

Labour Inspection Country Profile: Namibia

Labour Inspection Structure and Organization

Name of institution that manages work issues

[The Ministry of Labour and Social Welfare](#) administers industrial relations, employment, migration and social security as well as being responsible for labour inspection.

Department(s) responsible for Labour Inspection

The Ministry of Labour and Social Welfare comprises two directorates. The "Labour Services" directorate is responsible for labour inspection. It includes the Labour Inspectorate Division and the OSH division. Labour inspectors within the Labour Inspectorate Division enforce labour provisions which relate to working time, wages, employment of vulnerable groups of workers whereas labour inspection staff under the OSH division ensure enforcement of the provision relating to occupational safety and health.

Law that covers organization and functional composition

Labour Act No. 11 of 2007

Labour Act, 1992

Regulations relating to the health and safety of employees at work (No. 156 of 1997)

Public Service Act, 1995

Scope of labour inspection

Labour inspectors within the Labour Inspectorate Division ensure the enforcement of general working conditions (working time, wages, unfair dismissal, employment of children and young persons). The Division supplies technical information to employers and workers concerning the most effective means of complying with the law. It also brings to the Minister's attention, loopholes or abuses not specifically covered by existing legislation. Most of these services are delivered by labour inspectors. In addition, inspectors play a role in the mediation and settlement of disputes.

OSH inspectors within the OSH Division approve factory building plans, register and inspect boilers and other types of machinery. They also monitor the importing of machinery.

Local divisions

Under the Labour Inspectorate Division there are four regional sections with 14 local offices. There are also three regional sections under the OSH division.

Programming and communication

There is limited planning of labour inspection activities with very few exchanges of information between departments. Moreover, there are no systems in place to develop and set priorities or monitor and evaluate how inspection activities are performed.

There are also other institutions that operate in the sphere of labour protection in Namibia, but there appears to be little collaboration or cooperation between them.

Human Resources and career development

Permanency of inspectors

Labour inspectors are civil servants, although staff members may be discharged from the public service if the dismissal is in the interests of promoting efficiency in the office, ministry or agency in which they are employed. Labour inspectors have low salaries and limited opportunities for career advancement.

Background required

Within the Ministry, there is a unit for training that is responsible for managing staff professional development.

Visits and functions

Types of visits

Labour inspectors carry out routine and complaints based visits. According to the government, every workplace should be subject to a routine visit once per year. Inspection visits are also conducted when investigations into an occupational accident are carried out.

Role of preventive measures

OSH inspectors provide technical support with respect to OSH and provide educational materials for campaigns and promotions and information on OSH regulations. They assist employers to appoint safety representatives and set up safety committees.

There is little evidence of preventive activities carried out by the labour inspectorate.

Planning of labour inspection visits

There does not appear to be a specific strategy for the programming of inspection visits.

Registries and reporting of accidents/diseases at work

The law requires employers to notify occupational accidents and dangerous occurrences to the labour inspectorate immediately, while occupational diseases have to be notified only to the Chief Medical Officer, Ministry of Health and Social Services. There appears to be a high level of underreported accidents and diseases.

A master register of establishments does not seem to exist.

Sanctions and administrative processes

In cases of non-compliance, labour inspectors may issue compliance orders which can be appealed to the Labour Court within thirty days. Inspectors may also issue directions to the employer requiring to pay the remuneration due and post notices where required.

Social dialogue and labour inspection

There is a National Tripartite Labour Advisory Council, although inspection matters are not discussed within this Council.

Workplace representatives have the right to accompany OSH inspectors during inspection visits or investigations. Likewise, trade union members may participate in inquiries following an occupational accident.

ILO Conventions ratified

Namibia has not ratified Convention No. 81 nor Convention No. 129.