

COUNTRY REPORT

SRI LANKA

IMPROVEMENT OF POLICY ON OCCUPATIONAL SAFETY AND HEALTH- FROM POLICY DEVELOPMENT TO IMPLEMENTATION MEASURES

Prepared by,
Eng.S.G.Dissanayake
District Factory Inspecting Engineer
Industrial Safety Division
Department of Labour
Sri Lanka

My work experience in the field of occupational/industrial Safety and Health is as follows;

Title / Work Organization	Duration
➤ Factory Inspecting Engineer, Industrial Safety Division, Department of Labour.	from 2010 to 2012
➤ District Factory Inspecting Engineer, Industrial Safety Division, Engineer Department of Labour.	from 2012 up to date

Organization Chart of The Department of Labour

Commissioner General of Labour [Head of the Department of Labour]



Commissioner of Labour [Industrial Safety]/ Chief Factory Inspecting Engineer
[Head of the Industrial Safety Division]



Deputy Commissioner of Labour [Industrial Safety] /
Deputy Chief Factory Inspecting Engineer



Specialist Factory Inspecting Engineers



District Factory Inspecting Engineers
[Head of the District Factory Inspecting Engineer's offices]

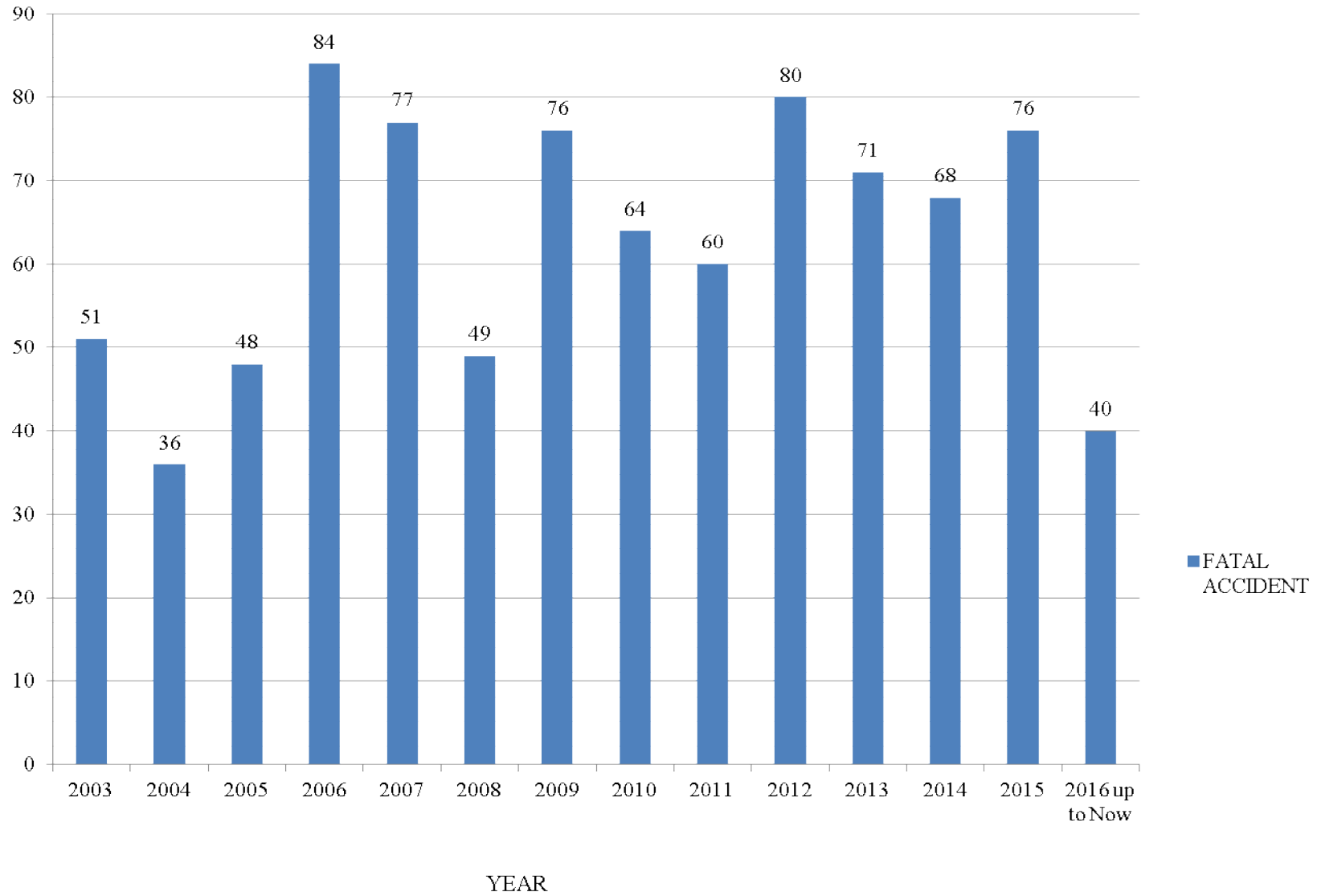


Factory Inspecting Engineers

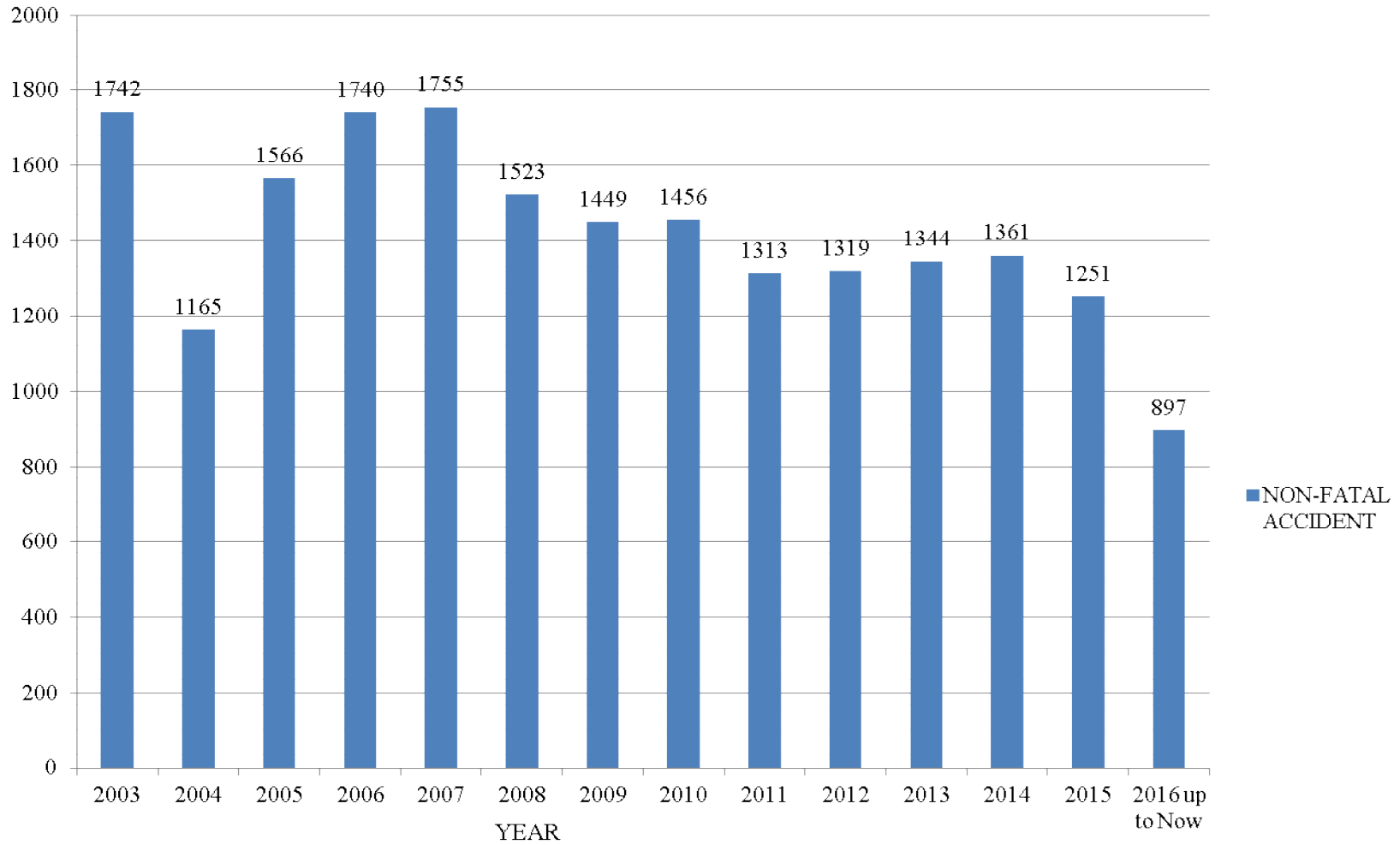
Occurrence states of occupational/industrial accidents and occupational diseases

Sri Lanka is a developing country. Hence, the country is still not industrialized enough. Nowadays, as the industrialization is rapidly in progress, more Factories and Construction works are coming into operation. Hence, the occurrence of occupational/industrial accidents and occupational diseases are on the increase. The following charts show the details of occupational/industrial accidents occurred in Sri Lanka, in past few years.

FATAL ACCIDENTS



NON-FATAL ACCIDENTS



- However, the details on occupational diseases are rare. For the last few years, only three cases have been reported. But the actual values may be much more.
- There is approximately 8.6 million work population in Sri Lanka. Approximately, 500,000 man days are lost annually due to occupational accidents and diseases.

Data collection methods for statistics

The details, stated above are from the records maintained by the Industrial Safety Division of the Department of Labour. According to the law, applied to Factories and Construction Works in Sri Lanka, every fatal or major occupational accidents and occupational diseases should be reported to the Industrial Safety Division. But, some cases are not reported by employers due to the poor knowledge about the law or disregarding the law. Hence, some cases are known through the media, the police or the hospitals. Therefore, there is a difference between the actual details and reported details.

Occupational Safety and Health related Laws and Regulations

The major law applied to ensure the occupational/industrial Safety, Health and Welfare of working population is the Factories Ordinance with subsequent amendments and regulations made thereunder. Though, every Factories and Construction Works are covered by these laws the Agricultural Sector, Offices (Government & Private) and Charitable Organizations, Mines, Fisheries Sector, Transport Sector and Self-Employed Workplaces are not covered.

In addition, the followings are the other laws related to occupational Safety and Health.

- Electricity act
- Employment of woman and children act
- Workman Compensation act
- Radiation Protection act
- Mines act
- Pesticide act
- Environmental Protection act

Labour Inspection System

Industrial Safety Division is the only organization that has the authority to administrate the Factories Ordinance in Sri Lanka. Though, there are several other semi-governmental organizations such as National Institute of Occupational Safety and Health [NIOSH], Occupational Hygiene Division and Industrial Service Bureau [IDB], these organizations have not been properly authorized to administrate of a law related to occupational/industrial Safety and Health. They carry out only researches, studies, trainings and recommendation works.

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As a major government organization, the main objective of the Industrial Safety Division is to ensure the Occupational/Industrial Safety, Health and Welfare at every work place by enforcing the Factories Ordinance in Sri Lanka. The officers appointed in the Industrial Safety Division are as follows.

- Chief Factory Inspecting Engineer/Commissioner of Labour [Industrial Safety]
- Deputy Chief Factory Inspecting Engineer/ Deputy Commissioner of Labour [Industrial Safety]
- Specialist Factory Inspecting Engineers
- District Factory Inspecting Engineers
- Factory Inspecting Engineers

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The authority of the Industrial Safety Division has been decentralized through Ten District Factory Inspecting Engineers' offices, namely Anuradhapura, Badulla, Colombo, Galle, Gampaha, Jaffna, Kalutara, Kandy, Kurunegala, and Rathnapura.

The Industrial Safety Division carry out following major activities, through District Factory Inspecting Engineers' offices, to ensure occupational Safety, Health & Welfare of workers in workplaces.

- Inspection of Factories/Construction works
- Registration of Factories/Construction works
- Approval of Factory Building plans and Fire Evacuation plans
- Investigation and analysis of occupational accidents/diseases
- Conducting of safety awareness programmers on Occupational Safety Health & Welfare
- Investigation of complaints
- Scrutinizing the test reports for high risk machines, issued by Authorized Officers
- Appointment of Authorized Officers
- Attend coroners courts to give expert evidence
- Institution of legal actions

In addition, followings are some other important activities carried out by the Division

- Advisory services for improvement of work environment in factories
- Participation in national committees with regard to occupational Safety & Health
- Safety auditing of factories
- Preparation of curriculums on occupational Safety, Health & Welfare for educational institutions

Generally, Inspections of Factories/Construction Works are carried by Factory Inspecting Engineers/ District Factory Inspecting Engineers. When it is specially required, the services of Specialist Factory Inspecting Engineers are called. A Factory Inspecting Engineer/ District Factory Inspecting Engineer are supposed to carry out twenty inspections in a month. After each inspection, the Factory Inspecting Engineer/ District Factory Inspecting Engineer send an inspection report to the employer of the workplace. The inspection report describes the necessary corrective actions to be taken to ensure the occupational Safety, Health & Welfare. After doing the first inspection and sending the first inspection report, periodical monitoring is done including routing inspections. If there are serious contraventions, legal actions are taken.

Workers' Accident Compensation Insurance

Maintaining of a Workers' accident compensation insurance is not a compulsory requirement in Sri Lanka. But, According to the Workman Compensation Act, Workers are entitled to receive compensation after a work related accident or disease. The compensation can be paid by employer himself or through an insurance policy maintained by him. The maximum compensation that can be received in case of a death or other work related accident or disease as the case maybe is Rs 550,000/- [Approximately 3800 /- Dollars]

Safety of Equipment and Facilities

Following machinery have been categorized as high risk machinery

- Hoist and lifts
- Chains, ropes and lifting tackles
- Cranes and other lifting machines
- Steam boilers and steam receivers
- Air/Gas receivers

According to the Factories Ordinance, these high risk machinery should be

- In good mechanical construction
- Constructed with sound material and adequate strength
- Free from patent defects
- Properly maintained
- Fixed with safety devices
- Operated with precautionary measures

Other machinery should be used and maintained in accordance with the requirements stated in the Factories Ordinance.

According to the Factories Ordinance, in a factory or construction work, the following facilities should be provided and maintained.

- Machinery safety
- Electrical safety
- Safe and healthy work environment
- Pressure vessels safety
- Welfare facilities such as washing, sanitary convenience...etc

Training/Educational Programmes

- Industrial Safety Division conducts many training/educational/awareness programmes on occupational Safety, Health & Welfare in a year. With the participation of employers, managerial or supervisory level employees, workers or other relevant personnel. These programmes cover both private sector and government sector too.
- With the assistance of lectures, written documents, posters, pictures, banners, demonstrations, videos, dramas or other type of activities these functions are held.

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Activities of Industrial/Occupational Safety and Health organizations other than the government

In Sri Lanka there are several Industrial/Occupational Safety and Health organizations such as National Institute of Occupational Safety and Health [NIOSH], Occupational Hygiene Division and Industrial Service Bureau [IDB]...etc. Though, these organizations don't have the authority to administrate of a law related to occupational/industrial Safety and Health. They provide many services as follows and most of the services are with the collaboration of the Industrial Safety Division of the Department Labour.

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- Certain researches
- Studies
- Educating or trainings
- Awareness/campaign programmes
- Testings
- Inspections
- Investigations
- Study programmes
- Surveys
- Risk assessments
- Recommendations
- Making policies, guidelines, standards, codes...etc
- Organizing and sponsoring conferences, seminars, workshops
- Publication and promoting works

OHSMS and Risk Assessments

In many of the workplaces In Sri Lanka, proper Occupational Safety and Health Management Systems and proper Risk Assessment systems are not followed. The management of every workplace always target on profit and productivity. But, due to the poor knowledge/education on the subject or due to the lack of awareness, they are not aware on proper Occupational Safety and Health Management Systems and proper Risk Assessment systems. Therefore, unexpected accidents and diseases occur in workplaces and the profit and productivity go down.

Campaigns/Events/National Conventions/Exhibitions

- Every year, the 2nd week of October has been declared as the National Safety Week of Sri Lanka. Every year, 28 April is celebrated as the World Day for Safety and Health at Work. On these durations, Occupational Safety and Health awareness programmes/campaigns and other relevant activities are carried to promote Occupational/Industrial Safety and Health in workplaces.

References

- Statistics from the Department of Labour, Sri Lanka
- Statistics from the ILO
- Websites of relevant organizations
- Factories Ordinance No 45 of 1942

Obstacles in promoting OSH in the country and suggestions of counter measures

1. The Factories Ordinance came into effect in 1950. Though many subsequent amendments have to be done; only few have been done until now. There are many regulations to be made under this ordinance. But, only few have been made. Still, there are no laws on Chemical Safety and Ergonomics. There are no regulations made on Electrical Safety. Even though, The Factories Ordinance covers every type of Factories and Construction Works, it does not cover the Agricultural Sector, Offices (Government & Private) and Charitable Organizations, Mines, Fisheries Sector, Transport Sector and Self-Employed Workplaces. Hence, only about 2.5 million out of 8.6 million of working population is covered under current laws

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Therefore, current laws should be upgraded immediately to suit the present industrial situations.

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In additions, the process of making of policies, guidelines, standards, codes..etc on OSH is very slow due to lack of resources, experts and other influences. These issues should be addressed properly.

The resources including human resources and facilities provided are not enough to give a proper service on occupational Safety Health. Therefore, sufficient resources and facilities should be provided

The knowledge/experience of Factory Inspecting Engineers on occupational Safety Health is not sufficient. Therefore, there should be a proper training and knowledge upgrading system.

THANK YOU

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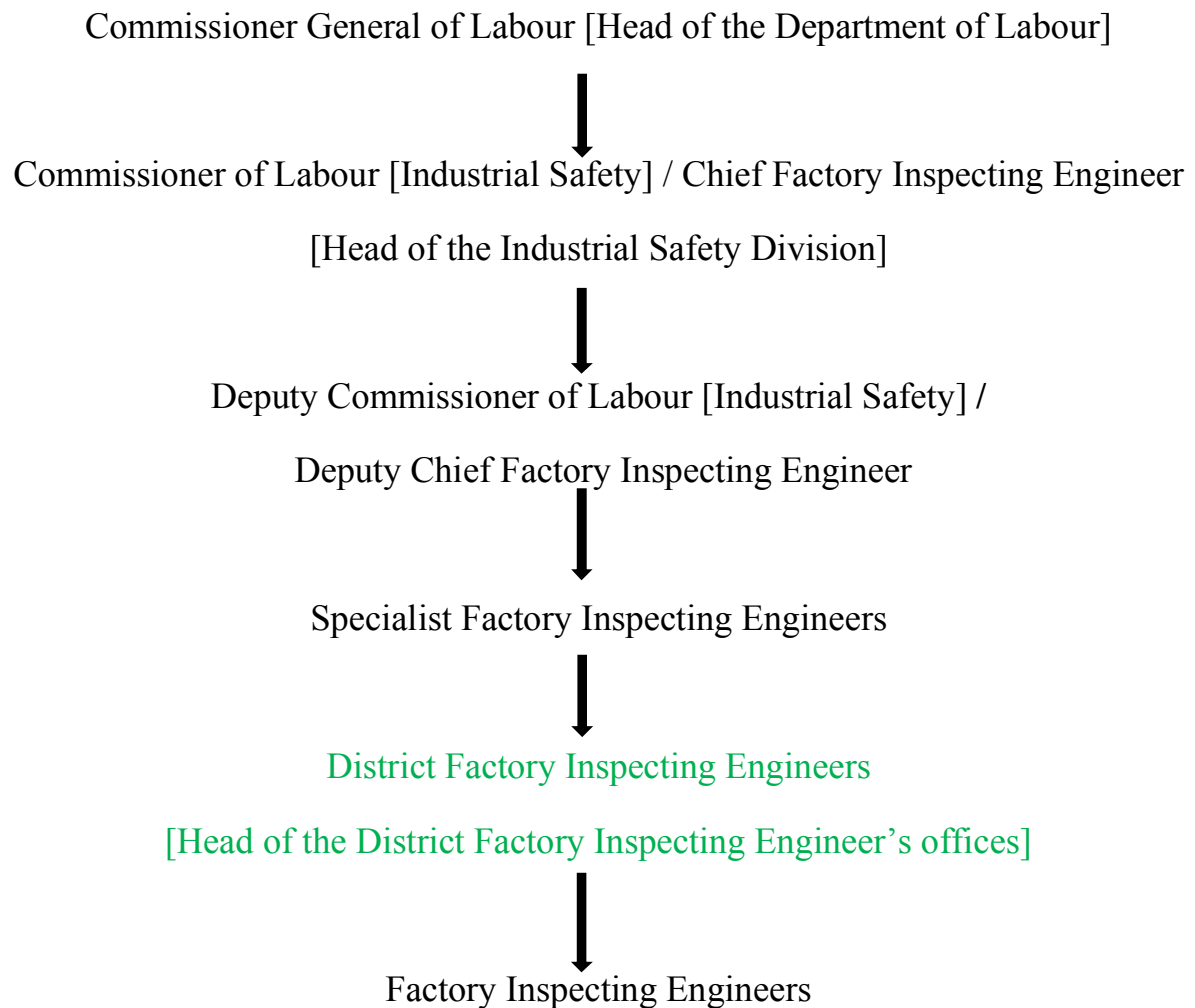
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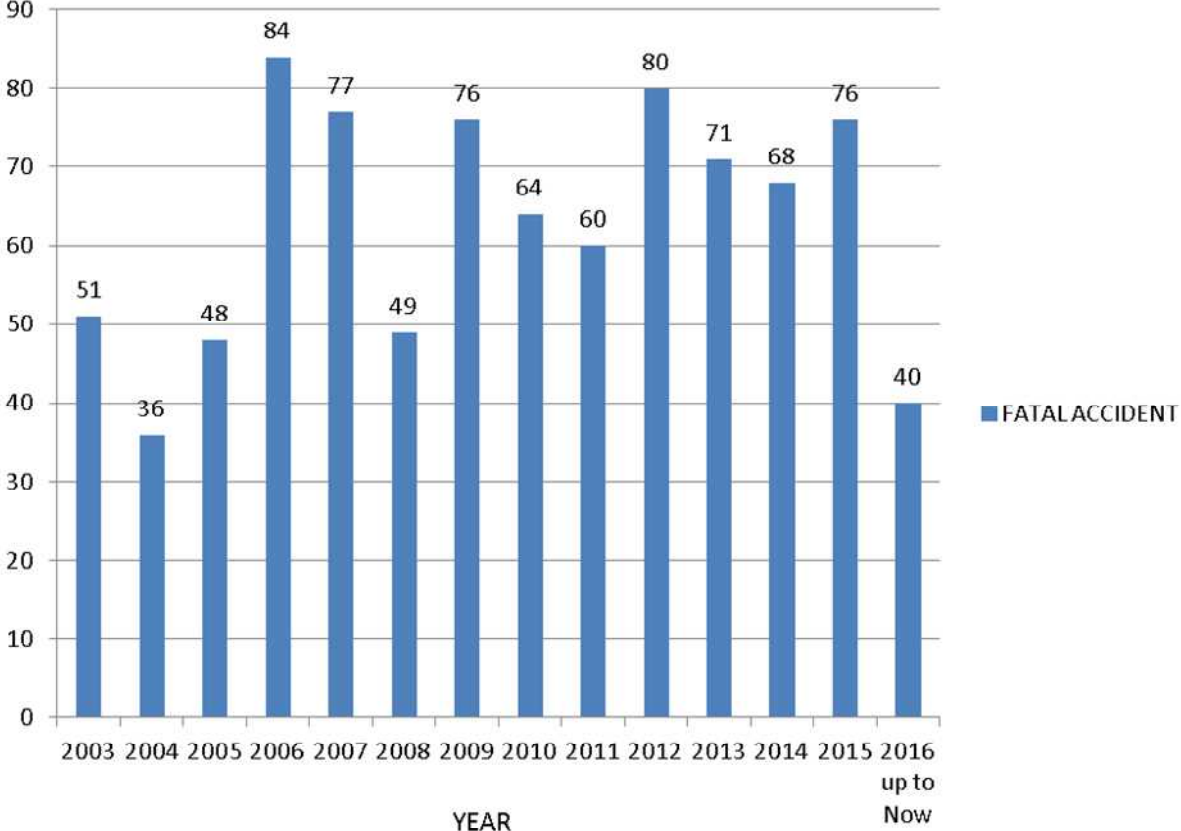
ORGANIZATION CHART OF THE DEPARTMENT OF LABOUR

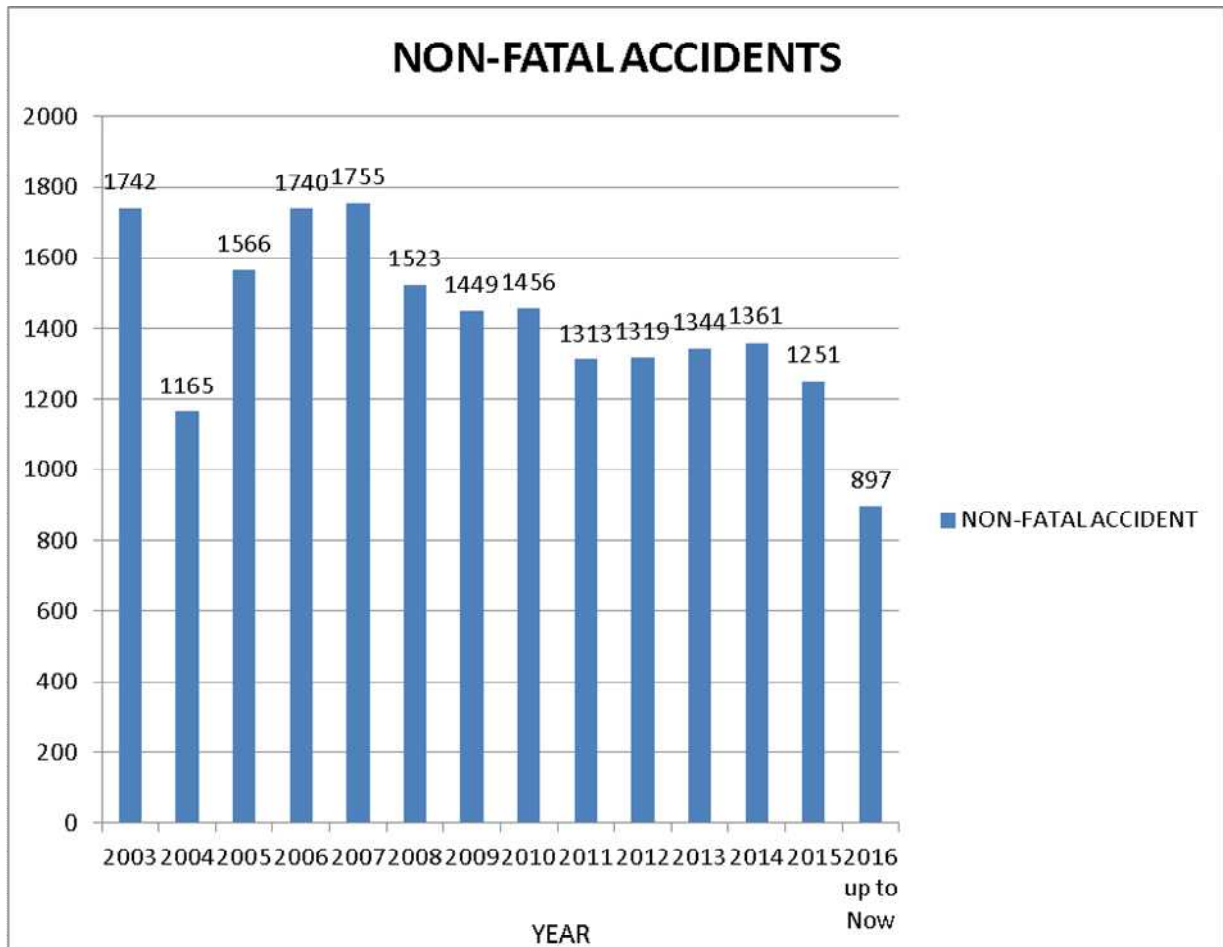


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