4 ILO OSH Conventions ratified	Ratified Conventions and reports.	Ongoing	2012-2016	
	1.5. National OSH Tripartite Advisory Committee created.	National OSH Committee in place.	None.	National OSH Committee	Reports of National OSH Committee meetings.	Ongoing	2012-2016.	
Outcome 2. Improvement in service delivery	2.1. Increased skills and abilities of OSH staff	No. of OSH staff recruited	9 OSH officers only in Malawi.	Recruit 12 OSH officers.	Appointment letters.	Ongoing	2012-2016	DHRM/ MoL/Social Partners
		No. of OSH staff trained at postgraduate level.	1 officer only trained at postgraduate level.	15officers trained at postgraduate level.	OSH related postgraduate degrees/ certificates	Ongoing	2012-2016	
		Number of exchange visits	none	15 officers attend international information sharing meetings	Reports of exchange visits	Ongoing	2012-2016	
Outcome 3. Availability of Occupational Safety and health professionals at all levels.	Increased number of training institutions offering OSH related courses	No. of training institutions with OSH related subjects curriculum	Lack of training institutions offering OSH specific courses	OSH subjects mainstreamed in secondary and tertiary education.	Policies on curriculum review	Ongoing	2012-2016	MoES&T/ MoL/ Academia/ Social Partners
				2 university colleges offering degree courses in OSH.	Colleges offering OSH specific courses.	Ongoing	2012-2016	
		No. of OSH professionals in the country		30 OSH professionals	Certificates and professional publications	Ongoing	2012-2016	

Outcome 4. Efficient and timely monitoring of workplace related hazards	Stock of OSH workplace monitoring equipment increased	Number & type of OSH monitoring equipment acquired	3 Noise meters available.	9 digital cameras	Monitoring equipment and procurement reports	Ongoing	2012-2016	MoL
				8 light meters				
				8 dust samplers				
				Sample collection kit				
				Non destructive machine				
				X-ray machines				
Outcome 5. Availability of diverse OSH related research and information	5.1. A fully equipped Industrial Hygiene Laboratory established	Industrial hygiene laboratory.	None	Industrial Hygiene laboratory	Industrial Hygiene Laboratory	Ongoing	2012-2016	MoL/ Academia
	5.2. OSH related research conducted	# research papers /reports published	No/little research OSH	# of research papers published	Published and non published OSH research papers/ articles			
Outcome 6. Improved collaboration and information sharing on OSH among the social partners	Consultative Tripartite workshops on OSH conducted	Number of OSH Consultative tripartite workshops	Inadequate collaboration between social partners specifically on OSH issues.	4 tripartite Consultative workshops annually.	Workshop reports.	Quarterly.	2012-2016	MoL/Social Partners
				Joint OSH inspections	Information sharing documents.			
Outcome 7. Reduced labour costs in the area of workers compensations	OSH related workplace accidents and fatalities reduced	Percentage change in OSH related workplace accidents and fatalities		5% reduction in workplace related accidents and fatalities				MoL
Outcome 8. Increased understanding of OSH issues by the world of work and the general public.	8.1 OSH Information and Documentation Centre established	OSH Information and Documentation Centre	Inactive Documentation centre	A fully equipped and functional national Information and Documentation Centre.	Available documentation centre	Ongoing.	2012-2016	MoL/Social Partners
					Reports			
	8.2 OSH awareness campaigns conducted.	No. of awareness campaigns	Inadequate awareness campaigns	Adequate Awareness campaigns on OSH	Awareness campaigns reports	quarterly	2012-2016	
	8.3 Safety committees in all workplaces established and strengthened	Number of workplaces with safety committees		All workplaces in Malawi with functional safety committees	Reports from workplace safety committees	Ongoing	2012-2016	
	8.4 OSH publications produced	Number of OSH publications	2006 OSH work safety newsletter	100 work safety newsletters	Copies of OSH publications	Quarterly	2012-2016	
	8.5 OSH related statistical bulletins produced	Number of OSH statistical bulletins	Current administrative OSH statistics	4 OSH statistical bulletins	Copies of OSH statistical bulletins	Quarterly	2012-2016	

Outcome 9. A well informed, healthy and productive workforce in workplaces	HIV and AIDS mainstreamed in all workplaces in Malawi.	Number of enterprises having HIV and AIDS workplace policies and education programmes	National HIV and AIDS Workplace Policy not yet adopted.	The National HIV and AIDS Workplace Policy.	The National HIV and AIDS Workplace Policy document.	Jul-2012	2012-2013	MoL/MoH/ OPC/ Social Partners
			Few enterprises have adopted the draft National HIV and AIDS Workplace Policy.	All enterprises in Malawi adopting the Draft HIV and AIDS Workplace Policy	Reports of enterprises having HIV and AIDS Policies and Education Programmes.	Ongoing	2012-2016	

Appendix 3: Terms of Reference of the National OSH Committee

The Ministry of Labour will serve as the Secretariat of the National OSH Committee. The specific duties and responsibilities of the National OSH Committee will include, inter alia:

- Review and approve the draft National Programme before validation by national stakeholders;
- Approve the Final OSH Programme after validation by a National Stakeholder Meeting;
- Mobilise resources and organise the launch of the Programme by the Highest Government Authority;
- Review and approve action plans and budgets prepared by the Secretariat, with technical support of the ILO;
- Lead efforts for the mobilization of resources for the implementation of the National OSH Programme; and
- Serve as a subcommittee of the National Labour Advisory Council.

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