

*Ensuring Safe and Healthy Work Environments in Africa*

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**Kariuki Muigua**

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## **Ensuring Safe and Healthy Work Environments in Africa**

**Kariuki Muigua\***

### **Abstract**

*Sustainable Development Goal (SDG) 8 under the United Nations 2030 Agenda for Sustainable Development calls upon the global community to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. One of the key ways of realizing SDG 8 is ensuring safe and healthy work environments. Work is considered decent when it guarantees a secure form of employment and safe working conditions. This paper critically explores the need for safe and healthy work environments in Africa. It argues that ensuring safe and healthy work environments in Africa is key in realizing SDG 8 by fostering decent work and sustained, inclusive, and sustainable economic growth. The paper examines the idea of safe and healthy work environments and some of the key approaches towards realizing this ideal. It also examines the progress made and challenges faced towards ensuring safe and healthy work environments in Africa. The paper also offers proposals towards ensuring safe and healthy work environments in Africa.*

### **1.0 Introduction**

The International Labour Organization (ILO) opines that productive employment and decent work are key elements to achieving a fair globalization and poverty reduction<sup>1</sup>. According to ILO, decent work sums up the aspirations of people in their working lives<sup>2</sup>. It further notes that decent work involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for all, better prospects for personal development and social integration, freedom for people to express

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<sup>1</sup> International Labour Organization., 'Decent Work' Available at <https://www.ilo.org/topics/decent-work#:~:text=It%20involves%20opportunities%20for%20work,that%20affect%20their%20lives%20and> (Accessed on 01/05/2024)

<sup>2</sup> Ibid

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their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men<sup>3</sup>. Work is considered decent when it: pays a fair income, guarantees a secure form of employment and safe working conditions, ensures equal opportunities and treatment for all, includes social protection for the workers and their families, offers prospects for personal development and encourages social integration, ensures that workers are free to express their concerns and to organize<sup>4</sup>.

It has been argued that increasing employment and ensuring decent work for all are essential aspects of Sustainable Development<sup>5</sup>. Quality employment and decent work conditions help reduce inequalities and poverty, and empower people, especially women, young people and the most vulnerable such as people with disabilities<sup>6</sup>. Decent work is central to poverty reduction and is a path to achieving equitable, inclusive, and Sustainable Development<sup>7</sup>.

The United Nation's *2030 Agenda for Sustainable Development*<sup>8</sup> seeks to ensure that all human beings can enjoy prosperous and fulfilling lives and that economic, social and technological progress occurs in harmony with nature<sup>9</sup>. Under the Agenda, states resolve to create conditions for sustainable, inclusive and sustained economic growth, shared prosperity and decent work for all, taking into account different levels of national development and capacities<sup>10</sup>. Sustainable Development Goal (SDG) 8 calls upon the

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<sup>3</sup> Ibid

<sup>4</sup> European Commission., 'Employment and Decent Work' Available at [https://international-partnerships.ec.europa.eu/policies/sustainable-growth-and-jobs/employment-and-decent-work\\_en](https://international-partnerships.ec.europa.eu/policies/sustainable-growth-and-jobs/employment-and-decent-work_en) (Accessed on 01/05/2024)

<sup>5</sup> Ibid

<sup>6</sup> Ibid

<sup>7</sup> Ibid

<sup>8</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf> (Accessed on 01/05/2024)

<sup>9</sup> Ibid

<sup>10</sup> Ibid

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global community to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all<sup>11</sup>.

One of the key ways of realizing SDG 8 is ensuring safe and healthy work environments<sup>12</sup>. SDG 8 seeks to achieve several targets including protecting labour rights and promoting safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment<sup>13</sup>. It has been pointed out that work is considered decent when it guarantees a secure form of employment and safe working conditions<sup>14</sup>. This paper critically explores the need for safe and healthy work environments in Africa. It argues that ensuring safe and healthy work environments in Africa is key in realizing SDG 8 by fostering decent work and sustained, inclusive, and sustainable economic growth. The paper examines the idea of safe and healthy work environments and some of the key approaches towards realizing this ideal. It also examines the progress made and challenges faced towards ensuring safe and healthy work environments in Africa. The paper also offers proposals towards ensuring safe and healthy work environments in Africa.

### **2.0 Conceptualizing Safe and Healthy Work Environments**

A safe and healthy working environment also known as Occupational Safety and Health (OSH) is an ideal that seeks to prevent work-related injuries and diseases, as well as ensuring the protection and promotion of the health of workers<sup>15</sup>. It also refers to the improvement of working conditions and working environments for workers to ensure their safety and health are maintained while working and providing compensation if a work-related injury occurs<sup>16</sup>. OSH aims to achieve several objectives including the

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<sup>11</sup> Ibid

<sup>12</sup> European Commission., 'Employment and Decent Work' Op Cit

<sup>13</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Op Cit

<sup>14</sup> Ibid

<sup>15</sup> United Nations Global Compact., 'A Safe and Healthy Working Environment' Available at <https://unglobalcompact.org/take-action/safety-andhealth> (Accessed on 01/05/2024)

<sup>16</sup> Ibid

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promotion and maintenance of the highest degree of physical, mental and social wellbeing in all occupations<sup>17</sup>; the prevention amongst workers of departures from health caused by their working conditions<sup>18</sup>; the protection of workers in their employment from risks resulting from factors adverse to health<sup>19</sup>; and the placing and maintenance of the worker in an occupational environment adapted to its physiological and psychological equipment<sup>20</sup>. It has been noted that safety and health in the workplace does not just apply to typically dangerous jobs, such as working at height or in industries that deal with chemicals, but to all places of employment, including offices<sup>21</sup>. Safe and healthy work environments also include the requirement of employers to adapt work and the workplace to the capabilities of the workers in light of their physical and mental health<sup>22</sup>. In addition, ensuring safe and healthy work environments also entails having a zero-tolerance policy on any form of violence, gender discrimination, harassment or victimization<sup>23</sup>.

Realizing the right to safe and health working environments features prominently in key human rights instruments. For example, the *Universal Declaration of Human Rights*<sup>24</sup> stipulates the right of every person to work which includes the requirement for just and favourable conditions of work<sup>25</sup>. In addition, the *International Covenant on Economic, Social*

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<sup>17</sup> Muigua. K., 'Realising Occupational Safety and Health as a Fundamental Human Right in Kenya' Available at <https://kmco.co.ke/wp-content/uploads/2018/08/Realising-Occupational-Safety-and-Health-as-a-Fundamental-Human-Right-in-Kenya.pdf> (Accessed on 01/05/2024)

<sup>18</sup> Ibid

<sup>19</sup> Ibid

<sup>20</sup> Ibid

<sup>21</sup> United Nations Global Compact., 'A Safe and Healthy Working Environment' Op Cit

<sup>22</sup> Ibid

<sup>23</sup> Munnoo. S., 'The Fundamental Human Right to Health & Safety at Work' Available at <https://www.fem.co.za/the-fundamental-human-right-to-health-safety-at-work/> (Accessed on 01/05/2024)

<sup>24</sup> Universal Declaration of Human Rights., Available at [https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR\\_Translations/eng.pdf](https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/eng.pdf) (Accessed on 01/05/2024)

<sup>25</sup> Ibid, article 23 (1)

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*and Cultural Rights*<sup>26</sup> urges all states to recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, and in particular *safe and healthy working conditions*<sup>27</sup>. Ensuring safe and healthy work environments is therefore a fundamental human right.

According to ILO, a safe and healthy working environment is a fundamental principle and right at work<sup>28</sup>. The protection of workers' health and safety features prominently among the constitutional objectives of the ILO<sup>29</sup>. The Preamble to the ILO Constitution notes that the protection of the worker against sickness, disease and injury arising out of his employment is among the improvements that are urgently required<sup>30</sup>. In addition, the *ILO Declaration on Fundamental Principles and Rights at Work*<sup>31</sup> includes five categories of core principles and rights at work which are: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; the elimination of discrimination in respect of employment and occupation; and *a safe and healthy working environment*(*Emphasis added*)<sup>32</sup>. ILO notes that a safe and healthy working environment is not only a fundamental principle and right at work but also an essential requirement for fostering sustainable and inclusive economic growth, full and productive employment and decent work for all<sup>33</sup>. The International Labour Conference held in 2022 declared a

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<sup>26</sup> International Covenant on Economic, Social and Cultural Rights., Available at <https://www.ohchr.org/sites/default/files/cescr.pdf> (Accessed on 01/05/2024)

<sup>27</sup> Ibid, article 7 (b)

<sup>28</sup> International Labour Organization., 'A Safe and Healthy Working Environment is a Fundamental Principle and Right at Work' Available at [https://webapps.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---lab\\_admin/documents/publication/wcms\\_850673.pdf](https://webapps.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_850673.pdf) (Accessed on 01/05/2024)

<sup>29</sup> Ibid

<sup>30</sup> Ibid

<sup>31</sup> International Labour Organization Declaration on Fundamental Principles and Rights at Work., Available at [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_467653.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_467653.pdf) (Accessed on 01/05/2024)

<sup>32</sup> Ibid

<sup>33</sup> International Labour Organization., 'Safe and Healthy Working Environments for All: Realizing the Fundamental Right to a Safe and Healthy Working Environment Worldwide' Available at [https://webapps.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---safework/documents/publication/wcms\\_906187.pdf](https://webapps.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/publication/wcms_906187.pdf) (Accessed on 01/05/2024)

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safe and healthy working environment as a fundamental principle and right at work<sup>34</sup>. This also included designating the *OSH Convention*<sup>35</sup>, and the *Promotional Framework for Occupational Safety and Health Convention*<sup>36</sup> as fundamental Conventions. As a result, all member states of the ILO, regardless of their ratification status of these fundamental Conventions, have an obligation arising from the very fact of membership in the ILO to respect, promote and realize, in good faith and in accordance with the ILO Constitution, the principles concerning the fundamental right to a safe and healthy working environment<sup>37</sup>.

According to the United Nations, building a positive safety and health culture in the workplace ensures that employees feel comfortable raising concerns about possible OSH risks or hazards at work, with management collaborating with them proactively to find appropriate, effective and sustainable solutions<sup>38</sup>. Creating a positive safety and health culture in the workplace not only prevents human suffering and ill health, but also benefits workers and employers alike<sup>39</sup>. Ensuring safe and healthy work environments contribute to higher productivity and job satisfaction among workers<sup>40</sup>. In addition, achieving this ideal promotes success at all levels within an enterprise, which, in turn, can support positive outcomes in the larger society<sup>41</sup>. A safe and healthy work environment prioritizes the well-being, safety, and protection of all employees and encompasses both physical and psychological aspects<sup>42</sup>. It is characterized by aspects

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<sup>34</sup> International Labour Organization., 'A Safe and Healthy Working Environment is a Fundamental Principle and Right at Work' Op Cit

<sup>35</sup> Occupational Safety and Health Convention, 1981 (No. 155)

<sup>36</sup> Promotional Framework for Occupational Safety and Health Convention., 2006 (No. 187)

<sup>37</sup> International Labour Organization., 'A Safe and Healthy Working Environment is a Fundamental Principle and Right at Work' Op Cit

<sup>38</sup> United Nations., 'Together We Can Build a Culture of Safety and Health at Work' Available at <https://www.un.org/en/un-chronicle/together-we-can-build-culture-safety-and-health-work> (Accessed on 01/05/2024)

<sup>39</sup> Ibid

<sup>40</sup> Ibid

<sup>41</sup> Ibid

<sup>42</sup> Implementing a Healthy, Safe and Secured Workplace., Available at <https://www.greatplacetowork.co.ke/en/resources/blog/implementing-a-healthy-safe-and-secured-workplace> (Accessed on 01/05/2024)

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such as physical safety of all employees, occupational health, psychological well-being, supportive culture, and constant improvement<sup>43</sup>. It has been noted that the productivity rate of employees grows when they operate in a healthy, safe, and secure workplace contributing to the growth and development of the organization while also helping employees build their careers in the organization<sup>44</sup>. It is therefore necessary to ensure safe and healthy work environments.

### **3.0 Ensuring Safe and Healthy Work Environments in Africa: Prospects and Challenges**

Ensuring safe and healthy work environments is a fundamental global priority. It has been noted that in Africa, where diverse cultures, industries, and regulations intersect, maintaining compliance with health and safety regulations is of utmost importance<sup>45</sup>. Africa Union's *Agenda 2063*<sup>46</sup> sets out the ideal of safe and healthy work environments in Africa. Among the key aspirations of Agenda 2063 is the realization of a prosperous Africa based on inclusive growth and Sustainable Development<sup>47</sup>. This aspiration seeks to end inequalities of income and opportunity and enhance job creation in Africa<sup>48</sup>. It recognizes that incomes, jobs and decent work are vital in achieving the goal of a high standard of living, quality of life and wellbeing for all citizens in Africa<sup>49</sup>. In order to achieve this goal, Agenda 2063 seeks to structurally transform African economies to ensure equitable growth, fair distribution of opportunities and decent employment,

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<sup>43</sup> Ibid

<sup>44</sup> Ibid

<sup>45</sup> Jegede. O., 'How to Stay Compliant With Health and Safety Regulations in Africa' Available at [https://www.linkedin.com/pulse/how-stay-compliant-health-safety-regulations-african-jegede?utm\\_source=share&utm\\_medium=member\\_android&utm\\_campaign=share\\_via](https://www.linkedin.com/pulse/how-stay-compliant-health-safety-regulations-african-jegede?utm_source=share&utm_medium=member_android&utm_campaign=share_via) (Accessed on 01/05/2024)

<sup>46</sup> Africa Union., 'Agenda 2063: The Africa we Want' Available at [https://au.int/sites/default/files/documents/33126-doc-framework\\_document\\_book.pdf](https://au.int/sites/default/files/documents/33126-doc-framework_document_book.pdf) (Accessed on 01/05/2024)

<sup>47</sup> Ibid

<sup>48</sup> Ibid

<sup>49</sup> Ibid

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labour standards and safe working conditions for all, including enhanced women's productivity, access to basic services and commodities and income distribution<sup>50</sup>.

In addition, the *Africa Health Strategy*<sup>51</sup> seeks to build an effective, African-driven response to reduce the burden of disease through strengthened health systems, scaled-up health interventions, intersectoral action and empowered communities<sup>52</sup>. It aims to achieve Universal Health Coverage in Africa by fulfilling existing global and continental commitments which strengthen health systems and improve social determinants of health in Africa<sup>53</sup>. It urges African countries to expand social protection in order to achieve equity<sup>54</sup>. According to the Strategy, social protection is an important instrument to achieve universal access to key health and social services, including basic primary health care, education, nutrition and environmental health<sup>55</sup>. It recognizes that social protection programs tackle multiple dimensions of poverty and deprivation in areas such as decent work, education, health care, food security, income security and can therefore be powerful tools in the battle against poverty and inequality, vulnerability and poverty<sup>56</sup>. It has been noted that social protection measures including access to sickness benefits are vital in ensuring safe and healthy work environments<sup>57</sup>. It is therefore necessary to implement the Africa Healthy Strategy in order to ensure safe and healthy work environments in Africa.

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<sup>50</sup> Ibid

<sup>51</sup> African Union., 'Africa Health Strategy' Available at [https://au.int/sites/default/files/documents/24098-au\\_ahs\\_strategy\\_clean.pdf](https://au.int/sites/default/files/documents/24098-au_ahs_strategy_clean.pdf) (Accessed on 01/05/2024)

<sup>52</sup> Ibid

<sup>53</sup> Ibid

<sup>54</sup> Ibid

<sup>55</sup> Ibid

<sup>56</sup> Ibid

<sup>57</sup> World Employment Confederation., 'Safe and Healthy Working Environments: From a Right to a Reality!' Available at <https://weceurope.org/news-post/safe-and-healthy-working-environments-from-a-right-to-a-reality/> (Accessed on 01/05/2024)

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At a national level, the *Constitution of Kenya*<sup>58</sup> envisages access to employment for all persons including youths, minorities and marginalized groups<sup>59</sup>. It also enshrines core labour rights including the right to fair remuneration, to *reasonable working conditions*, to form, join or participate in the activities and programmes of a trade union; and to go on strike (Emphasis added)<sup>60</sup>. The constitution also guarantees every Kenyan the right to a clean and healthy environment<sup>61</sup>. It has been argued that this right is applicable in all contexts and therefore requires work environments to be clean and healthy<sup>62</sup>. Attaining OHS at the workplace therefore requires attaching importance to the health of employees as well as to the environment in which they work<sup>63</sup>.

In addition, the *Occupational Safety and Health Act*<sup>64</sup> of Kenya seeks to provide for the safety, health and welfare of workers and all persons lawfully present at workplaces. The objectives of the Act are to secure the safety, health and welfare of persons at work; and to protect persons other than persons at work against risks to safety and health arising out of, or in connection with, the activities of persons at work<sup>65</sup>. The Act requires every occupier to ensure the safety, health and welfare at work of all persons working in their workplace<sup>66</sup>. It also requires every occupier to carry out appropriate risk assessments in relation to the safety and health of persons employed and, on the basis of these results, adopt preventive and protective measures to ensure that under all conditions of their intended use, all chemicals, machinery, equipment, tools and process under the control of the occupier are safe and without risk to health<sup>67</sup>. In addition, the Act requires every occupier to establish a safety and health committee at the workplace if there are twenty

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<sup>58</sup> Constitution of Kenya., 2010., Government Printer, Nairobi

<sup>59</sup> Ibid, article 55 (c), & 56 (c)

<sup>60</sup> Ibid, article 41

<sup>61</sup> Ibid, article 32

<sup>62</sup> Muigua. K., 'Realising Occupational Safety and Health as a Fundamental Human Right in Kenya' Op Cit

<sup>63</sup> Ibid

<sup>64</sup> Occupational Safety and Health Act., 2007, Government Printer, Nairobi

<sup>65</sup> Ibid, S 3

<sup>66</sup> Ibid, s 6 (1)

<sup>67</sup> Ibid, s 6 (3)

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or more persons employed at the workplace<sup>68</sup>. It also places a duty on employees to ensure their own safety and health and that of other persons who may be affected by their acts or omissions at the workplace; wear or use any protective equipment or clothing provided by the employer for the purpose of preventing risks to their safety and health; comply with the safety and health procedures, requirements and instructions; report any accident or injury that arises in the course of or in connection with their work<sup>69</sup>. In addition, the Act establishes the office of the Director of Occupational Safety and Health Services who is responsible for the administration of the Act<sup>70</sup>. It also establishes a National Council for Occupational Safety and Health which is responsible for matters such as the formulation and development of national occupational safety and health, policy framework; legislative proposals on occupational safety and health, including ways and means to give effect to ILO Conventions, and other international conventions and instruments relating to occupational safety, health, compensation and rehabilitation services; the establishment, maintenance and development of a safety and health preventative culture; and the statistical analysis of work related deaths and injuries<sup>71</sup>. Implementing this Act is critical in ensuring safe and healthy work environments in Kenya.

In addition, the *Work Injury Benefits Act*<sup>72</sup> of Kenya provides a legal framework for compensation to employees for work related injuries and diseases contracted in the course of their employment<sup>73</sup>. The Act requires every employer to obtain and maintain an insurance policy in respect of any liability that the employer may incur to any of his or her employees<sup>74</sup>. It enshrines the right to compensation and provides that an employee who is involved in an accident resulting in the employee's disablement or death is

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<sup>68</sup> Ibid, s 9 (1) (a)

<sup>69</sup> Ibid, s 13 (1)

<sup>70</sup> Ibid, s 23 (1)

<sup>71</sup> Ibid, S 27 (1)

<sup>72</sup> Work Injury Benefits Act., 2007., Government Printer, Nairobi

<sup>73</sup> Ibid

<sup>74</sup> Ibid, S 7 (1)

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entitled to the benefits provided for under the Act<sup>75</sup>. The employer is liable to pay such compensation<sup>76</sup>. However, under the Act, an employee is not entitled to compensation if an accident, not resulting in serious disablement or death, is caused by the deliberate and willful misconduct of the employee<sup>77</sup>. The Act provides a schedule for the computation of work injury benefits<sup>78</sup>. This Act is therefore vital in ensuring safe and healthy work environments in Kenya. According to ILO, employment injury benefit is a key component of OSH<sup>79</sup>. It notes that these benefits can take the form of temporary incapacity cash benefits which are paid to injured workers until they return to work or have reached maximum medical recovery<sup>80</sup>; and permanent incapacity and survivorship benefits which are paid after the medical condition of the injured person has stabilized and the worker has gone through vocational rehabilitation programmes, whenever these are available<sup>81</sup>. In instances when a worker dies due to a work-related accident or disease, benefits are paid to the survivors<sup>82</sup>. Employment injury benefits also include medical expenses and rehabilitation benefits<sup>83</sup>. It is therefore necessary to implement the Work Injury Benefits Act of Kenya in order to foster the role of employment injury benefits in OSH.

The Draft *National Occupational Safety and Health Policy of Kenya*<sup>84</sup> aims to uphold worker safety and health as fundamental rights, aligning with international standards set by the ILO and the objectives of Kenya Vision 2030<sup>85</sup>. The policy's objectives include legislative

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<sup>75</sup> Ibid, S 10 (1)

<sup>76</sup> Ibid, S 10 (2)

<sup>77</sup> Ibid, S 10 (3)

<sup>78</sup> Ibid

<sup>79</sup> International Labour Organization., 'Components of Employment Injury Benefit' Available at <https://www.ilo.org/resource/components-employment-injury-benefit> (Accessed on 01/05/2024)

<sup>80</sup> Ibid

<sup>81</sup> Ibid

<sup>82</sup> Ibid

<sup>83</sup> Ibid

<sup>84</sup> Draft National Occupational Safety and Health Policy of Kenya., Available at <https://labour.go.ke/sites/default/files/2024-04/Draft%20National%20OSH%20Policy%202024%20for%20Public%20participation.pdf> (Accessed on 01/05/2024)

<sup>85</sup> Ibid

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guidance, institution strengthening, enforcement mechanisms, capacity building, and public awareness initiatives, aiming to create a safe working environment across all sectors and forms of employment while promoting social dialogue and inclusivity<sup>86</sup>. The Draft Policy is guided by several principles which include recognition that OSH laws applies to all workers and employers in all sectors of the economy and in all forms of employment; all occupational accidents and health incidents are preventable; preventive and rehabilitative occupational health services are essential for a well-rounded healthcare system; equitable compensation and rehabilitative support following work injury or illness; occupiers bear the responsibility to ensure workplaces are safe and free from hazard; recognition that a safe workplace contributes to productivity, employee morale, and cost saving; fairness, inclusivity and respect for human rights; and non - discrimination in the workplace including on race, gender, ethnicity, religion, disability or any other characteristic<sup>87</sup>. The Draft Policy seeks to apply to OSH issues in: all workplaces, for persons working therein, 'employees' and 'employers' alike, in all sectors of the economy; emerging non-standard employee-employer relationships found in teleworking, gig-working and remote working; and all government and non-governmental entities with interconnecting roles in safety and health at work<sup>88</sup>. It is imperative to fast-track the adoption of this Policy in order to ensure safe and healthy work environments in Kenya.

From the foregoing, it is evident that there has been progress towards ensuring safe and healthy environments. Several laws and policies have been enacted at the global, continental, and regional level towards this end. However, the ideal of safe and healthy work environments is yet to be realized in Africa and across the globe. It has been noted that many workers die from occupational accidents and work-related diseases while others suffer from non-fatal occupational accidents<sup>89</sup>. In addition, it has been observed

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<sup>86</sup> Ibid

<sup>87</sup> Ibid

<sup>88</sup> Ibid

<sup>89</sup> United Nations Global Compact., 'A Safe and Healthy Working Environment' Op Cit

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that workplace-related deaths exceed the average annual deaths from road accidents, war, violence, and HIV/AIDS<sup>90</sup>. According to ILO, workers are exposed to many risks in the workplace, ranging from biological, chemical and physical hazards, to psychosocial and ergonomic hazards<sup>91</sup>. It notes that millions of workers lose their lives each year due to occupational accidents and diseases, with many more suffering from debilitating work-related injuries and chronic conditions<sup>92</sup>. Despite these dangers, adequate OSH measures to prevent accidents and diseases at work are often lacking in many countries<sup>93</sup>. For example, in Kenya, it has been pointed out that workers are exposed to several safety and health risks including increasing occupational accidents, inadequate inspection of workplaces, inadequate investigation of accidents and diseases, low awareness on safety and health, and minimal and delay in compensation for the injured and dead<sup>94</sup>. It is necessary to address these challenges in order to ensure safe and healthy work environments in Kenya, Africa, and all over the world.

### **4.0 Conclusion**

In order to ensure safe and healthy work environments in Africa, it is necessary for employers to ensure safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances at workplaces<sup>95</sup>. In addition, provision of information, instruction, training and supervision of workers as is necessary is very crucial in maintain safe and healthy work environments<sup>96</sup>. Workplaces and work

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<sup>90</sup> Ibid

<sup>91</sup> International Labour Organization., 'Implementing a Safe and Healthy Working Environment: Where are we now?' Available at [https://webapps.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---safework/documents/publication/wcms\\_876334.pdf](https://webapps.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/publication/wcms_876334.pdf) (Accessed on 02/05/2024)

<sup>92</sup> Ibid

<sup>93</sup> Ibid

<sup>94</sup> Office of the Auditor-General of Kenya., 'Performance Audit Report on Protection of the Safety and Health of Workers at Workplaces' Available at <https://www.oagkenya.go.ke/wp-content/uploads/2023/01/Protection-and-of-the-Safety-and-Health-of-Workers-at-Workplace.pdf> (Accessed on 02/05/2024)

<sup>95</sup> Health and Safety., Available at <https://africapay.org/kenya/labour-laws/health-and-safety-at-work#:~:text=It%20is%20obligatory%20for%20an,transport%20of%20articles%20and%20substances> (Accessed on 02/05/2024)

<sup>96</sup> Ibid

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environment that are safe, without health risks and adequate in relation to facilities and arrangements for the worker's welfare at work should therefore be maintained<sup>97</sup>. In addition, it is important for workers to be well informed of any risks and imminent danger related to new technologies and they should participate in the application and review of safety and health measures<sup>98</sup>. Employers should also conduct regular risk assessments to identify potential hazards in the workplace in order to develop adequate mitigation measures<sup>99</sup>. Maintaining accurate records on aspects of OSH such as safety training, incidents, and compliance efforts is also invaluable in case of audits or investigations and can demonstrate and strengthen efforts towards ensuring safe and healthy work environments<sup>100</sup>.

It is also vital to effectively implement OSH laws, policies and programmes<sup>101</sup>. ILO notes that OSH policies and programmes can enhance decent work for all workers by integrating the OSH needs of all groups of workers and addressing inequalities in OSH practice, thereby promoting equal access to safe and healthy working environments, occupational health services and healthcare<sup>102</sup>. This calls for implementation of measures such as the identification and registration of all eligible workplaces in both the formal and informal sector, making training more affordable to workplaces, creating more awareness on occupational safety and health issues, operationalizing OSH committees at work places, and enhancing inspection of workplaces and work-related accidents, diseases, and deaths<sup>103</sup>. Measures and policies geared towards ensuring timely and adequate compensation for work-related injuries, diseases and deaths should also be

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<sup>97</sup> Ibid

<sup>98</sup> Ibid

<sup>99</sup> Jegede. O., 'How to Stay Compliant With Health and Safety Regulations in Africa' Op Cit

<sup>100</sup> Ibid

<sup>101</sup> International Labour Organization., 'Implementing a Safe and Healthy Working Environment: Where are we now?' Op Cit

<sup>102</sup> Ibid

<sup>103</sup> Office of the Auditor-General of Kenya., 'Performance Audit Report on Protection of the Safety and Health of Workers at Workplaces' Op Cit

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implemented<sup>104</sup>. If effectively implemented, these measures can reduce accidents, diseases, and deaths at workplaces therefore ensuring safe and healthy work environments.

In addition, the ideal of safe and healthy work environments in Africa can be realized through establishment of national recording and notification system for work-related accidents and diseases<sup>105</sup>. It has been noted that the collection and analysis of data concerning occupational accidents and diseases is essential for identifying their causes, detecting new hazards and emerging risks, and developing preventive measures towards ensuring safe and healthy work environments<sup>106</sup>. Accurate and reliable data on occupational accidents and diseases are critical for defining priorities and designing effective preventive strategies on OSH<sup>107</sup>. African countries should therefore strengthen national recording and notification systems for work-related accidents and diseases towards ensuring safe and healthy work environments.

The ideal of safe and healthy work environments is attainable. It is therefore necessary to ensure safe and healthy work environments in Africa for prosperity.

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<sup>104</sup> Office of the Auditor-General of Kenya., 'Performance Audit Report on Protection of the Safety and Health of Workers at Workplaces' Op Cit

<sup>105</sup> International Labour Organization., 'Implementing a Safe and Healthy Working Environment: Where are we now?' Op Cit

<sup>106</sup> Ibid

<sup>107</sup> Ibid

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