



# Ministry of Labour & Social Security

"Providing Opportunities, Stability & Social Protection"



*"Making Work Safer, Healthier & More Productive"*

## Situation Analysis Report

### Jamaica

Presenter: Shakeria Simpson-Ford  
Senior Industrial Safety Inspector  
Occupational Safety & Health Department  
Ministry of Labour & Social Security

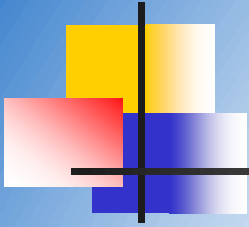


# Scope of Presentation



*"Making Work Safer, Healthier & More Productive"*

1. Introduction
2. Overview of the OSH Department
3. Safety and Health Related Laws
4. Labour Inspection System
  - i. OHMS and Risk Assessment
  - ii. Training and Education Programmes
5. Industrial Accidents and Occupational Diseases
6. Workers' Accident Compensation Insurance
7. Campaigns and National Events
8. Issues/Challenges in OSH Implementation
9. Country Best Practices



# Introduction



Name: Shakeria Simpson-Ford

Title: Senior Industrial Safety Inspector

Country: Jamaica



Organization: Ministry of Labour & Social Security



Department: Industrial Safety Division or *Occupational Safety and Health Department*



Years as OSH Professional: Over 11 years

# Introduction



Land Area: 10,830 km<sup>2</sup> (4,181 sq. miles)  
 Population: 2,836,077  
 Official Language: English  
 Capital City: Kingston  
 Number of Parishes: 14

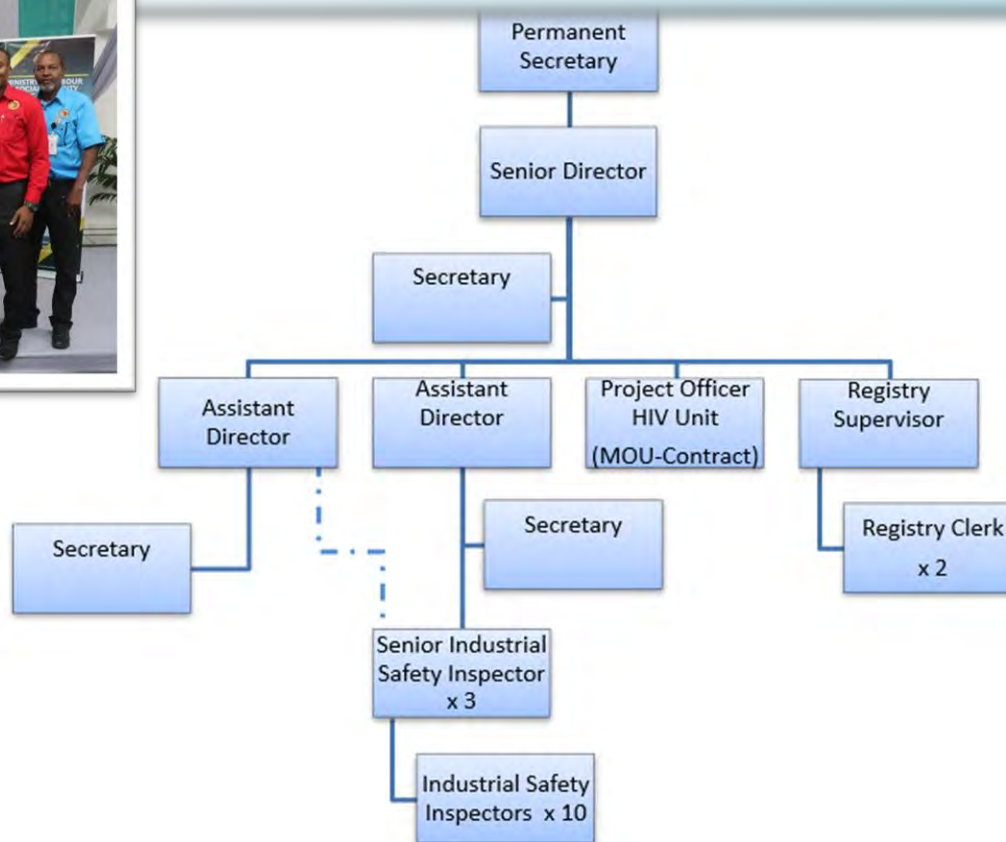




# OSH Department Org. Chart



The OSH Team



# The Inspectorate



- Composition of the Inspectorate
  - The Senior Director
  - 2 Assistant Directors
  - 3 Senior Industrial Safety Inspectors
  - 9 Industrial Safety Inspectors
- Administratively the island is divided into 3 regions – North West, South
- All inspectors are appointed by the Permanent Secretary or Chief Factory Inspector (CFI)



# OSHD Role & Function



The Industrial Safety Division (ISD), commonly referred to as the Occupational Safety and Health Department (OSHD) currently administers the Factories Act and companion Regulations (Factory Building and Dock). **The department's major activities include:**

1. Registration of Factories
2. Investigating industrial accidents and other dangerous occurrences
3. Approving plans for the construction and alteration of factories
4. Conducting S&H inspections of factories, construction sites, docks and cargo ships
5. Promoting National Policy on HIV & AIDS, 2012
6. Administering National OSH compliance programmes
7. Provide technical support and promote awareness on the OSH Bill





# Safety and Health Legislation

Legislation administered are:

## Factories Act, 1943



The Factories Regulations, 1961

- **Applicable to establishments "deemed" as "factories"** as defined in the Factories Act (17 definitions)



Building Operations & Engineering Construction (Safety, Health & Welfare) Regulations 1968

- Construction Sites & Civil Works



The Docks (Safety, Health & Welfare) Regulations , 1968

- Docks
- Cargo Vessels



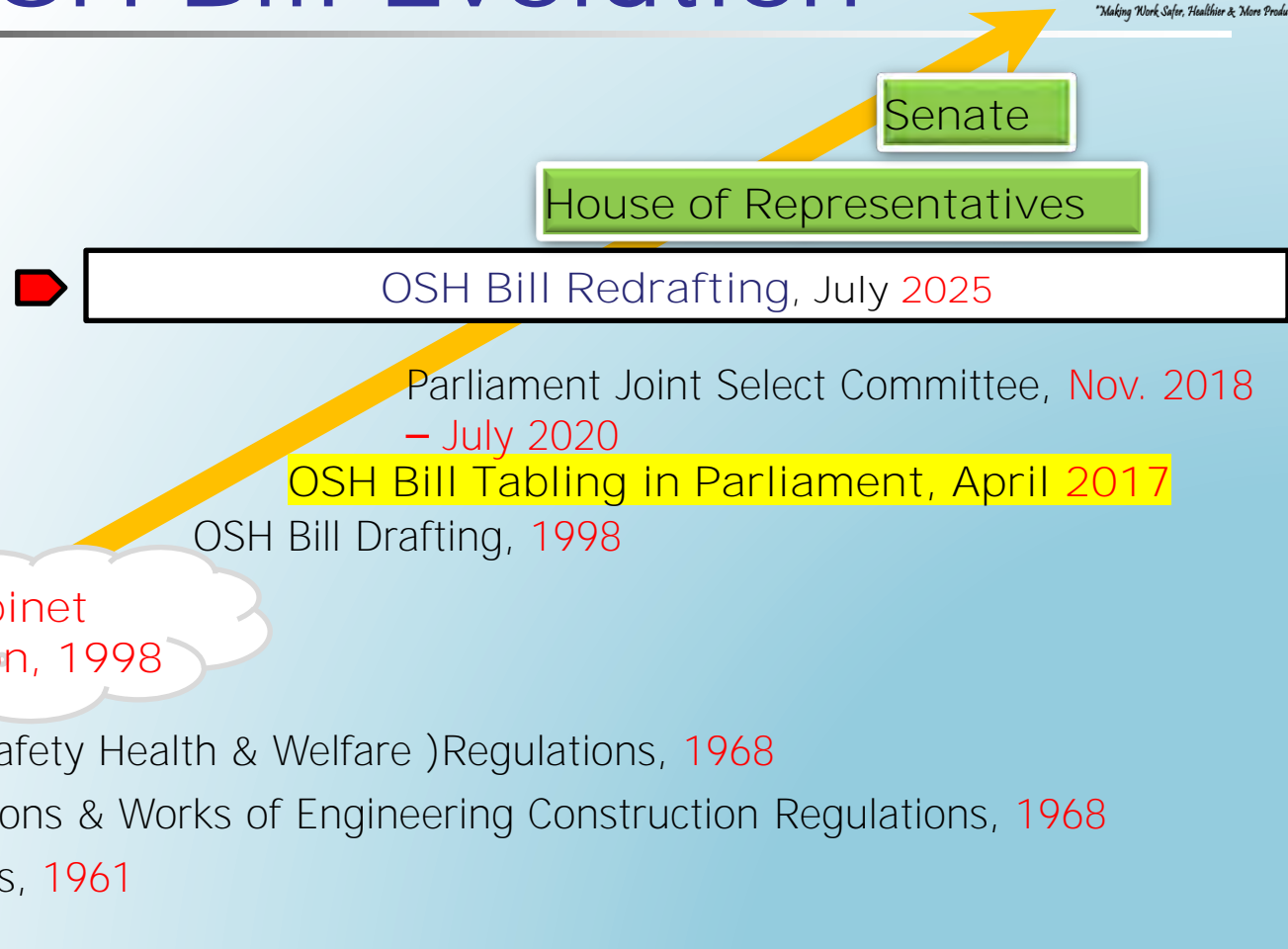


# Safety and Health Legislation

Jamaica is at its second iteration of drafting a **comprehensive new OSH legislation**. The Bill's main objectives include creating a balanced framework for:

- ① Prevention of accidents, injuries and illnesses resulting from conditions at all workplaces
- ② Preservation of the safety and health of all workers
- ③ Promotion of safe and healthy workplaces through a culture of continuous improvement

# The OSH Bill Evolution



# Safety and Health Legislation

Other legislations with safety and health provisions administered by other Ministries include:



The Petroleum Act, 1979

The Mining (Safety and Health) Regulations, 1977

Applicable to operations in relation to petroleum resources

Administered by the Ministry of Science Energy and Technology



The Mining Act, 1947

The Mining (Safety and Health) Regulations, 1977

Applicable to industrial establishments "deemed" as "mines or quarries"

Administered by the Ministry of Mining - Mines and Geologies Division



The Shipping Act, 1999

The Shipping (Local Trade) Regulations, 2003

Applicable to seagoing Jamaican ships.

Administered by the Ministry of Transport – Maritime Authority



# OSH Inspection Process

## Routine Inspections



Officers visit any industrial establishment unannounced



Make Observations and Enquiries

- General Safety, Environmental Conditions, Material Handling, PPE, Employees Under Age 18, Welfare Facilities, etc
- Document observations & findings on inspection forms



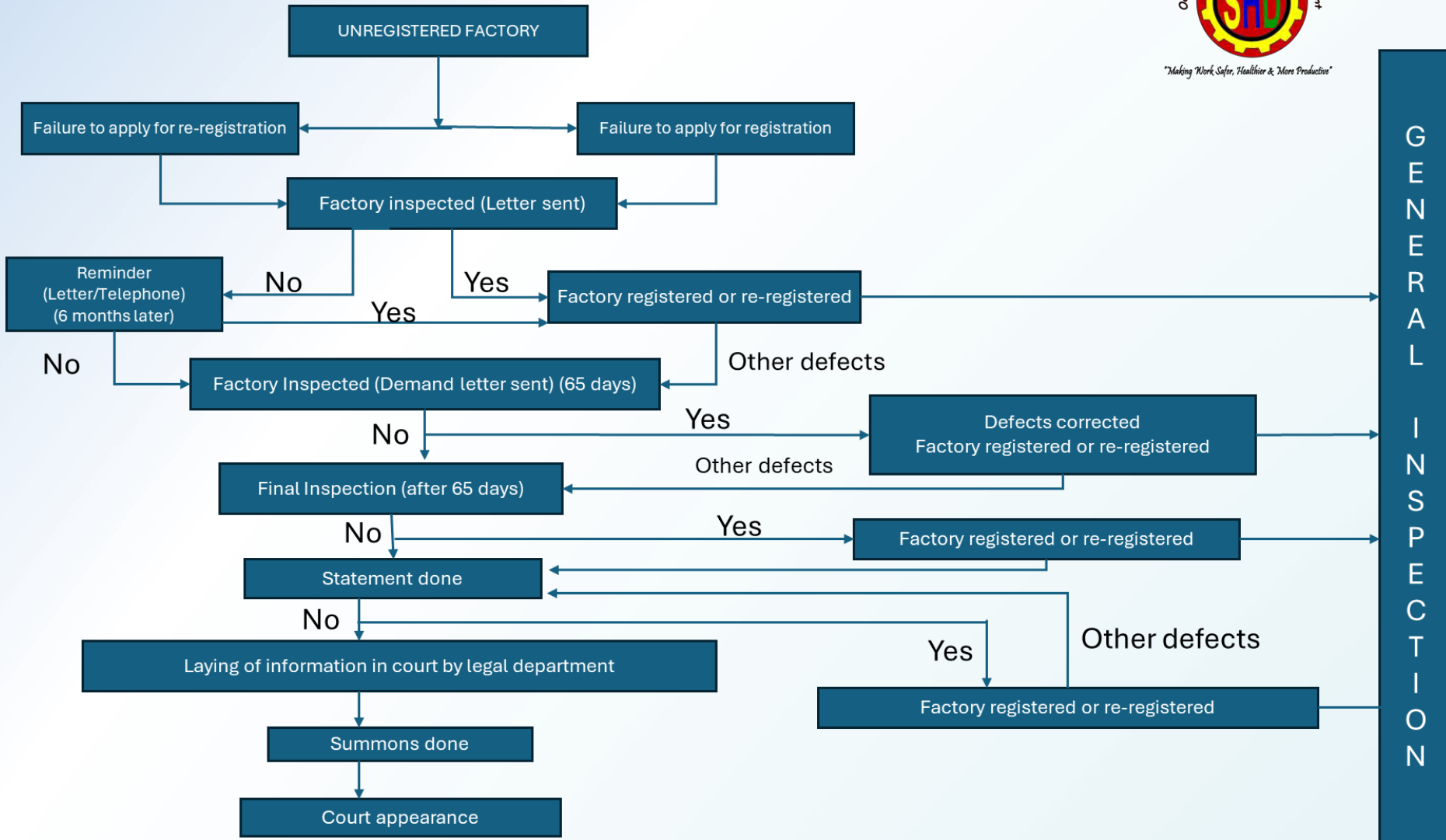
Dispatch Letter with findings and recommendations to Managers



Conduct follow-up visits; initiate legal proceedings where necessary



# Legal Proceedings Flowchart



# Safety of Equipment & Facilities

## Non-Destructive Testing Pressure Vessels and Lifting Machines

- ❖ Statutory requirement for annual examination and testing



## Facilities – Building and Structures

- ❖ Municipal Corporations - Monitors adherence to Building Codes and Approved Building Plans
- ❖ The Jamaica Fire Brigade - Fire Safety and Emergency Evacuation

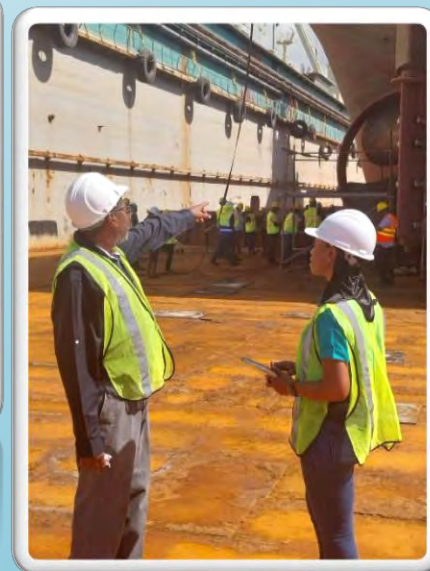
# OSH Inspections



Factory Inspection



Construction  
Inspection



Dock Inspection



# OSH Accidents Investigation Process



## Accident Investigation



### Schedule Visit

- Interview Employer, Injured Person(s), Witnesses
- Review Documents, Visit Scene
- Determine contributory factors and establish root cause
- Generate Accident Investigation Report



Dispatch Letters with findings, recommendations & breaches to Managers



If the accident victim or his estate seeks civil compensation from his employer, the Inspector can be summoned as an expert witness to the court proceedings by the Judge.

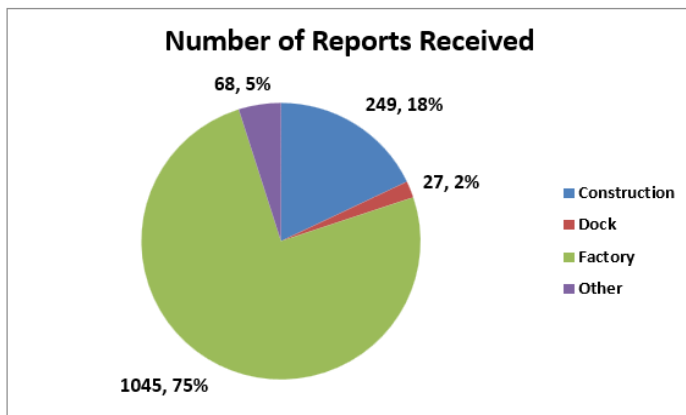


# Industrial Accidents & Diseases

## NUMBER ACCIDENT REPORTS RECEIVED FOR CALENDAR YEARS 2019 TO 2024

Enterprise type	Number of Reports Received
Construction	249
Dock	27
Factory	1045
Other	68

**Total Reports Received = 1389**



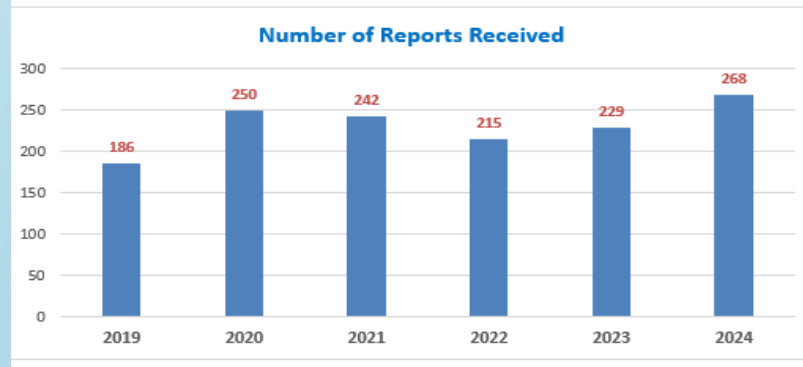
\* No reported cases of occupational diseases were received over the period

## TOTAL ACCIDENT REPORTS RECEIVED PER YEAR 2019 - 2024

Year Received	Number of Reports Received
2019	186
2020	250
2021	242
2022	215
2023	229
2024	268

**Number of Years = 6      1390**

**Yearly Average = 116**

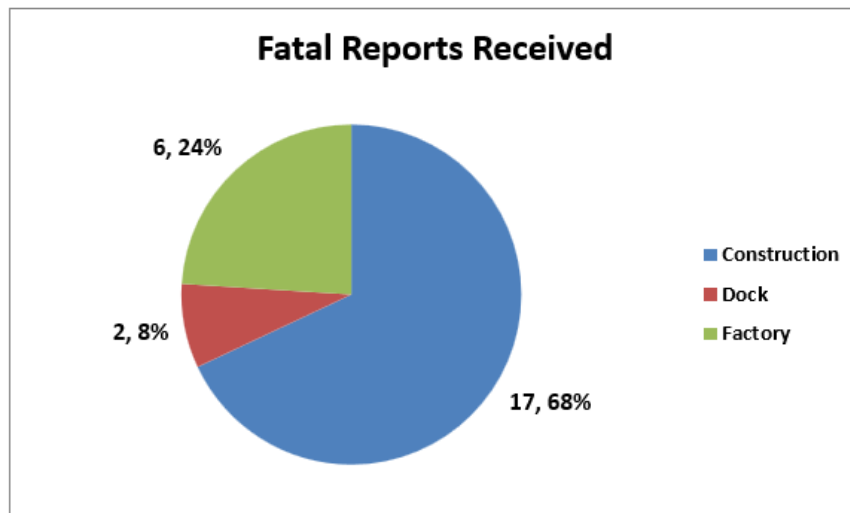


# Fatal Industrial Accidents

NUMBER OF FATALLY INJURED PERSONS FOR CALENDAR YEARS 2019 TO 2024

Enterprise type	Number of Reports Received
Construction	17
Dock	2
Factory	6

**Number of Fatally Injured Persons** 25



Construction projects have the highest number of fatalities. Falls from height are the leading cause of construction related deaths

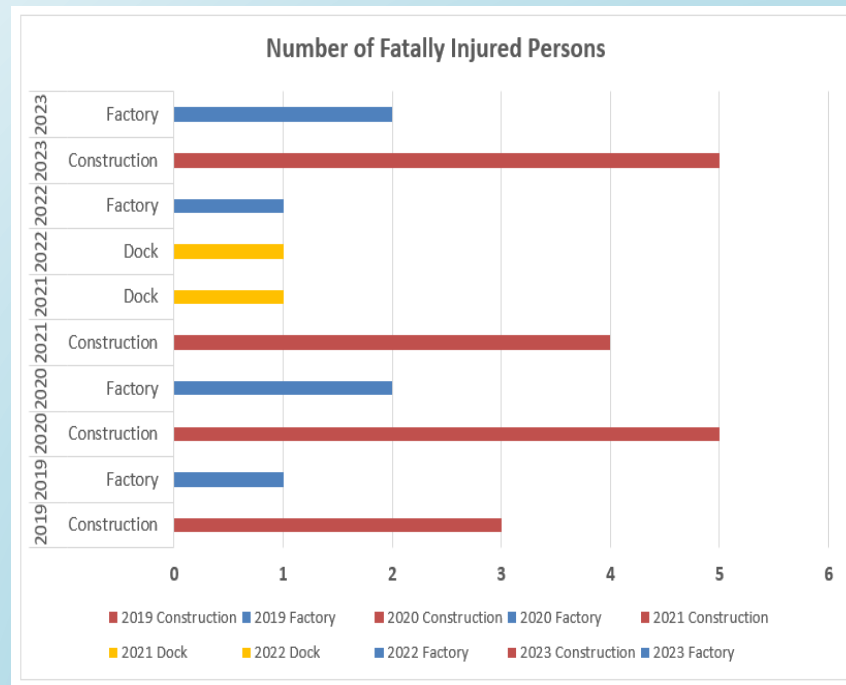
# Fatal Industrial Accidents Cont'd

## FATALLY INJURED PERSONS 2019 TO 2024

Year	EnterpriseType	Number of Fatally Injured Persons
2019	Construction	3
2019	Factory	1
2020	Construction	5
2020	Factory	2
2021	Construction	4
2021	Dock	1
2022	Dock	1
2022	Factory	1
2023	Construction	5
2023	Factory	2

<b>Total Number of Fatally Injured Persons</b>	<b>25</b>
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<b>Yearly Average</b>	<b>4.2</b>
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# National Insurance Scheme and Employee Injury Benefit



The National Insurance Scheme (NIS) is a compulsory contributory funded social security scheme covering all employed persons in Jamaica.

## ■ Employment Injury Benefit

- Payable where an employee has sustained an injury caused by an accident, arising out of and in the course of insurable employment, or the development of any of the diseases prescribed by the National Insurance Act which can be attributed to the nature of the job.

## ■ Employment Injury Disablement Benefit

- Payable at the end of the Employment Injury period, where a disability assessment in excess of 10% has been diagnosed by the Medical Board of the NIS.

## ■ Employee Injury Death Benefit

- Payable upon the death of an employee as a result of an accident arising out of / in course of insurable employment, or from any of the diseases prescribed by the National Insurance Act which can be attributed to the nature of the job.



# Data Collection Methods and Statistics

Operational Activities

- Compliance Inspections & Audits
- Accident Investigations

Clients

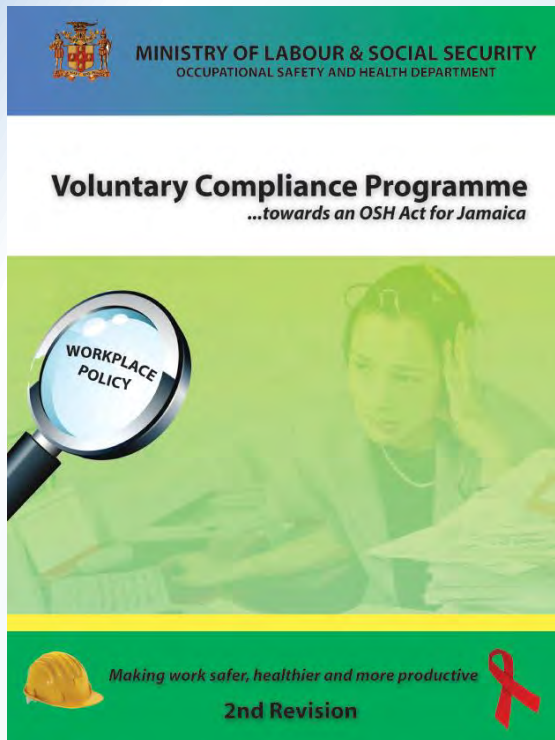
- Annual Returns
- Accident Reports

OSH Databases



- Accident Data
- Factory Data
- Construction Data

# OSHMS and Risk Assessment



## Voluntary Compliance Programme (VCP)

# What does VCP entail?



Encouraging businesses with 20 or more workers to establish an OSH programme in accordance with the requirements of the OSH Bill

- OSH Policy and HIV Workplace Policy
- OSH Management System, including setting up Joint Safety and Health Committees and ensuring that every worker receives the necessary OSH orientation



Program adaptable to any sector of economy

- Factories, Construction, Shops, Offices etc.



The OSHD will

- Guide businesses in setting up their OSH program, if they don't have one
- Evaluate their existing VCP programmes by conducting audits





## What **does VCP entail cont'd?**

- The company's OSH management system programme will be audited based on six performance-based criteria.
  - These criteria will be circulated to the businesses
- Businesses will have three months to implement their OSH management system programme.

The VCP was launched in 2007. It is currently being reviewed with the intent of developing a 3<sup>rd</sup> Revision.



# OSH MS Programme Elements





## Detailed OSH MS Programme Elements

- ① Management Leadership and Employee Participation
  - Management leadership
  - Employee participation
  - Contractor and public safety
- ② Workplace Analysis
  - Survey and hazard analysis
  - Inspection
  - Hazard reporting
- ③ Accident and Record Analysis
  - Accident investigation
  - Data analysis



## Detailed OSH MS Programme Elements

### ④ Hazard Prevention and Control

- Hazard control
- Maintenance
- Medical program

### ⑤ Emergency Response

- Emergency preparedness
- First Aid

### ⑥ Safety and health training (as a whole)

# Public Awareness & Sensitization Campaigns

The OSHD conducts regular public outreach and sensitization sessions via roadshows, workshops, private sessions throughout the year.





# World OSH Day 2025

## # WeWorkSafely Campaign



On April 28<sup>th</sup> every year, the OSHD joins the global campaign in participating and hosting thematic events that highlight the importance of promoting safe and healthy working environments



# Issues & Challenges Implementing OSH



## Aged Legislations

- ❖ Limited scope of application (industrial establishments)
- ❖ Absence of modern OSH standards (noise, chemicals, etc.)
- ❖ Presence of outdated standards (temperature, lighting, etc.)
- ❖ Requires omnipresent and omnipotent regulator for effective administration
- ❖ Penalties/sanctions for non-compliance mainly achieved through court action



## Limited Monitoring and Enforcement Capacity

- ❖ Limited number of Inspectors (10 Inspectors, 3 Supervisors, 3 Directors)
- ❖ Three outstations insufficient to canvass rural areas
- ❖ Compliance and Enforcement functions have no distinct separation of functions.
- ❖ Outdated Management Information Systems
- ❖ Lack of reliable OSH Statistics for performance assessment and strategic decision making



## Informal Businesses

- ❖ Difficult to track.
- ❖ Poor Safety and Health Culture

# Suggestions for OSH Improvements



## Aged Legislations (Solutions)

- ✓ Drafting of new OSH Legislation that accords with international standards
- ✓ Complimenting new OSH Legislation with new Standards and Codes of Practices



## Limited Monitoring and Enforcement Capacity (Solutions)



- ✓ New organizational structure
- ✓ New organizational structure with optimal human resources and separation of functions



- ✓ New enterprise-wide Management Information Systems



## Informal Businesses (Solutions)

- ✓ Informality to formality incentive programmes.
- ✓ Behavioral Change Campaigns

# OSH Good Practices



## Voluntary Compliance Programmes

- ✓ Improves OSH compliance in SMEs which do not have the technical capacity to develop and implement OSH Programme



## Free Public Education and Sensitization Sessions

- ✓ Environmental Scanning
- ✓ Empowers workers and employers to identify and resolve OSH issues
- ✓ Builds trust in National OSH System



## Tripartism

- ✓ Labour Advisory Committee comprised of Government, Trade Union and Employer representatives to among other things, gain consensus on national OSH policy priorities



## Formation of Strategic Alliances with NGOs and Sector Associations

- ✓ OSH associations e.g. Jamaica Occupational Health and Safety Professional Associations (JOHSPA)
- ✓ Sector Specific groupings e.g. Incorporated Master Builders Association, Jamaica Institute Engineers, etc.



# References

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<https://www.mlss.gov.jm/departments/occupational-safety-and-health/>

<https://laws.moj.gov.jm/library/statute/the-factories-act>

[https://japarliament.gov.jm/attachments/article/339/The%20Occupational%20Safety%20and%20Health%20Act,%202017%20\(2\).pdf](https://japarliament.gov.jm/attachments/article/339/The%20Occupational%20Safety%20and%20Health%20Act,%202017%20(2).pdf)



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