

HRD 2104:PRINCIPLES OF MANAGEMENT GROUP B4

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1 Industrial Safety Act

Occupational health and safety(OHS) is a discipline that deals with prevention of work related injuries and diseases, and the protection and promotion of healthy workers both physically, mentally and socially (Taderera, 2012)[4]. In Kenya, the Health and Safety Act focuses on various occupational factors to ensure a safe and healthy working environment in industrial management.(MBULO, 2022) [2] Some of these factors include:

1. **Training:**Providing adequate training to employees on health and safety procedures is essential. This ensures that employees are aware of potential hazards and know how to handle them properly. For example, in construction sites, managers must ensure that workers receive proper training on how to safely operate heavy machinery and handle hazardous materials. This may include conducting regular safety training sessions and certifying workers in specific safety protocols, such as confined space entry procedures.
2. **Motivation:**Motivating employees to prioritize health and safety is crucial. This can be achieved through incentives, recognition, and creating a safety culture within the organization.
3. **Leadership role:**Management plays a significant role in implementing and enforcing health and safety policies. Leaders should lead by example and ensure that all employees follow safety protocols.
4. **Attitude:** A positive attitude towards health and safety contributes to a safer work environment. Employees should be encouraged to report hazards and take an active role in maintaining a safe workplace.
5. **Healthcare Provision:** The Act emphasizes the importance of providing access to healthcare services for industrial workers. In industries where employees are exposed to hazardous substances, such as chemical manufacturing plants, managers must ensure that employees have access to medical facilities equipped to handle exposure-related injuries or illnesses. Additionally, providing health insurance coverage can ensure that workers have access to ongoing medical care. For example, a pharmaceutical company might have onsite medical staff trained to respond to chemical spills or exposure incidents.
6. **Organizational culture:** Creating a safety-focused organizational culture is essential. This involves integrating health and safety into the organization's values, practices, and decision-making processes.
7. **Communication and OSH training:** Effective communication and regular occupational safety and health training help ensure that employees are informed about potential hazards and how to mitigate them.
8. **Appraisal of OHS programs:** Regularly assessing and improving occupational health and safety programs helps organizations maintain a safe work environment and adapt to changing circumstances. This may also include worker involvement and

consultation because the Act encourages active participation and consultation with workers regarding health and safety matters. For example, workers in a mining company may identify unsafe working conditions in underground tunnels and collaborate with management to implement additional safety measures, such as better lighting or ventilation systems.

9. **Audit of OHS programs:** Regularly auditing occupational health and safety programs helps identify areas for improvement and ensures compliance with regulations.
10. **Planning of OHS programs:** Developing a comprehensive plan for implementing and maintaining occupational health and safety programs is essential for success.
11. **Adequate HSE facilities and proper support by the management:** Providing adequate health, safety, and environment (HSE) facilities and ensuring management support are crucial for maintaining a safe work environment.
12. **Health and safety training:** Regular training on health and safety should be mandatory for all employees, and the management should ensure provision of enough protective equipment, devices, and clothing to safeguard against hazards and ill health.
13. **Workplace Safety Standards:** The Health and Safety Act mandates that industrial managers maintain safe working environments for employees. For instance, in manufacturing plants, managers must ensure that machinery is properly maintained and guarded to prevent accidents. Failure to comply with safety standards can lead to serious injuries or fatalities. (“OCCUPATIONAL SAFETY AND HEALTH PROFILES IN KENYA,” n.d.) [3]. An example could be providing protective guards on conveyor belts in a food processing plant to prevent employees from getting caught in the machinery.
14. **Risk assessment:** Conducting regular risk assessments in all power plants and similar work environments helps identify potential hazards and take necessary measures to mitigate them. (“OCCUPATIONAL SAFETY AND HEALTH PROFILES IN KENYA,” n.d.) [3] Risk assessment goes hand in hand with emergency preparation. Industrial managers must, therefore, develop and implement emergency preparedness plans to address potential workplace accidents or disasters. For instance, in oil refineries, managers must have robust emergency response protocols in place to address fires, explosions, or leaks. This may involve conducting regular drills to test response procedures and ensuring that emergency equipment, such as fire extinguishers and first aid kits, are readily available and properly maintained.

Generally, compliance with the Health and Safety Act’s occupational factors is essential for industrial managers in Kenya to ensure the health, safety, and well-being of their employees. Failure to adhere to these provisions can result in legal consequences, workplace accidents (Ministry of Labour and Social Protection, n.d.) [1], and damage to the organization’s reputation. Therefore, industrial managers must prioritize occupational health and safety and implement proactive measures to protect their employees and comply with regulatory requirements.

2 Factory Act of Kenya in Industrial Management

The Factory Act in Kenya, which is now known as the Factories and Other Workplaces (Safety, Health and Welfare) Act, Cap 514, focuses on various aspects related to industrial management.[5] Some of the key points include:

1. **Application:** The Act applies to factories, workshops, and other workplaces where industrial activities are carried out.
2. **Working Hours and Conditions:** Factory workers' working hours, breaks, and other working conditions are governed by the Factory Act. The maximum number of hours that can be worked in a day and a week is limited, and provisions are made for overtime compensation and rest times. To guarantee that workers have safe and equitable working conditions, industrial managers are required to abide by these regulations. For example, industrial managers are mandated by the Factory Act to make sure that workers in factories are not forced to work long hours without proper breaks. For instance, rest periods are required for employees at factories that process food in order to reduce accidents caused by weariness and guarantee the safety of the product. (Source: The Factories Act of Kenya Law)[5]
3. **Registration and Licensing of Factories:** Prior to the start of operations, factories must be registered and licensed under the Factory Act. This guarantees that factories provide worker welfare, health, and safety facilities that meet specific minimal criteria. Ensuring compliance with registration and licensing requirements is the responsibility of industrial managers. Example: Under the Factory Act, Kenyan factories that handle, process, or manufacture certain hazardous materials, like chemicals, must apply for licences from the Directorate of Occupational Safety and Health Services (DOSHS). If the required licences are not obtained, the factory may be forced to close or face penalties. (The Factories Act of Kenya Law) [5]
4. **Occupational Safety and Health Provisions:** The Factory Act stipulates various provisions related to occupational safety and health within factories. This covers the need for secure equipment, sufficient ventilation, safety gear, and steps to avoid accidents. Industrial managers are in charge of putting these safety measures into practice to guarantee a secure workplace. For instance, industrial managers are responsible for making sure that machinery is adequately guarded against accidents. For example, managers at textile industries have a duty to make sure that workers are outfitted with safety gear when using machinery like looms in order to prevent accidents. (Kenya Gazette Supplement to the Factories Act, Cap. 514) [3]
5. **Child Labour and Women Workers:** The Factory Act includes measures designed to safeguard women and children who work in factories. It controls women's employment, especially with regard to maternity benefits and limitations on specific kinds of work, and forbids the hiring of minors under a specific age. Industrial managers who wish to safeguard the rights of their most vulnerable employees must abide by these regulations. For instance, industrial managers are responsible for making sure that the

ban on child labour in factories is followed. For example, supervisors at clothing companies are required to confirm the age of employees in order to avoid hiring minors. In accordance with the Factory Act, they must also guarantee a safe working environment for expectant employees and offer maternity benefits. (Source: The Factories Act of Kenya Law) [5]

6. **Inspections and Enforcement:** The Act empowers inspectors to enter workplaces, inspect facilities, and enforce compliance with the Act. Non-compliance can result in penalties, including fines and imprisonment.
7. **Compensation for Injuries:** The Act provides for compensation for employees who suffer injuries or contract diseases as a result of their work.

Consider the following examples of application of this act in Industrial Management:

- A factory manager ensuring that all machinery and equipment are regularly inspected and maintained to prevent accidents.
- An employer providing adequate safety training to employees, including training on how to use personal protective equipment.
- An industrial facility implementing measures to control noise levels to protect employees' hearing.
- An employer ensuring that young persons are not employed in hazardous occupations and that they are given adequate rest periods.

To sum up, the Kenyan Factory Act offers a thorough legislative framework for controlling a range of industrial management issues, such as factory registration, worker protection, working conditions, and occupational safety and health. Industrial managers are essential in making sure that these rules are followed in order to support a fair, healthy, and safe working environment in factories.

References

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