

NIGERIA
COUNTRY
PROFILE ON
OCCUPATIONAL
SAFETY AND
HEALTH

2016



International
Labour
Organization

Foreword

Occupational Safety and Health (OSH) does not only seek to secure the safety and health of persons at work but consequentially stimulates productivity in the business of the enterprise. It is, therefore, necessary that the National Occupational Safety and Health System be visibly identified and coordinated for effective management, and one of the means of achieving that is through the development of a National Occupational Safety and Health Profile.

The current leadership of this nation is very much interested in the protection of the labour force and the revitalization of the economy for improved wellbeing of the generality of the people. This is why at this time, the Federal Ministry of Labour and Employment in collaboration with the International Labour Organization (ILO) took the step to develop a baseline National Occupational Safety and Health Profile to stimulate effective management of safety and health at work in Nigeria

The systems approach to Occupational Safety and Health has been widely proven to be an effective strategy for achieving the sustainable safety and health management, leading to the development of a preventative OSH culture and continuous improvement of the work environment. The International Labour Organization's Convention 187 on Promotional Framework on Occupational Safety and Health provides the guidelines towards achieving these objectives. A National Occupational Safety and Health Profile, as the starting point, brings about the identification of the relevant elements of the national OSH system, their specific roles, capacities and achievements for effective synergy towards a sustainable national OSH prevention programme.

This Profile provides the framework for the strengthening of the National Occupational Safety and Health System by identifying the institutional framework, programmes and activities to facilitate systematic assessment and review of the progress and impact of Occupational Safety and Health efforts in the nation. It constitutes an inventory of all the tools and resources available for implementing and managing Occupational Safety and Health in Nigeria, to assist in data and information acquisition for record and planning purposes, setting national priorities for action and promotion of participatory OSH, as desired in the National Policy.

This profile is robust enough to secure the much desired Preventative Occupational Safety and Health Culture through the participatory implementation of OSH programmes by various stakeholders.

I therefore have the honour and privilege of presenting this document to the nation and the global community as a window to Occupational Safety and Health in Nigeria.



SENATOR (DR.) CHRIS N. NGIGE (OON, MD, KSJ)
HONOURABLE MINISTER OF LABOUR AND EMPLOYMENT

Acknowledgement

The process of development of the Nigeria Country Profile on Occupational Safety and Health commenced with an inaugural and orientation workshop at which a National Tripartite-Plus Technical Committee was constituted. The process which was facilitated by the International Labour Organization (ILO) was made possible through the collaboration and cooperation of the social partners and various other stakeholders.

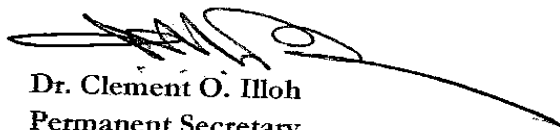
Special appreciation, therefore, goes to the International Labour Organization (ILO) for the provision of technical and financial support for the development of this robust National Profile on Occupational Safety and Health for Nigeria.

Let me sincerely appreciate the Honourable Minister of Labour and Employment - Senator (Dr) Chris Nwabueze Ngige OON MD KSJI, for his purposeful leadership which created an enabling environment for the development of this vital document.

Much gratitude is directed to all the participating organizations, namely: Nigeria Labour Congress (NLC), Nigeria Employers' Consultative Association (NECA), the Trade Union Congress of Nigeria (TUC), the Federal Ministry of Health, the Federal Ministry of Environment, the National Industrial Safety Council of Nigeria (NISCN), the Nigeria Social Insurance Trust Fund (NSITF), the Society of Occupational and Environmental Health Physicians of Nigeria (SOEHPON), the Department of Petroleum Resources (DPR), the Institute of Safety Professionals of Nigeria (ISPON), Occupational Health and Safety Managers (OHSM), Safety Advocacy for Empowerment Foundation, Manufacturers' Association of Nigeria (MAN), World Safety Organization (WSO), and OSHA Association.

Furthermore, I hereby express much gratitude to the Consultant - Dr Olayiwola Ogunjobi who provided the initial working document.

Finally, I thank all the staff of the Occupational Safety and Health Department who worked round the clock including those who worked behind the scene to produce this comprehensive National Profile on Occupational Safety and Health.



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List of Acronyms and Abbreviations

AIDS	Acquired Immune Deficiency Syndrome
DPR	Department of Petroleum Resources
ECA	Employees' Compensation Act
ECS	Employees' Compensation Scheme
FCT	Federal Capital Territory
FEPA	Federal Environmental Protection Agency
FMoL and E	Federal Ministry of Labour and Employment
HIV	Human Immunodeficiency Virus
HSE	Health, Safety and Environment
ILO	International Labour Organisation
ISPON	Institute of Safety Professionals of Nigeria
LSSC	Lagos State Safety Commission
MAN	Manufacturers' Association of Nigeria
NECA	Nigeria Employers' Consultative Association
NEMA	National Emergency Management Agency
NEMSA	Nigerian Electricity Management Services Agency
NESREA	National Environmental Standards and Regulations Enforcement Agency
NIMASA	Nigerian Maritime Administration and Safety Agency
NISCN	National Industrial Safety Council of Nigeria
NLC	Nigeria Labour Congress
NNRA	Nigerian Nuclear Regulatory Authority
NOSDRA	National Oil Spill Detection and Response Agency

NSITF	Nigerian Social Insurance Trust Fund
OEH	Occupational and Environmental Health
OH	Occupational Health
OHS	Occupational Health and Safety
OSH	Occupational Safety and Health
SAEF	Safety Advocacy and Empowerment Foundation
SOEHPON	Society of Occupational and Environmental Health Physicians of Nigeria
SON	Standards Organisation of Nigeria
SWIP	Safe Workplace Intervention Project
TUC	Trade Union Congress of Nigeria

Executive Summary

Nigeria's territorial boundaries are bordered by the Republics of Niger and Chad in the north, the Republic of Cameroon on the east, and the Republic of Benin on the west. Nigeria is the most populous country in Africa and the 14th largest in land mass. The capital city is the Federal Capital Territory, Abuja. It has six (6) geopolitical zones and English is the official language. The major economic sectors in terms of contribution to the National GDP are Agriculture (22.55%), Trade (17.57%), Information and Communication (12.68%) and Mining and Quarrying (8.26%) (Nigerian Bureau of Statistics 2016 Quarter 2 GDP Report)

The 1999 Constitution of the Federal Republic of Nigeria in Section 17 subsection 3, specifically made mention that the State shall direct its policy towards ensuring that the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused. Major legislations that have been enacted to provide for the safety and health of workforce include:

- The Factories Act, CAP F1, Laws of the Federation of Nigeria (LFN), 2004
- Employees' Compensation Act, 2010
- Nigerian Minerals and Mining Act, 2007
- Nigerian Nuclear Safety and Radiation Act, 1995

Other identified related Laws that seek to give guidance to the implementation of occupational safety and health in the country are:

- Nigeria Basic Ionising Radiation Regulations, 2003
- Nigerian Radiation Safety in Nuclear Regulations, 2006
- Minerals Oils (Safety) Regulations, 1962
- Petroleum (Drilling and Petroleum) Regulations, 1967
- National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, 2007
- Lagos State Safety Commission Law, 2011

Nigeria became a member of the ILO upon gaining independence in 1960. Nigeria has ratified forty (40) ILO Conventions till date, out of which ten (10) has been automatically denounced. The country has presently three (3) core occupational safety and health Conventions in place, namely: C155 – Occupational Safety and Health, 1981; C032 – Protection against Accidents (Dockers) 1932; and C019 – Equality of Treatment (Accident Compensation) 1925.

The country has in place a National Policy on Occupational Safety and Health developed in 2006, the goal of which is to facilitate the improvement of occupational safety and health performance in all sectors of the economy and ensure harmonization of workers' rights protection with regional and international standards.

There is no national Occupational Safety and Health Board in place. The functions of such Board have been taken up by the Department of Occupational Safety and Health of the Federal Ministry of Labour and Employment. The National Industrial Safety Council of Nigeria is the tripartite consultative labour council established in May 1964 by a cabinet decision under the sponsorship of the Federal Ministry of Labour and Employment. The Council's main objective is the prevention of industrial accidents and hazards and the promotion of occupational health and welfare in industrial establishments.

There is, however, no formal National OSH Management Systems that has been developed by OSH authorities in place at the moment, but the country adopts the ILO – OSH 2001 as a guide.

The main national Competent Authority charged with the responsibility of promoting and enforcing OSH in the country is the Department of Occupational Safety and Health of the Federal Ministry of Labour and Employment, which started in 1955 as the Factory Inspectorate Division. Other regulatory authorities identified are the Occupational Health and Safety Division of the Federal Ministry of Health and the Lagos State Safety Commission.

The Board of the Nigerian Social Insurance Trust Fund (NSITF) is the main public social security institution responsible for compensation of workers with regards to disablement caused by occupational accidents or diseases, or death arising from such accidents or diseases.

The Department of Environmental Health Services and the Centre for Occupational Health, Safety and Environmental Studies of the Universities' of Ibadan and Port Harcourt currently offer Master's Degree and PHD in Safety, Health and Environment; and Occupational Health, Safety and Environment respectively.

The ILO designated the Factory Inspectorate Department of the Federal Ministry of Labour and Employment, now the OSH Department as the Hazard Alert Centre in 1986 and further designated the same Department as the CIS Centre in the year 1991. The role of the CIS Centre is the collection, collation and dissemination of OSH data and information to relevant stakeholders in the country.

The key Associations, Organisations and Non-Governmental Organisations involved in OSH arrangements and issues in the country are: Institute of Safety Professionals (ISPON); and Society of Occupational and Environmental Health Physicians of Nigeria (SOEHPON). Other professional bodies and international affiliated Organisations identified are: Safety Advocacy and Empowerment Foundation (SAEF); OSH Association; American Society of Safety Engineers (ASSE); International Institute of Risk and Safety Management (IIRSM); World Safety Organisation (WSO); International Association of Safety Professionals (IASP); and the Institute of Occupational Safety and Health (IOSH Informal Network).

The main institution responsible for the collection and compilation of data on occupational accidents and diseases is the OSH Department of the Federal Ministry of Labour and Employment. The HSE Department of the Nigerian Social Insurance Trust Fund also provides collaborative data collated as a result of its role in the Employees' Compensation Scheme. Gross underreporting of workplace accidents and diseases was however observed across board.

Though the Nigeria Employers' Consultative Association (NECA) does not have a formal policy on OSH, it however provides some guidance for her members through the implementation of her Safe Workplace Intervention Project (SWIP). Similarly, the Nigeria Labour Congress (NLC) through its OSH committee coordinated by the OSH Department provides guidance to her coalition members.

Nigeria is currently implementing the ILO funded project on "Improving Safety and Health at Work through a Decent Work Agenda".

Introduction

The process for the development of Nigeria's Occupational Safety and Health Profile took off with the conduct of a two-day inauguration and orientation workshop for the National tripartite Technical Committee from the 21st – 22nd of July, 2016.

The key note presentation was given by Dr. Ton That Khai (OSH Specialist) of the ILO amongst other facilitators. The workshop rounded up with the nomination and inauguration of the National Tripartite Technical Committee, whose membership is captured in the Table below.

S/No.	NAME	ORGANIZATION	DESIGNATION
1.	Dr. Ifeoma A. Igweze - Anyanwutaku	FMoL and E	Director, OSH Department
2.	Babatunde O.Ogunmuko	FMoL and E	Deputy Director, OSH Department
3.	Dr Gabriel Akang	FMoH	Director, OHS Department
4.	U. S.Moriki	DPR	Asst. Director
5.	Dr. Kelly Nwagha	NSITF	GM, HSE Department
6.	Fouad Oki	Lagos State Safety Commission	Director-General
7.	Dr. Runo Onosode	ILO	HIV Technical Specialist
8.	Adenike Adebayo Ajala	NECA	ALM
9.	Dr. Reginald C. Anyanwu	NISCN	President
10.	Maureen Onyia - Ekwuazi	NLC	Head, OSH Department
11.	Hassan S. Anka	TUC	ASG
12.	Dr Nnamdi Iloদিুবা	ISPON	President
13.	Dr. James Agada	SOEHPON	Rep. of President
14.	Toyin Durowaye	MAN	Director
15.	Dapo Omolade	Safety Advocacy	Executive Director, Programme
16.	Nofisat Abiola Arogundade (Mrs.)	FMoL and E	Former Director, OSH Department
17.	Ehi Iden	Occupational Health and Safety Managers	Private Sector OSH Consultant

The ILO in consultation with the Federal Ministry of Labour and Employment appointed Dr. Olayiwola Ogunjobi Grad IOSH, as the Project Consultant to work with relevant stakeholders in developing the Profile Document.

The developed draft Nigeria OSH Profile document was reviewed by members of the Technical Committee with feedbacks and inputs from the review process incorporated into the final harmonised document.

The project was validated on the 17th of November, 2016.

1.0 Legislative Framework

1.1 Constitutional Provisions for Occupational Safety and Health

The National Policy on Labour is based on the provisions of Section 17 of the 1999 Constitution of the Federal Republic of Nigeria stating that “the State social order is founded on the ideals of Freedom, Equality and Justice”. It is clearly stated in Section 17 subsection 3, that the State shall direct its policy towards ensuring that:

- a) All citizens without discrimination on any group whatsoever have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment.
- b) Conditions of work are just and humane and that there are adequate facilities for leisure and for social, religious and cultural life.
- c) The health, safety and welfare of all persons in employment are safeguarded and not endangered or abused.
- d) There are adequate medical and health facilities for all persons.
- e) There is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever.

It is pertinent to note that the 1999 Constitution (as amended) makes safety, health and welfare of labour an extent of Federal and State Legislative Powers. Item 34 of Part I (Exclusive Legislative List), of the Second Schedule of the Constitution stated labour as including Trade Unions, industrial relations, conditions, safety and welfare of labour and industrial disputes.

Furthermore, Section 17 of the Part II (Concurrent Legislative List) of the same Second Schedule of the Constitution, on Extent of Federal and State Legislative Powers, also stated that the National Assembly may make laws for the federation or any part thereof with respect to:

- a) The health, safety and welfare of persons employed to work in factories, offices or other premises or inter-state transportation and commerce including the training, supervision and qualification of such persons
- b) The regulation of ownership and control of business enterprises throughout the Federation for the purpose of promoting, encouraging or facilitating such ownership and control by citizens of Nigeria.
- c) The establishment of research centres for agricultural studies
- d) The establishment of institutions and bodies for the promotion or financing of industrial, commercial or agricultural development of the State.

Section 18 of the same document also states that subject to the provisions of the Constitution, a House of Assembly may make Laws for that State with respect to industrial, commercial or agricultural development of the State.

1.2. Main Laws on Occupational Safety and Health

1.2.1. The Factories Act, CAP F1, Laws of the Federation of Nigeria (L.F.N) 2004

Part I – Registration of Factories;

Part II – Health (General provisions);

Part III – Safety (General provisions);

Part IV – Welfare (General provisions);
 Part V – Health, Safety and Welfare;
 Part VI – Notifications and investigation of accidents and industrial diseases;
 Part VII – Special applications and miscellaneous provisions;
 Part VIII – General registers;
 Part IX – Administration;
 Part X – Offences, penalties and legal proceedings; and
 Part XI – General.

1.2.1.1. Historical Development of the Factories Act in Nigeria

The journey of the development and transformation of the Factories Act is as summarised below:

- a) Before 1955 – British Factories Act of 1937 (amended in 1948)
- b) 1st September 1956 – Factories Ordinance, 1955 actually came into force
- c) 1st April 1959 – Factories (Amendment) Ordinance, 1958
- d) Legal Notice No. 57 of 1961 – Factories Act, 1958
- e) 11th June 1987 – Factories Decree No. 16 of 1987
- f) 1990 – Factories Act, 1990, Chapter 126, Vol. VIII, LFN 1990
- g) 2004 – Factories Act, CAP F1, LFN 2004

1.2.2. Main Regulations under the Factories Act

Table 1.1 Summary of the main Regulation under the Factories Act

Subsidiary Legislations (Regulations)	What Regulations Provide For
Factories (Wood working Machinery) Regulations, LN 189 1958	Provides guidance for the conduct of any factory or parts thereof and to any place to which Section 46 of the Act applies in which wood work occurs. It speaks to the provision of equipment and machinery fencing and guards in such establishments.
Factories (Notification of Dangerous Occurrences) Regulations LN 105 of 1961	Provides guidance for the notification of accidents and dangerous occurrences in accordance with Section 51- 52 of the Act, whether or not death or disablement occurs.
Docks (Safety of Labour) Regulations, LN 42 OF 1958	Provides guidance for the process of loading, unloading or bunkering any vessel in any dock in a Port and to all machinery or plant used in those processes.
Factories (Registration, Fees etc.) Regulations 2007	Provides for fees payable for the certification and appointment of 'approved persons' for the purposes of lifting equipment inspection and certification and registration and renewal of Certificate of Registration of Factory Premises
Docks (Sanitary Accommodation) Regulations, 1958	Provides for the provision of sanitary conveniences to all docks under the jurisdiction of the Docks (Safety of Labour) Regulations.
Declaration of Industrial Diseases Notice. LN. 114 of 1956	Provides for the identification of diseases or illnesses that might be contracted by an employed person by reason of the nature of his employment.
First Aid Boxes (Prescribed Standards) Order. LN 188 of	Gives specifications for the provision of first aid boxes to be

Several other Orders such as the Factories Act Exemption Order LN 82 of 1967 and guidelines dealing with various issues including prescribed forms, particulars and other documents exist under the Factories Act.

1.2.3. Employees' Compensation Act, 2010

This Act repeals the Workmen's Compensation Act, Cap. W6, Laws of the Federation of Nigeria, 2004 and makes comprehensive provisions for payment of compensation to employees who suffer from occupational diseases or sustain injuries arising from accident at workplace or in the course of employment.

The objectives of the Act are to:

- a) Provide for an open and fair system of guaranteed and adequate compensation for all employees or their dependants for any death, injury, disease or disability arising out of or in the course of employment
- b) Provide rehabilitation to employees with work-related disabilities as provided in the Act
- c) Establish and maintain a solvent compensation fund managed in the interest of employees and employers
- d) Provide for fair and adequate assessments for employers
- e) Provide an appeal procedure that is simple, fair and accessible with minimal delays
- f) Combine efforts and resources of relevant stakeholders for the prevention of workplace disabilities, including the enforcement of occupational safety and health standards.

The Act has nine (9) Parts as follows: Part I – Preliminary provisions; Part II – Procedure for making claims; Part III – Compensation for death, injury or disease; Part IV – Scale of compensation; Part V – Powers and functions of the Board; Part VI – Employer's assessment and contributions; Part VII – Financial provisions; Part VIII – Establishment of the investment committee; and Part IX – Miscellaneous provision.

The First Schedule of this Act contains the lists of the schedule of occupational health diseases in the country, with the Second Schedule detailing the percentage disability caused by various types of occupational health diseases or trauma.

1.2.4. The Nigerian Minerals and Mining Act, 2011

This is an Act that repeals The Nigerian Mineral and Mining Act CAP 912, LFN 2004 for the purposes of regulating all aspects of the exploration of solid minerals in Nigeria.

The Act comprises of four (4) Chapters containing varying numbers of Parts that provide guidance to different aspects of solid mineral exploration in Nigeria.

The thematic areas of the different Chapters are: Chapter 1 – Minerals, prospecting, mining and quarrying; Chapter 2 – Small scale mining; Chapter 3 – Possession and purchase of minerals; and Chapter 4 – Environmental considerations and rights of host communities.

This Act does not explicitly make provisions for the enforcement of occupational safety and health for practitioners in the field. The only section that remotely has a connection with occupational safety and health can be found in Part VIII of the Act.

This Part gives guidance in the area of inquiry into accidents as a result of workplace exposure. It states the duty of the holder of the mining license to report the occurrence of the accident as soon as possible, as well as the accident investigation steps and penalties.

1.2.5. The Nuclear Safety and Radiation Protection Act CAP N142, LFN 2004

This is an Act enacted to establish the Nigerian Nuclear Regulatory Authority (NNRA) whose functions shall include the control and regulation of the use of radioactive substances, material and equipment emitting and generating ionising radiation.

The Act comprises of nine (9) Parts, with Section 25 of Part VII relating to the control of ionising radiation. This Section requires the Authority (NNRA) to ensure that:

- a) No practice is adopted, unless its introduction produces net benefit
- b) The dose equivalent to individual shall in no way exceed the established limits prescribed by the Authority.

Similarly, Section 26 stipulates the recording of emergency exposures to workers in this industry while Section 27 deals with the establishment of an intervention plan to deal with any foreseeable situation and the demonstration of the efficiency of the planned counter measures. Section 28 provides guidelines for the establishment of ideal working conditions for workers in the industry.

The other Sections speak to a variety of issues from categories of radioactive substances to guidelines for issuing exploration license and the process for inspection of facilities utilising radioactive substances.

1.3. Related Occupational Safety and Health Laws

1.3.1. Lagos State Safety Commission Law, 2011

This is a Law enacted by the Lagos State Government in 2011 to establish the Lagos State Safety Commission (LSSC) and for other connected matters.

The Law has 22 Sections which provides for the establishment of the Commission, arrogates functions and powers to it and also gives guidance regarding its composition and conduct of the Commission's statutory functions.

It particularly in Section 15 empowers the Commission's officers to enter and inspect facilities for compliance with the provisions of the Law, and similarly, in Section 19 the Law gives the Commission the powers to make Regulations for the purpose of the Law in accordance with the provisions of the Regulations Approval Law CAP. R5, Vol. 6, of 2001 of Lagos State.

It also prescribes penalties for infractions against the provisions of the Law.

1.3.2. Nigerian Basic Ionising Radiation Regulations, 2003

This Regulation provides guidance for the implementation of the Nigerian Nuclear Safety and Radiation Act, 1995. It specifically speaks to the prevention of excessive dose of exposure to sources of ionising radiation by workers who work in facilities utilising these substances.

Part II of this Regulation provides for arrangements for the management of radiation protection in the workplace. Part IV, on the other hand requires the provision of designated areas in workplaces making use of ionising radiation sources; dose monitoring; specific measures to prevent spread of contamination; and selection, maintenance and testing of equipment used for monitoring of exposure.

Regulations 54 –60 of Part V of this Regulation also stipulates the provision of medical surveillance services to employees exposed as well as keeping of health records for this group of workers. It also provides for the appointment of a Medical Adviser for organisations with the risk of ionising radiation exposure for the purposes of fitness certification.

1.3.3. Nigerian Radiation Safety in Nuclear Medicine Regulations, 2006

This Regulation provides for the regulation of exposure in the use of radiation in Nuclear medicine in Nigeria.

Part IV of this Law provides guidance for managing occupational exposure in the workplace primarily by stating radiation protection requirements, responsibilities and conditions of services as well as monitoring of exposure in the workplace, health surveillance and record keeping.

Part VII provides for the regulation of potential exposure and existence of emergency plans in the workplace, while Part VIII states the responsibility of the License owner during the transportation of radioactive materials.

Provisions are also contained in this Regulation for measures in place to penalise and discourage infractions.

1.3.4. Other radiation safety laws

- a) Nigerian Safety and Security of Radioactive Sources Regulations, 2006;
- b) Nigerian Transportation of Radioactive Sources Regulations, 2006;
- c) Nigerian Naturally Occurring Radioactive Materials (NORM) Regulations, 2008;
- d) Nigerian Radiation Safety in Industrial Irradiator Regulations, 2008;
- e) Guide for Maintenance Engineers and Technicians;
- f) Guide for the Provision of Dosimetry Service in Nigeria;
- g) Guide for Licensing of Nuclear Research Reactor Operators in Nigeria;
- h) Guide for Licensing of Gamma Irradiation Facility in Nigeria.

1.3.5. Mineral Oils (Safety) Regulations, 1962

This is a Regulation that provides guidance for the conduct of work operations in a drilling site for the purposes of crude oil exploration.

The Regulations has five (5) Parts, Part III looks at the responsibilities of Managers while Part IV highlights the duties of employees.

Regulations	What Regulations Provide For
Regulation 8	Provision of two (2) clearly defined approaches on every derrick floor.
Regulation 9	Fencing off of every dangerous part of any machinery
Regulation 11	Provision of lifelines for the use of employees working on derricks
Regulations 12, 13, 14 and 16	Provide for appropriate and safe use of boilers and oil treaters, internal combustion engines, electrical installation and positioning of tanks and their maintenance respectively.
Regulations 20 and 21	Ensures the provision of restricted areas and institution of adequate fire precautions.
Regulation 24	Warrants the reporting of accidents in connection with any operations under a license or lease resulting in the death of or serious injury to any person.
Regulation 31	States the duties of employees to wear the provided Personal Protective Equipment (PPEs) as requested.

Table 1.2: Summary of the provisions of the Mineral Oils (Safety) Regulations

1.3.6. Petroleum (Drilling and Production) Regulations, 1969

This is a Regulation that also guides the conduct of crude oil exploration and drilling operations in the oil and gas sector in Nigeria.

The only aspect of this law pertaining to occupational health and safety can be found in Regulation 45, which requires that the licensee or lessee shall comply with all existing safety regulations and all such instructions as may, from time to time be given in writing by the Director of Petroleum Resources for securing the health and safety of persons engaged on or in connection with operations under his license or lease.

1.3.7. National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, 2007

This is an Act that provides for the establishment of the National Environmental Standards and Regulations Enforcement Agency charged with responsibility for the protection and development of the environment in Nigeria and other related matters.

The Act has six (6) Parts as follows – Part I – Establishment of the Agency; Part II – Functions and powers of the Agency and Council; Part III – Structure of the Agency; Part IV – Staff of the Agency; Part V – Financial provisions; and Part VI – Miscellaneous provisions.

The functions of the Agency were clearly outlined in Part II of the Act, chief of which is to enforce compliance with laws, Policies and Standards on environmental matters in the country.

1.4. Ratified ILO Conventions

Nigeria till date has ratified forty (40) ILO Conventions. Of this number, thirty (30) are in force while ten (10) have been automatically denounced.

Within the thirty (30) that are in force are three (3) technical Conventions directly related to occupational Safety and Health.

1.4.1 Convention 155 (Occupational Safety and Health) 1981, Ratified in 1994

This Convention covers for the provision of appropriate national occupational safety and health structures that will help ensure implementation across board of sound occupational safety and health practices in the country.

It wishes to help facilitate in consultation with tripartite partners the formulation, implementation and periodic review of a coherent national policy on occupational safety, occupational health and the working environment. The aim of such policy shall be to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment.

1.4.2. Convention 032 (Protection against Accidents (Dockers)), 1932

This Convention covers the protection against accidents of workers employed in loading or unloading ships in Ports operations.

It aims to provide for safe work environment and processes that will ensure the safety and wellbeing of dock workers during the conduct of their daily duties on shore or offshore. It also gives specifications for access ways either on the quayside or on the vessel. Similarly the guidelines for the specifications and maintenance of equipment and machineries employed in daily port operations are also stipulated in the Convention.

The Convention also ensures the provision of emergency medical services and processes for incident or accident investigations

1.4.3. Convention 019 (Equality of Treatment (Accident Compensation), 1925

This is a Convention concerning equality of treatment for national and foreign workers regarding workmen's compensation for accidents.

This Convention has been domesticated in Nigeria by the enactment of Employee Compensation Act of 2010.

It aims to ensure that employees who suffer disability or illnesses as a result of occupational exposure in the workplace will be compensated or rehabilitated accordingly without any recourse to any form of discrimination.

1.4.4 Other ratified ILO Conventions related to working conditions

Other Conventions that have been ratified by the country regarding preservation of working conditions of the Nigerian worker are:

- a) C081 – Labour Inspection Convention, 1947 (No 81)
- b) C144 – Tripartite Consultation (International Labour)
- c) C011 – Right of Association (Agriculture) Convention, 1981 (No. 11)
- d) C026 – Minimum Wage-fixing Machinery Convention, 1921 (No. 26)
- e) C045 – Underground Work (Women) Convention, 1935 (No. 45)
- f) C088 – Employment Service Convention, 1948 (No. 88)
- g) C095 – Protection of Wages Convention, 1949 (No. 95)
- h) C123 – Minimum Age (Underground Work) Convention, 1965 (No. 123)
- i) C159 – Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)
- j) C185 – Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)
- k) MLC – Maritime Labour Convention 2006 (MLC, 2006)

2.0. Technical Standards, Codes of Practice and Guidelines on OSH

2.1. OSH Technical Standards

OSH Technical Standards are captured under various Regulations and the development of Regulations is ongoing.

2.2. Codes of Practice

There are currently no nationally approved Codes of Practice on Occupational Safety and Health. However, there are significant numbers of sectorial-based Codes of Practice that are derived from the ILO Code of Practice. Moving forward, effort will be made to develop a National Code of Practice on OSH.

2.3. OSH Guidelines

There are no published guidelines regulating the implementation of OSH Regulations in the country.

2.4. OSH Management Systems.

There is no formal National OSH Management System that has been developed by OSH authorities for use in workplace, based on ILO-OSH 2001 and other OSH Management Systems at both National and Enterprise levels. However, there is a National OSH Policy, put in place in 2006 to provide some level of guidance.

2.4.1. OSH Management Systems at the Enterprise Level

Most SMEs and OSH practitioners in Nigeria have been relying on the Factories Act in the implementation of OSH workplace arrangements in their respective organisations and practices. Some large corporations

particularly multi-nationals on the other hand have developed their in-house, industry-specific managements systems.

The adoption of OSH Management Systems is widely observed in the Oil and Gas, Maritime, Fast Moving Consumable Groups (FMCGs), Aviation and Construction sectors of the economy.

The primary objective of such organisations is the preservation of the safety and wellbeing of their employees, compliance with statutory laws and Regulations of the country and that of their parent country being mostly international organisations bound by their global organisational OSH policies and productivity implications of safety and health in the workplace.

2.5. International and Regional Guidelines on Occupational Safety and Health

Nigeria belongs sub-regionally to the Economic Community of West African States (ECOWAS) and the African Union, Regionally.

There are however no developed technical OSH policies and Codes of Practice by these Sub-Regional and Regional bodies for adoption and adaptation by member countries.

3.0. National Policy and Standard –Setting Mechanisms

3.1. Competent Authority

3.1.1. Federal Ministry of Labour and Employment

The competent national authority responsible for OSH regulation in Nigeria is the Federal Ministry of Labour and Employment. The Ministry has the responsibility for safeguarding and promoting the health, safety, and wellbeing of workers in their various workplaces, with a view of preventing the occurrence of work-related illnesses, injuries and/or death and reduce damage to property, work injury, treatment and rehabilitation of injured persons and compensation claims thereby improving productivity.

This authority is held by the Occupational Safety and Health Department of the Ministry. The Department was established as Factory Inspectorate Division in 1955, regulating the work practices, work conditions, work materials/ substances used, as well as the work environment by way of implementing and enforcing the National Policy on OSH, National Workplace Policy on HIV and AIDS (Revised 2013) and its implementation Guideline and National Action Plan and Factories Act 2004 and its subsidiary legislations.

3.2. National Policy on Occupational Safety and Health (2006)

The National Policy on Occupational Safety and Health, a guide to Occupational Safety and Health in Nigeria is the government's approach for achieving a National development philosophy of building a united, self-reliant and egalitarian economy through minimising so far as is reasonably practicable, the causes and effects of hazards inherent in the working environment in response to her ratification of Convention 155 on Occupational Safety, Health and Working Environment. The Policy came into force in November, 2006.

The goals of the Policy are to:

- a) Facilitate improvement of occupational safety and health performance by providing the framework for participative occupational safety and health protection of workers including the most vulnerable groups in all sectors of economic activities.
- b) Ensure harmonization of workers' rights protection with regional and international standards in a private sector-led economic growth thus, focusing the role of the competent authority in facilitating an enabling environment and regulating various provisions for securing safety, health and welfare of workers in Nigerian workplaces.

The objectives are:

- a) To create a general framework for the improvement of working conditions and the working environment.
- b) To prevent accidents and departures from health arising out of or in the course of work.
- c) To ensure the provision of occupational safety and health services to workers in all sectors of economic activity.

The scope of the Policy covers both the formal and informal sectors of the economy; protection of all categories of workers from undue persecution, effective communication and cooperation amongst all stakeholders; prevention and control of hazards from all forms of occupational exposure; provision of health surveillance and emergency medical services; training in the area of occupational health and safety; and the gathering and storage of information pertaining to occupational safety and health amongst other area of focus.

The Policy empowered the Federal Ministry of Labour and Employment as the Statutory Authority i.e. 'The 'Competent Authority' that will be responsible for the implementation of the Policy across the country and stated clearly, the functions of the statutory authority in this regard.

The Policy also identified the supportive duties of the Federal Ministry of Health in the area of occupational accidents, injuries and diseases data collation and submission and regulation of occupational health practice in the country.

It also clarified the duties of the following stakeholders – employers, workers, manufacturers, transporters, OSH committees and the media towards the successful implementation of this Policy.

The establishment of a National Commission on Occupational Safety and Health as a coordinating agency as well as the setting up of an Institute for Occupational Safety and Health amongst other strategies was designed to aid the robust implementation of the Policy.

The review of the Policy by the Statutory Authority is meant to take place every three (3) years.

3.3. National Workplace Policy on HIV and AIDS (Revised 2013)

The goal of the Policy is to provide for development of comprehensive and gender-sensitive HIV and AIDS response in the workplace.

The objectives of this policy are to ensure the development of policies and programmes within the framework of decent work in the formal and informal sectors of the private and public sectors and specifically to:

- a) Promote access to education including equitable worker benefits and employment protection.
- b) Eliminate discrimination and stigmatisation in the workplace based on real or perceived HIV status including dealing with HIV testing, confidentiality and disclosure.
- c) Create a safe and healthy working environment.
- d) Promote appropriate and effective ways of managing impacts of HIV and AIDS in the workplace.
- e) Protect the rights of people living with HIV and AIDS and sensitise them to options for redress.
- f) Manage grievance procedure in relation to HIV and AIDS.
- g) Give effect to international obligations of Nigeria on HIV and AIDS in the world of work.
- h) Facilitate the review and enactment of appropriate laws and statutes to mainstream HIV and AIDS issues.

The scope of the policy applies all workers under all forms of arrangements and at all workplaces, all sectors of economic activity (including private and public sectors) and the armed forces and uniformed services.

This policy is being implemented by the FMoL and E, its Social Partners and all other relevant stakeholders in collaboration with the ILO.

3.4. National OSH Committees

Nigeria does not have a National OSH committee in place; this structure exists mostly at the enterprise level. However, the traditional social partnership for the essential social dialogue on labour matters is accorded priority.

3.5. Mechanisms

The processes for drafting, setting and review of OSH legislations in the country are as follows:

3.5.1. Review of OSH Laws

The process for the fresh development and amendment of existing OSH legislations in the country is through a Bill submitted through the Federal Executive Council to the National Assembly of the Federal Republic of Nigeria for passage. The Bill on passing through the required number of readings and public hearings at the National Assembly is forwarded to the President for ascent for it to become an Act of the National Assembly. The process of making the law involves the input and participation of the social partners, local stakeholders and international partners; particularly the International Labour Organisation.

3.5.2. OSH Regulations Development and Amendment

The Minister of Labour and Employment subject to Section 49 of the Factories Act has the powers to make Regulations for the purposes of the health, safety and welfare of employees. The process of making Regulation involves inputs, participation and validation by stakeholders.

This power to make Regulations aims to:

- a) Prohibit the employment of or modify or limit the hours of employment of all persons or any class of persons in connection with any manufacturer, machinery plant, equipment, appliance, process or description of manual labour;
- b) Prohibit, limit or control the use of any material or process;

- c) Modify or extend with respect to any class or description of factory, any provisions of the Act regarding to health, safety or welfare of employees in Factories in Nigeria.

The Regulations so developed will have to be ratified by the Federal Executive Council before becoming a binding law.

The Honourable Minister is also empowered to extend the application of all or any of the provisions of this Act to any of the following classes of premises, processes or operations, that is to say:

- a) Warehouses (not forming part of any factory);
- b) Any premises (not being premises forming part of a factory) in which a hoist or lift is used;
- c) Any work carried out in a harbour or wet dock in constructing, reconstructing, etc;
- d) Building operations;
- e) Works of engineering construction and any line or siding which is used in connection therewith and for the purposes thereof and is not part of a railway.

4.0. Stakeholder Coordination and Collaboration Mechanisms

4.1. Stakeholder Coordination and Collaboration Mechanism at National Level

In the absence of the existence of the National Commission on Occupational Safety and Health as proposed in the OSH Bill pending before the National Assembly, the Statutory Authority (Federal Ministry of Labour & Employment) as stipulated in the Policy is responsible for the coordination and regulation of all occupational safety and health activities including setting and review of standards, codes of practices, etc.

The Ministry also collaborates with the most representative of employers' and workers' organisations and all government agencies with a role in occupational safety and health, the private sector, academia, civil society organisations and relevant international agencies with mandates in occupational safety and health protection of workers, in the development and delivery of occupational safety and health to the national work force. The National Industrial Safety Council of Nigeria was, for the purpose of effective social dialogue and strong promotional framework, established by the Federal Ministry of Labour and Employment as early as 1964.

4.1.1. National Industrial Safety Council of Nigeria

The National Industrial Safety Council of Nigeria was established in May, 1964 by a cabinet decision under the sponsorship of the Federal Ministry of Labour and Employment to function and be managed based on tripartite structure of Government, Labour and Employers.

4.1.1.1. Structure

The Council upholds tripartite composition involving Government, Labour and Employers and invites the participation of critical stakeholders.

The National Executive Council (NEC) consists of:

- a) President
- b) Representative of each of the State Governments
- c) The Nigeria Society of Engineers
- d) The Federal Fire Service
- e) The Federal Ministry of Labour and Employment
- f) The National Council on Health
- g) The Federal Ministry of Power and Steel
- h) The Federal Ministry of Trade, Investment and Industry
- i) The Federal Ministry of Works and Housing
- j) Employers' Organisation
- k) Workers' Organisation (NLC and TUC)
- l) Federal Ministry of Environment
- m) Institute of Safety Professionals of Nigeria
- n) Past Presidents of the Council

4.1.1.2. Objectives

The objectives of the Council shall be the prevention of industrial accidents and hazards and the promotion of occupational health and welfare in industrial establishments

4.1.1.3. Functions

The functions of the Council are:

- a) To act in an advisory capacity on all matters relating to its objectives and
- b) To co-operate with all branches of government services, employers and workers organisations and any other organizations or individuals in Nigeria or elsewhere in furtherance of its objectives.

4.2. Stakeholder Coordination and Collaboration Mechanism at Enterprise Level

At the enterprise level, management of OSH takes on a bipartite composition. This is through OSH committees as prescribed by the National OSH Policy. The Policy requires that employers consult with workers on matters relating to their Safety and Health at work. In fulfilling this mandate, it stipulates that the employer shall establish a Safety and Health committee to facilitate the implementation of safety and health programmes in the workplace.

5.0. OSH System Organization: means and tools

5.1. OSH Enforcement Bodies

5.1.1. Occupational Safety and Health Department of the Federal Ministry of Labour and Employment

The Occupational Safety and Health Department is one of the seven (7) professional departments in the Federal Ministry of Labour and Employment. It has the responsibility for safeguarding and promoting the Safety, health and wellbeing of workers in their various workplaces, with a view to preventing the occurrence of work-related illnesses, injuries and/or death and the reduction of damage to property, thereby improving productivity. The Department was established as Factory Inspectorate Division in 1955 for regulating the work practices, work conditions, work materials/ substances used, as well as the work environment by way of implementing and enforcing the safety, health and welfare provisions of the Factories Act 2004 and its subsidiary legislations, National Workplace Policy on HIV and AIDS and National Policy on Occupational Safety and Health.

5.1.1.1. Structure and Organogram

Organisational Structure Of OSH Department

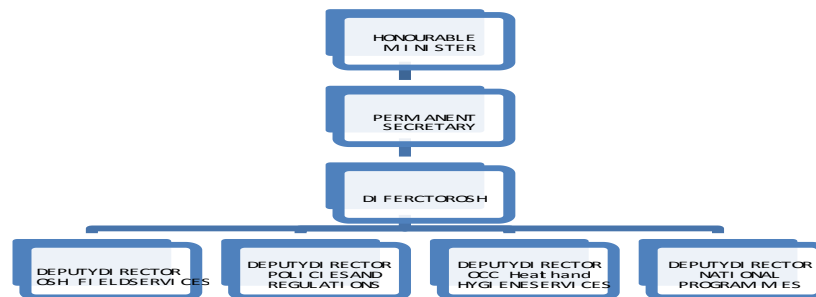


Figure 5.1: Organogram of the OSH Department

The OSH Department is headed by the Director of Factories of the Federation who is based at the headquarters in the Federal Capital Territory, Abuja. The Department has the following Units – OSH Field Services; Policies and Regulations; Occupational Health and Industrial Hygiene and Laboratory Services; and National Programmes, all headed by Deputy Directors.

5.1.1.2. Location and Establishment

Location

The Department has a presence at the Federal Secretariat in the Federal Capital Territory and thirty two state offices nationwide including the FCT. It also has an Occupational Hygiene Laboratory in Lagos State.

Establishment

The OSH Department is mainly staffed with Factory Inspectors Cadre designated and known as Inspector of Factories and Safety Inspectors.

The Factory Inspectors Cadre comprises:

Occupational Safety Officers: Engineers, Physical Scientists, Environmental Scientist etc.; and Occupational Health Officers: Occupational Physicians, Medical Officers, Occupational Health Nursing Officers, Occupational Hygienists, and Medical Laboratory Scientists.

STAFFING

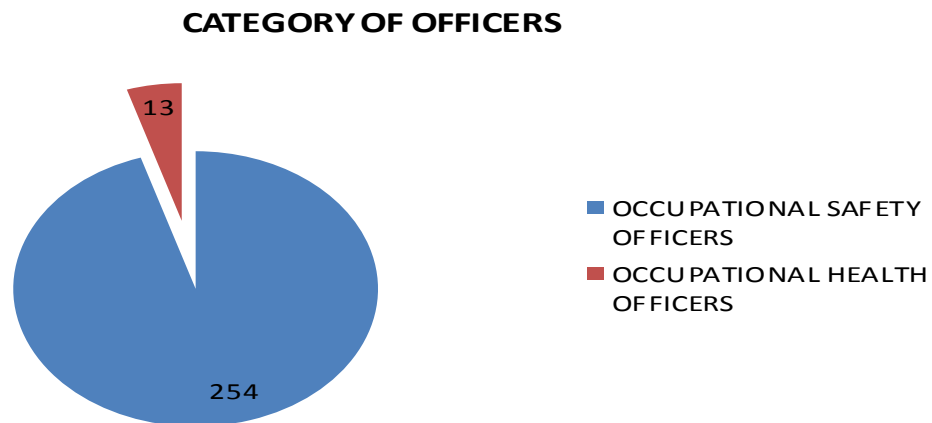


Figure 5.2: Personnel composition of the OSH Department

The total staff strength of the Department across the country stands at 267 (2016 figure), with a predominance of safety officers.

5.1.1.3 Functions of the OSH Department

The OSH Department is charged with the responsibility for ensuring safety, health and welfare of workers in the Country, its functions are statutory and includes:

- a) Development of a National Safety and Health Preventative Culture in Nigeria;
- b) Establishment and Implementation of a National OSH Management System;
- c) Identification, formulation, implementation and review of national Policy and legislations on OSH and other related matters;
- d) Monitoring compliance and enforcement of the National Occupational Safety and Health (OSH) Policies and Legislations (National Policy on Occupational Safety and Health, National Workplace Policy on HIV & AIDS; Factories Act and Subsidiary Legislations) through:
 - i. Inspection of Workplaces in relation to OSH;

- ii. Registration of new factory premises, amendment and revocation of certificates of registration of existing registered factories;
 - iii. Collection of revenue for new registration, amendment and renewals of Certificate of Registration of factory and Certification of Competent Persons for lifting equipment and pressure vessels examination;
 - iv. Investigation of accidents, dangerous occurrences and cases of occupational diseases;
 - v. Conduct of medical examination and surveillance of workers' health;
 - vi. Occupational Hygiene and Laboratory Services;
 - vii. Enforcement by issuing improvement and prohibition notices and as the last resort, instituting legal proceedings;
- e) Formulation, Implementation and Review of Regulations, Codes of Practice, Guidelines and Standards for safe and healthy work;
 - f) Provision of safety and health training, education and advisory services to workers, employers, professional organization and the general public through lectures, courses, seminars and symposia;
 - g) Promotion, awareness creation and advocacy on Occupational Safety and Health through campaigns, talks and publication of IEC materials;
 - h) Collection and dissemination of Occupational Safety and Health statistical data;
 - i) Collection, dissemination and publication of Occupational Safety and Health information;
 - j) Conducting research and survey on various aspects of Occupational Safety and Health;
 - k) Collaboration and cooperation with other national and international organizations towards the promotion of safety and health in the workplaces in Nigeria;
 - l) Consultation and collaboration with Social Partners and other stakeholders for the promotion of safety and health at work in general;
 - m) Development, Implementation and Review of guidelines for identification, emergency preparedness and response plan for the containment of major hazards and disasters;
 - n) Organization of National programmes on Occupational Safety and Health for continuous improvement in the working environment such as World Day for Safety and Health, Work Improvement for Street Cleaners, etc;
 - o) Any other duties assigned by the authority.

5.1.1.4. Enforcement

Enforcement Pyramid

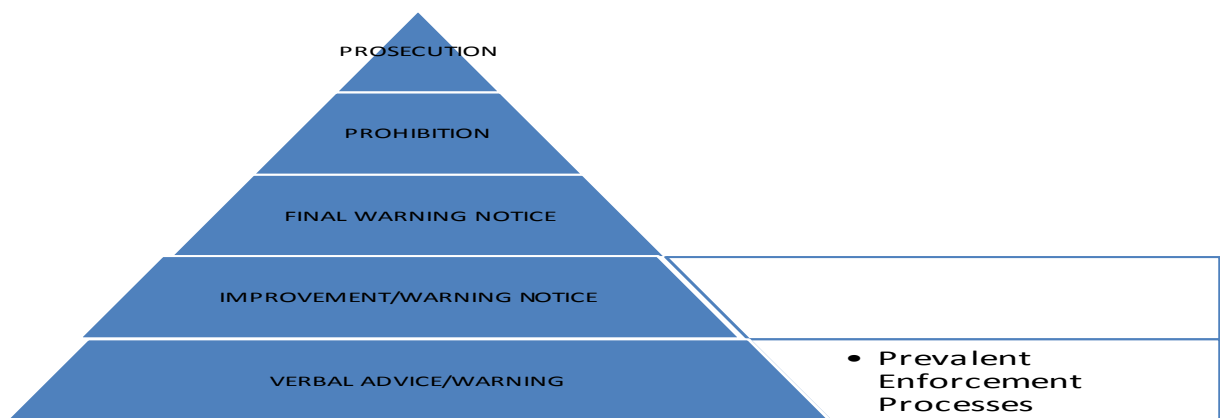


Figure 5.3: OSH Departmental enforcement processes

In performing its duties of implementing the provisions of the Factories Act, majority of the processes as demonstrated in the pyramid above cumulate with the issuance of improvement/warning notices, with few cases leading to prosecution of erring organizations.

5.1.1.5. Government Direct Appropriation

Direct budgetary provisions for programmes and projects in the department in the last three (3) years are summarized below:

Year	Appropriated Budget (NGN)
2014	23, 949, 601
2015	22, 150, 341
2016	15, 840, 000

Table 5.1: OSH Departmental Allocation

5.1.2. Occupational Health and Safety Division of the Federal Ministry of Health.

The enforcement duty of the Federal Ministry of Health regarding occupational safety and health as prescribed under Section 5.2 of the National OSH Policy is primarily to:

- a) Regulate, monitor and evaluate medical practice in the area of occupational health in the country.

The Ministry executes this mandate through its Occupational Health and Safety Division.

5.1.2.1. VISION

Ensure that workers are placed in an occupational environment conducive to the promotion and maintenance of the highest degree of health through availability and accessibility of occupational health services.

5.1.2.2. MISSION

- a) To achieve a consistently high level of health among workers in all occupations.
- b) To improve productivity and promote a healthy environment that is safe to live and work.
- c) To ensure accessibility of occupational health services to every working individual whether in the formal or informal sector.

5.1.2.3. Location and Establishment

Location

The OHS Division operates from its office at the Federal Secretariat in the Federal Capital Territory, Abuja. As decided during the National Health Council meeting in 2014, plans are underway to have an OSH Officer in each State of the Federation and the Federal Capital Territory, Abuja. At present, the Ministry has a satellite OHS office in Lagos State.

Establishment

The Division is headed by a National Director with thirty-one (31) other employees of varying functions and qualifications, of which five (5) are medical doctors.

5.1.2.4. Structure and Organogram of the Occupational Health and Safety Division

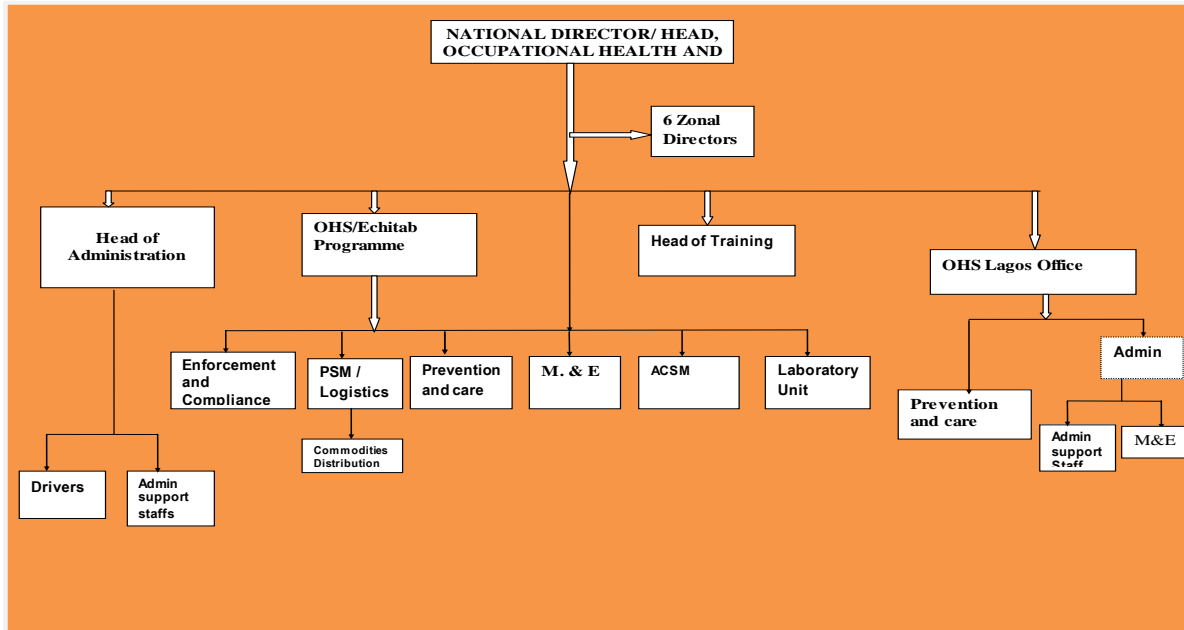


Figure 5.4: Organogram of the OHS Department of the Ministry of Health

5.1.2.5. Activities

The Division implements activities in two (2) major thematic areas:

- **Occupational Health and Safety**

In fulfilling its mandate, the Division works closely with the Occupational Health Units of the States' Ministries of Health through the application of its developed Checklist for State Level Supervision – standards of practice in occupational health and safety at the State Ministry of Health level.

Routine activities of occupational Health and Safety division include the following:

- a) Policy formulation and regulatory role on the Implementation of Occupational Health and Safety.
- b) Pre-employment and Pre-School Medical examinations.
- c) Daily treatment of ill and injured workers including nursing care.
- d) Health and Safety education and counseling for staff and patients at Factory Clinics and Retainer Hospitals.
- e) Joint monitoring and supervision to factories and Schools in Lagos, South West Zone.
- f) Physiotherapy and medical rehabilitation of severely injured factory workers.
- g) Coordinate activities of other Stakeholders in the area of Health intervention of Occupational Health and Safety.
- h) Coordinate National Risk Assessment Surveys and Hazards Communication at work place.
- i) Monitoring of Health Status of young persons at work.

- j) Provide Services at a Standard Occupational Hygiene and Safety Laboratory as a reference centre for the analysis and quality control of air-borne diseases and other workplace pollutants in the country.
- k) Development of Codes of Practice among various work sectors.
- l) Ensure workplace audit and workers' Health audit.

▪ **EchiTabProgramme**

This programme is geared towards the provision of anti-snake venom to rural agricultural workers as a result of the occupational hazard brought about as a result of their farming activities, particularly in the Northern part of Nigeria.

5.1.2.6. Budgetary Allocation

The budgetary allocation for the OHS Division is summarized in the Table below.

Year	OHS (NGN)	EchiTab (NGN)
2016	41, 660, 716	143, 571, 974
2015	Nil	70, 466, 179
2014	6, 208, 610	98, 946, 459
2013	5, 000, 000	140, 091, 903
2012	11, 279, 768	160, 609, 492
2011	9, 016, 919	106, 355, 304

Table 5.2: Budgetary allocation for the OHS Department

5.1.3. Federal Ministry of Environment

The National Environmental Standards and Regulatory and Enforcement Agency (Established through Decree No. 58 of 1988, as amended by Decree 59 of 1992) metamorphosed into the Federal Ministry of Environment with inclusions of other relevant departments from other MDAs such as the Environmental Health and Sanitation unit from Federal Ministry of Health, Federal Ministry of Works and Housing, etc.

The Ministry fulfills her mandate on the environment through its Pollution Control and Environmental Health Department.

5.1.3.1. Location and Establishment

The Department is headed by a Director, and comprises of six (6) Divisions all headed by a Deputy Director. These Divisions are:

- a) Chemicals Management (CM);
- b) Solid Waste Management and Technology (SWM);
- c) Sewage and Air Quality Emissions Management Technology (SAE);
- d) Hazardous Waste Management, Cleaner Production and Environmental extension Services (HCE);
- e) Environmental Health and Sanitation (EHS); and
- f) Marine Pollution Management, Contaminant Clean-up and Remediation (MCCR).

It has 222 employees spread over its six (6) zonal offices with the headquarters in the Federal Capital Territory, Abuja.

The Ministry is assisted in this regard by some of her Agencies such as the National Environmental Standards and Regulations Enforcement Agency (NESREA) and the National Oil Spill Detection and Response Agency (NOSDRA), which help to ensure compliance and enforcement of environmental laws, regulations and guidelines.

5.1.3.2. Enforcement Activities

The process for performing these functions is through collation of records of routine daily inspection of premises by Environmental Health Officers (EHO) at the State and Local Authority levels.

5.1.4. Nigerian Nuclear Regulatory Authority (NNRA)

The Nigerian Nuclear Regulatory Authority (NNRA), established by the Nuclear Safety and Radiation Protection Act CAP N142, LFN 2004 is charged with the responsibility for Nuclear Safety and Radiological Protection regulation in the Country (Article 4 of the Act). The NNRA is also empowered to inspect all facilities that utilize ionizing radiation equipment in accordance with the provisions of Section 37 (1) of The Act.

Consequently the NNRA has developed several Regulations and Guides that enables the various industrial/medical sectors under its regulatory context to carry out their activities without causing harm to the workers, public and the environment from the harmful effect of ionizing radiation.

5.1.4.1. Institutional Capacity

To this end, the NNRA has the capacity to:

- a) Ensure that all workers using ionizing radiation generating equipment and radioactive sources are properly monitored;
- b) Ensure that national legislative and regulatory frameworks include provisions for nuclear security;
- c) Implement nuclear security regulations, requirements associated procedures, and law enforcement systems and measures;
- d) Define domestic threats and assess their vulnerability with respect to radiation safety and other radioactive materials in the Country;
- e) Establish and maintain appropriate and effective physical protection measures for facilities to prevent unauthorized removal and sabotage;
- f) Establish and maintain appropriate and effective physical protection measures for radioactive measures for radioactive sources and other radioactive materials in use, storage and manufacture in order to prevent unauthorized removal and sabotage;
- g) Search, locate, identify and secure orphan and legacy radioactive sources;
- h) Establish a national programme for developing and maintaining appropriate and effective systems for detecting, deterring, preventing and combating illicit trafficking in nuclear and other radiological materials.

5.1.4.2. Enforcement

The NNRA issues authorizations for all activities involving exposure to ionizing radiation through its system of Notification and Registration or Licensing. Through this process facilities using sources of ionising

radiation are required to register with the NNRA and get accredited before commencement of activities. The process of accreditation involves facility inspection and periodic monitoring of the activities of these establishments in accordance with the provisions of extant legislations.

5.1.5. The Department of Petroleum Resources (DPR)

The Department of Petroleum Resources (DPR) has regulatory oversight on the Oil Industry in health, safety and environment (HSE) issues.

Oil and gas activities typically comprise a wide range of engineering specialisations; each with its own risks. The DPR over the years has developed substantive capacity in areas of HSE administration which now constitutes a significant part of oil industry operations with a philosophy based on risk/hazard management.

It derives its powers from the Minerals Oils (Safety) Regulations and the Petroleum (Drilling and Production) Regulations, 1997.

5.1.5.1. Institutional Capacity

With over twenty field offices nationwide, the DPR employs over one thousand employees in several oil and gas specialisations. The HSE division has established many safety guidelines issued based on the petroleum laws.

The Department maintains a close relationship with the major stakeholders in the oil industry in order to keep abreast with the latest in cutting edge technology and methodologies aimed at HSE promotion.

5.1.5.2. Enforcement Activities

The Department's activities that help drive adherence to guidelines regarding occupational safety and health are the:

- a) Institutionalisation and promotion of the safety case regime for all oil and gas facilities;
- b) Institutionalisation and promotion of the risk based inspection methodology for facilities;
- c) Development of the offshore safety permit – Record of offshore traffic and deployment;
- d) Safety training centres accreditation;
- e) Regular facility inspections and operation monitoring (including offshore facilities);
- f) Development of HSE related guidelines covering lifting equipment, Risk-Based inspections, etc.

5.1.6. The Nigerian Maritime Administration and Safety Agency (NIMASA)

The Nigerian Maritime Administration and Safety Agency, contributes generally to the safety and health of personnel in the Maritime Industry through ensuring conformance to international and regional standards of Maritime Health and Safety as well as the safety of the marine environment. Specifically, the Agency operates a Health, Safety and Environment (HSE) Unit which helps to ensure that the Agency meets its Occupational Safety and Health Management System goals and the related OSH obligations to its personnel and the Maritime sector.

5.1.6.1. Institutional capacity

The Agency's Head Office is located in Lagos and its principal operations in Apapa (Lagos), Warri, Sapele, Port Harcourt, Onne, Bony, Yenogoa, Eket, Calabar, Abuja and Lokoja.

The Agency fulfills this mandate through:

- a) Medical and environmental surveillance and Health Safety and Environmental promotion.
- b) Workplace safety compliance.
- c) Occupational safety training.

5.1.7. Lagos State Safety Commission

The Lagos State Safety Commission is an agency of government whose primary objective is to ensure safety, health and welfare of all workers in all workplaces in Lagos State, South- West Nigeria. The Commission derives its powers from the Lagos State Safety Commission (LSSC) Law, 2011.

The LSSC Law empowers the Commission to enforce all safety laws, guidelines, policies, standards and regulations in Lagos State.

5.1.7.1. Mandate

- a) The Commission enforces the Lagos State Safety Commission Law, 2011 with its subsidiary legislation which aims at prevention of accidents and diseases at work.
- b) The Commission also implements the National Policy on Occupational Safety and Health in Lagos State.

5.1.7.2. The Powers of the Commission

- a) Clearly define and set safety standards for all Ministries and Agencies of Government in the State.
- b) Foster and maintain effective interaction, networking and collaboration on safety issues with relevant Government Agencies.
- c) Formulate and adopt safety policies, procedures to ensure enforcement and compliance with all relevant laws, bye-laws and regulations on safety in the state at all levels.
- d) Make recommendations towards the review or development of legislation on safety especially in areas of overlapping functions of relevant government agencies in the State.
- e) Formulate, maintain and periodically update harmonized safety policies in the State.
- f) Act as may be necessary to improve any condition which it would have done if the Commission had been the enforcing authority for the purpose of ensuring safety.
- g) Carry out preventive functions as provided under this law and ensure that recommendations are carried out at levels, including those obtained from the processes set out in Schedule 1.
- h) Establish directorates within the Commission to carry out its functions under the provisions of this law.
- i) Formulate policies, guidelines and decisions in safety-related matters in the State.
- j) Co-ordinate and monitor the activities of relevant organizations involved in safety services in the State.

5.1.7.3. Preventive Functions

In fulfilment of its responsibility of identifying hazards at workplaces and assessment of risks with a view of preventing accidents, diseases and damage to property, the Commission undertakes the following functions:

- a) Systematic inspection and auditing of workplaces to promote best practices and ensure compliance with safety and health standards as set out in the LSSC Law and its subsidiary legislations.
- b) Examination and testing of steam boilers, air and steam receivers, gas cylinders, refrigeration plants, passenger lifts, hoists, cranes, chains and other lifting equipment to ensure their safe use.

- c) Identification, evaluation and control of biological, chemical, physical, psychosocial, ergonomic and other factors in the work environment which may affect the safety and health of employed persons and the general environment.
- d) Medical surveillance, including medical examination to monitor and check on the health status of the workers and advise on intervention measures.
- e) Training and awareness creation on occupational safety and health in order to promote safety and health culture in the State.
- f) Ensuring compensation to employees for work related injuries and diseases contracted in the course of their employment in accordance with the provisions of the Employee Compensation Act.
- g) Investigation of occupational accidents, dangerous occurrences and cases of Occupational diseases with a view to preventing reoccurrence.

The Commission has ten (10) Directorates comprising of ten (10) operational Units. The implementation of its workplace obligations is implemented through the Directorate of Field Services, whose function is as follows:

- a) Inspect workplaces on occupational safety and health standards in accordance with the LSSC law, Factories Act and other subsidiary legislations;
- b) Carry out hygiene surveys in workplaces to determine and control their Indoor Air Quality and/or Noise levels;
- c) Conduct investigations of occupational injuries occurring in all work places;
- d) Conduct training programmes in safety and health of employees;
- e) Conduct legal proceedings against non-complying occupiers;
- f) Monitor the activities of LSSC approved persons and institutions.

5.1.7.4. Organogram

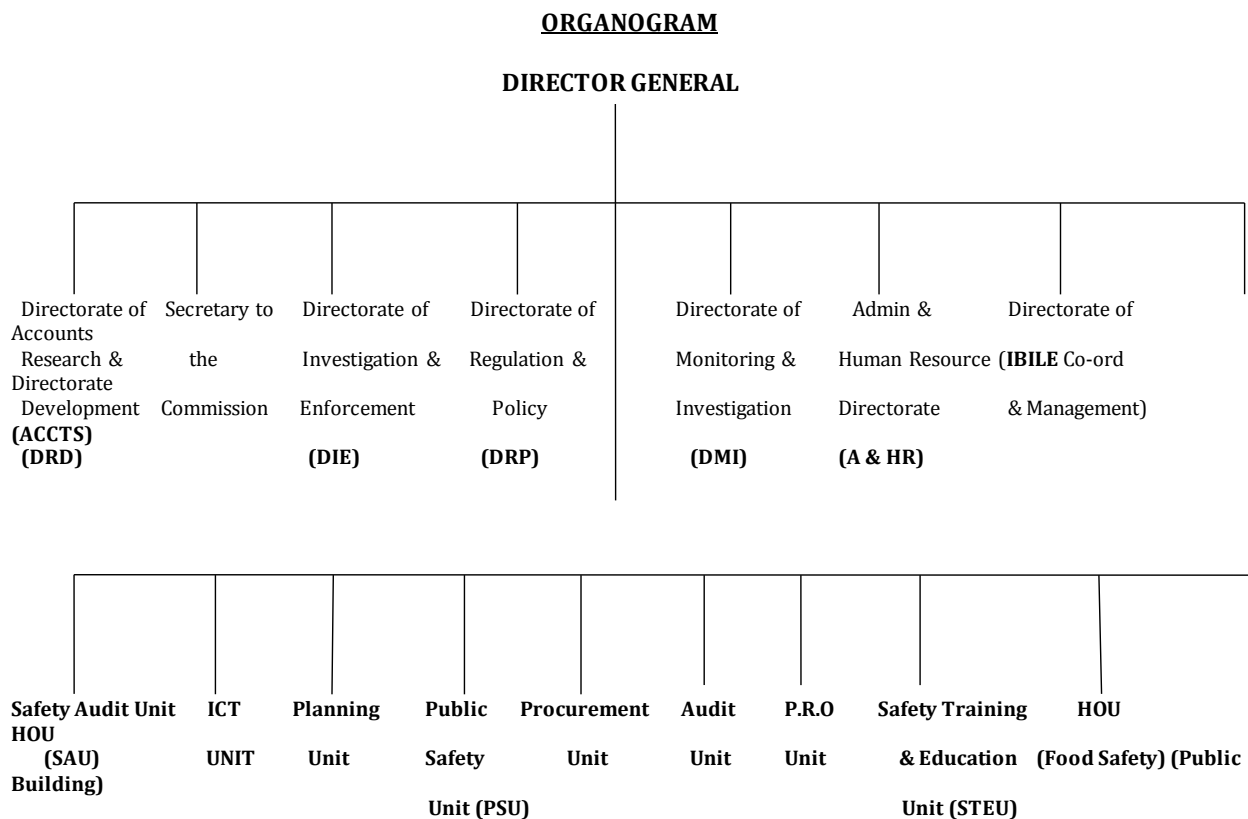


Figure 5.5: LSSC organogram

5.1.8. National Emergency Management Agency (NEMA)

The National Emergency Management Agency (NEMA) was established via the National Emergency Agency (Establishment, Etc.) Act, CAP N34, LFN 2004, to manage disasters in Nigeria. It has been tackling disaster related issues through the establishment of concrete structures.

5.1.8.1. Mission

Coordinate resource towards efficient and effective disaster prevention, preparation, mitigation and response in Nigeria.

5.1.8.2. Vision:

Build a culture of preparedness, prevention, response and community resilience to disaster in Nigeria.

5.1.8.3. Functions

The Act vested the authority of managing disasters in Nigeria. According to the enabling law; the Agency shall among the other things:

- a. Formulate policy on all activities relating to disaster management in Nigeria and co-ordinate the plans and programmes for efficient and effective response to disasters at national. level;
- b. Monitor the state of preparedness of all.

5.1.8.4. Structure and Establishment

The Agency has its headquarters in the Federal Capital Territory, Abuja with State offices in the 36 States of the Federation and the FCT (which are responsible for response at the State level)

There are seven (7) departments in the Agency namely – Admin and Supply; Disaster Risk Reduction; Finance and Accounts; Planning, Research and Forecasting; Relief and Rehabilitation; Search and Rescue; and Training.

5.1.9. Nigerian Electricity Management Services Agency (NEMSA)

The Nigerian Electricity Services Management Services Agency (NEMSA) was established by the NEMSA Act, No. 6, 2015 to carry out the functions of enforcement of technical standards and regulations, technical inspection, testing and certification of all categories of electrical installations, electricity meters, and instruments, to not only ensure the efficient production and delivery of safe, reliable, and sustainable electricity power supply, but to also guarantee safety of lives and property in the Nigerian electricity supply industry (generation, transmission, distribution, etc), and related matters.

5.1.9.1. Vision:

To be an efficient world-class technical enforcement agency that ensures standardization, specification, quality, safety, and competence for the competitive Nigerian electricity supply industry.

5.1.9.2. Mission:

To ensure efficient, safe, and reliable networks for electricity supply, safety of lives and property in the Nigerian electricity supply industry and other allied industries / workplaces, through appropriate and innovative technology employing a well-motivated workforce.

5.1.9.3. Mandate:

In accordance with the provisions of the NEMSA Act 2015 which stipulates that no organization or individual should engage or carry out any electrical installation works in Nigeria without having first obtained a NEMSA Certificate of Competence and also makes it mandatory that all categories of electrical installations are inspected, tested and certified by NEMSA Electrical Inspectors (Inspecting Engineers, Technologists, and Technicians) before they can be commissioned or put to use, the mandate of the Nigerian Electricity Management Services Agency includes the following:

- To ensure that only competent / qualified electrical engineers, technologists, or technicians are certified by the Agency to undertake / carry out electrical installation works in industries, factories, all workplaces, commercial premises, residential buildings, public and private buildings, etc;
- To ensure that electrical materials/equipment/ instruments used in the Nigerian Electricity Supply Industry (NESI) are of the right quality, standards and specifications;
- To ensure that the power systems and networks put in place have been properly planned, designed and executed before use, in order that such systems are capable of delivering safe, reliable and regular electricity supply to the consumers nationwide;
- To ensure that the safety of lives and property within the grid and off-grid networks is guaranteed;
- To ensure that electric meters and instruments are of the right type, class and accuracy for proper accountability of energy produced, delivered, supplied and utilized by the consumers;
- To undertake prompt investigation of all electrical incidents / accidents and electrocutions in the power industry and other workplaces, with a view towards proffering solutions for prevention of future reoccurrences;
- To educate the general public on how to use electricity safely and wisely, through the Agency's website (www.nemsa.gov.ng), book publishing, newspapers, television stations, radio stations, social media, and other platforms;
- To provide data, information and library services for stakeholders, investors, researchers, academia, etc, through the proposed Electricity Information Management System (EIMS).

5.2. OSH Information

The ILO designated the Factory Inspectorate Department as the Hazard Alert Centre in 1986. The role of this Centre is to feed the ILO with information on substances being used in industries, which could cause occupational diseases.

In 1991, the Department was also designated as an Occupational Safety and Health Information Centre “CIS Centre”.

5.3. Occupational Safety and Health Advisory Services

There is no validated national register of organizations offering occupational safety and health services in the country. However, the Lagos State Safety Commission requires all organizations offering occupational safety and health services in the State to register with the Commission.

5.4. OSH Education and Training

5.4.1. The University of Ibadan, Oyo State, Nigeria

The Department of Environmental Health Services of the University currently offers a Masters in Safety, Health and Environment.

The programme is designed majorly to produce Safety Practitioners who will be able to identify, assess and solve safety, health and environmental problems which arise in the workplace through the principles of good management practices. Specifically, the programme is tailored to meet primarily the needs of industry workers who are in the Health, Safety and Environment (HSE) Departments as well as those in related Departments. Other categories of persons targeted for the course include Managers of HSE firms and other environmental agencies that require higher degree for career advancement.

5.4.1.1. Objectives

The objectives of the programme are to:

- a. Produce graduates with requisite skills to identify hazards in the work place.
- b. Train graduates on design strategies for preventing and controlling hazards in the workplace so as to minimize injuries and associated health effects.
- c. Equip graduates with modern techniques of industrial hygiene and Good Manufacturing Practices (GMP).
- d. Turn out graduates with relevant skills in risk communication and management.
- e. Produce high level manpower with sound knowledge and capacity to handle environmental audit in the work place.

5.4.2. The University of Port Harcourt, Rivers State, Nigeria

The Centre for Occupational Health, Safety and Environment of the University was established on 29th September 2010 and has commenced a Master’s and PhD programme in occupational health and safety.

The programme is committed mainly to manpower training, research and development in Environmental management, occupational health and safety management.

5.4.3. International Certifications in OSH

A number of accredited organizations offer short courses and diploma programmes in various internationally accredited OSH certifications such as NEBOSH, IOSH, etc.

5.5. OSH Research, Institutes and Laboratories

The Federal Ministry of Labour and Employment however has an Occupational Hygiene Laboratory located in Lagos State, Nigeria. The Laboratory is staffed with two (2) employees – a doctor and a laboratory scientist. The laboratory serves as a referral laboratory for OSH related laboratory services from the field officers.

5.6. Occupational Accidents and Diseases Compensation System

The Employee Compensation Scheme in Nigeria is governed by the provisions of the Employees' Compensation Act (ECA), 2010. The provisions of this Act has been captured in Section one (1) of this document.

The Nigerian Social Insurance Trust Fund (NSITF)

It is the coordinating Agency in the implementation of the Employee Compensation Scheme.

- **Vision**

The vision of the NSITF is to be the leading Social Security institution in Africa, setting the agenda for change, social policy, economic empowerment and poverty alleviation in Nigeria.

- **Mission**

Its mission is to be proactive in providing social security protection and safety nets for all Nigerians against deprivations and income insecurity in accordance with national and international laws, conventions and world best practices.

- **Mechanism for the Collection and Analysis of Submitted Data**

Nigeria Social Insurance Trust Fund (NSITF) operates branch and Regional offices in all the 36 states of the Federation (including Federal Capital Territory) with its Head Office in Abuja which is different from the FCT (State/Regional) office.

The branch and Regional offices have Health Safety and Environment Departments (HSE), which among other responsibilities, is to engage in workplace incident/accident investigation, where reports of industrial incidents/accidents that are investigated are generated. The report is sent to the General Manager HSE through the Branch and Regional Managers.

The Act more importantly stipulates that every employer shall make a minimum monthly contribution of 1.0 percent of the total monthly payroll into the Fund. It also provides for the establishment of a Board to manage the administration of the Fund.

The Employees' Compensation Act was enacted to give statutory backing to the mandate given by Section 72 (2) of the Pension Reform Act to the NSITF. The NSITF is the custodian of the Employee Compensation Scheme which the ECA established.

The ECA provides for cash and non-cash benefit components such as:

- a) Vocational rehabilitation for any injured employee to assist them in getting back to work.
- b) Counseling services to dependants of the affected worker, while the worker is being rehabilitated.
- c) Medical, surgical, hospital, nursing and other care or apparatus, including artificial members necessary at the time of injury and thereafter.
- d) Allowance to the injured employee where necessary for sustenance.
- e) Replacement and repair of artificial appliances.

5.7. Other Specialized Technical, Medical and Scientific Institutions

5.7.1. Institute of Safety Professionals of Nigeria (ISPON)

The Institute of Safety Professionals of Nigeria was inaugurated in August 1980 as Nigerian Institute of Safety Professionals (NISIP) during the annual conference of the National Industrial Safety Council of Nigeria (NISCN). It later became the Institute of Safety Professionals of Nigeria until it was chartered in 2014 by the National Assembly of the Federal Republic of Nigeria.

The Institute of Safety Professionals of Nigerian (ISPON) is Nigeria's only chartered Safety Professional body for individuals involved in Occupational Health and Safety practices. ISPON is involved in maintaining standards, providing impartial and authoritative guidance and HSE trainings and consultancy.

5.7.1.1. Objectives of the Institute

The Institute's objectives as enshrined in the ISPON Act 2014 include;

- a) The organisation and provision of professional training in the area of safety management;
- b) In collaboration with government agencies, set standards of practice and determine the knowledge and skills to be acquired by persons seeking to register and practice as safety professionals and to improve on such standards from time to time.
- c) To do all such things as may be necessary to promote the advancement of safety profession in both public and private sectors of the economy.

5.7.1.2. Functions and Powers of the Institute

In order to achieve the above stated objectives, the Institute is empowered to perform the following functions;

- a) Conduct examinations and award certificates and diploma as well as advise employers on matters relating to qualifications for the practice of safety management in Nigeria;
- b) Conduct research into all aspect of safety management;

- c) Organize lectures, seminars, workshops and otherwise provide training for persons aspiring to qualify and practice as safety professionals;
- d) Establish and maintain list of persons registered as safety professionals in Nigeria and publish from time to time those so registered;
- e) Perform such other functions as may be necessary for the advancement of the Institute and the safety management professional;
- f) Have power to affiliate with any university or other tertiary institutions for the purpose of offering higher degree programme;
- g) In collaboration with relevant agencies of government, regulate the practice of safety management in Nigeria.

5.7.2. Society of Occupational and Environmental Health Physicians of Nigeria (SOEHPON)

The Society comprises of Physicians and other medical professionals involved in the practice of occupational and environmental health in the workplace.

5.7.2.1. Aims and Objectives

- a) To have and ensure a healthy working population in a safe working environment.
- b) To bring together physicians who are in the practice of Occupational and Environmental Health in Nigeria.
- c) To establish and promote a healthy and safe working environment.
- d) To promote research and education in the field of Occupational and Environmental Health in Nigeria.
- e) To disseminate knowledge about the broad field of Occupational and Environmental Health in Nigeria.
- f) To promote friendly collaborative relationship among all groups of professionals engaged in the practice of Occupational and Environmental Health and Safety in Nigeria and internationally.
- g) To offer professional and consultancy services, in Occupational and Environmental Health, to relevant authorities, corporate bodies and individuals.
- h) To consider, review and express the position of the Society on all proposed legislation affecting the promotion of health in the workplace.
- i) To encourage all members to strictly participate in suitable continuing professional development programmes in order to update knowledge and skills in accordance with relevant provisions and directives of the Medical and Dental Council of Nigeria or other similar statutory bodies.

5.7.2.2. Vision

To bring together Occupational and Environmental Health physicians with the aim of ensuring and managing a healthy work force in a safe working environment.

5.7.2.3. Mission

To produce a healthy workforce in a safe working environment by setting, promoting and protecting best standards of practice and training in Occupational and Environmental Health in Nigeria.

5.7.2.4. Membership Spread and Criteria

- a) Full SOEHPON Members are made up of Doctors who are providing Health Care services to Workers in operational establishments and with Basic OEH trainings and certifications, Academic OEH/Public /Preventive Health Specialists.
- b) Associate Members are those who are not Doctors like Nurses, Hygienist, Safety Practitioners, and Ergonomist who are OEH and S stakeholders. Their role is as specified in the SOEHPON Constitution.
- c) There are also Corporate Members of various categories.
- d) Temporary Members of SOEHPON include OEH Practitioners/Specialists who are non-permanent residents in Nigeria but intend to remain with the Society as members for the period they are in Nigeria. Their level of participation is as stipulated in the constitution.

5.7.2.5. Activities

The Society is involved in the following activities:

- a) Conduct of trainings, workshops, seminars and research activities.
- b) Conduct of OHE related advocacy activities.

5.7.3. Occupational Safety and Health Association (OSHAssociation), United Kingdom (Nigeria Region)

Occupational Safety and Health Association UK known as "(OSHAssociation)" is an independent non-profit organization, registered in England and Wales (Reg. Number: 8438377) with global membership and regional representatives worldwide for the purpose of promoting occupational health and safety globally.

The OSHAssociation (Nigeria Region) has a national presence with reported membership strength of over 5,000 comprising of both individual and corporate members.

The Association is involved in organization of workshops, seminars and trainings for individuals and organizations alike.

5.7.4. Other Professional Bodies and Safety Associations in Nigeria

5.7.4.1. Safety Advocacy and Empowerment Foundation (SAEF)

Organization Profile

The Safety Advocacy and Empowerment Foundation (SAEF) is a registered, Not-for-Profit and Non-Governmental Organization dedicated to the promotion of Quality, Health, Safety and Environment (QHSE) in Nigeria.

The Foundation is dedicated to the promotion and sustenance of a safer Nigeria through:

- a) Advocacy and awareness programmes to minimize injury and illness potentials in the workplace and the society at large.

- b) Qualitative and effective trainings, knowledge sharing, effective communication and strategic alliance with both local and international consultants/Government Agencies.
- c) Creation of jobs and youth empowerment in the QHSE profession.
- d) Professional support to corporations and private organizations to enhance business continuity.
- e) Community involvement in the promotion of environmental sustainability, public safety and occupational health awareness programmes.

Membership Composition and Spread

SAEF at the moment has over 1000 volunteer members available to be mobilized for the Foundation's activities across the country.

Programmes and Activities

Some of the Foundation's activities are:

- a) Conduct of knowledge share sessions tagged 'Safety Platform'.
- b) School safety initiatives.
- c) Safety awareness in market and public places.
- d) Emergency response planning and training.
- e) Home safety.
- f) Social media campaign and advocacy.

There are international professional bodies with affiliates in the country. These organisations are: the American Society of Safety Engineers (ASSE); International Institute of Risk and Safety Management (IIRSM); World Safety Organisation (WSO); International Association of Safety Professionals (IASP); and the Institute of Occupational Safety and Health (IOSH, Informal Network).

Other safety associations in the country are – Health and Safety Professionals' Association (HASPA); Association of First Aiders in Nigeria; and Fire Protection Association of Nigeria.

5.7.4.2. World Safety Organisation (WSO)

The World Safety Organisation (WSO) was founded in 1975. The WSO National Office for Nigeria was chartered on September 6th, 2012, and charged with the power to represent, administrate and carry out all duties and responsibilities of the WSO National Office for Nigeria and act on behalf of the WSO World Management Center. The WSO Nigeria Chapter was granted in December 18th, 2013.

Objectives

- a) To encourage the effective exchange of information and experiences between and among the members of the WSO.
- b) Collaborate with other international organisations in conducting activities of mutual concerns, interest and directions.
- c) Promote the continuous upgrading of the safety and accident prevention technology and these fields related to losses of lives, property and environment.

- d) Strive for a universal level of professionalism and competence among its members and WSO non-members whose functions are related to safety.
- e) Perform such other necessary acts and functions relevant to the WSO overall theme “Making Safety A Way of Life... Worldwide”.

Programmes and Activities

- a) International professional membership development.
- b) Safety and Emergency Response Ready (SAFERR) Project – SAFERR school; SAFERR Campus and SAFERR community.
- c) WSO international volunteer scheme.
- d) International professional training and certification.

5.8. Overall Active National OSH Human Resources

The Institute of Safety Professionals of Nigeria (ISPON) has 6,000 registered OSH professionals as members of ISPON. There are, however, practitioners not registered with the Institute.

6.0. Occupational Accidents and Diseases

The International Labour Organisation (ILO) estimates that over 300 million occupational injuries and at least 320,000 fatal occupational injuries occur each year. A further two (2) million cases of fatal work-related diseases are reported annually. The global work-related deaths estimates if occupational injuries and work-related diseases are factored together amounts to 2.3 million annually.

6.1. Notification and Recording of Occupational Accidents and Diseases

Section 51 - 53 of the Factories Act requires employers to record all accidents, dangerous occurrences and occupational diseases that occur in their workplaces in a prescribed manner.

The Occupational Safety and Health Department of the Federal Ministry of Labour and Employment, the Statutory Authority, has the primary responsibility for the collection and collation of information and data on occupational accidents and diseases in the country in line with the provisions of National Policy. This does not, however, preclude the expected collaborative role of other stakeholders.

Sections 51 – 53 of the Act mandates the notification of industrial accidents, dangerous occurrences and industrial diseases to the Ministry, through the officers in the States and District Offices nationwide and the Federal Capital Territory on statutorily prescribed forms. Similarly, Part II of the Employees Compensation Act, 2010, 'PROCEDURES FOR MAKING CLAIMS' requires the employer to report every case of an injury or disabling occupational disease to an employee in a workplace within the scope of this Act, to the Board of the NSITF and the Statutory Authority, thereby referred to as the National Council on Occupational Safety and Health, whose function still reside with the OSH Department of the Ministry till such a time when the Council will be inaugurated.

6.1.1. Health, Safety and Environmental Department of the NSITF

The HSE Department serves as collation centre where all the reports that have to do with health and safety issues emanating from all the state/branch offices through the regional offices are analysed and recommendations sent to Management for consideration, actions and appropriate approvals.

Stakeholders' Obligations

- **Employer**
 - a) Reporting every injury arising out of, or in the course of employment to the NSITF Board and the nearest NSITF office in their respective states within seven (7) days of its occurrence.
 - b) Reporting every disabling occupational disease, or claim for or allegation of an occupational disease within the same period of seven (7) days of receiving information about the injury or disease.
- **Employee**
 - a) Inform the employer within 14 days after occurrence of an injury or disability, or receipt of medical information about contracting occupational disease arising out of, or in the course of work.

Submitted claims are treated by the Board in line with the guidelines contained in the ECA and the decision duly communicated to the claimants accordingly.

6.2. Schedule of Occupational Diseases

The Factories Act and the Employee Compensation Act both contain schedules of occupational diseases.

6.2.1. Schedule of Occupational Diseases under the Factories Act

- a) Lead poisoning, including poisoning by any preparation or compound of lead or their sequelae
- b) Phosphorus poisoning by phosphorus or its compounds or its sequelae
- c) Mercury poisoning, by mercury, its amalgams and compounds and their sequelae
- d) Manganese poisoning or its sequelae
- e) Arsenic poisoning by arsenic or its compounds and its sequelae
- f) Aniline poisoning
- g) Carbon bisulphide poisoning
- h) Benzene poisoning, including poisoning by any of its homologues, their nitro or ammo derivatives or its sequelae.
- i) Chrome ulceration due to chromic acid or dichromate or potassium, sodium or ammonium, or any preparation of these substances.
- j) Anthrax
- k) Silicosis
- l) Pathological manifestations due to-
 - a. radium or other radio-active substances;
 - b. X-rays.
- m) Toxic jaundice due to tetrachlorethane or nitro or amido derivatives of benzene or other poisonous substances
- n) Toxic anaemia
- o) Primary epitheliomatous ulceration of the skin, due to the handling or use of tar, pitch, bitumen,
- p) Mineral oil, paraffin, or the compounds, products or residues of these substances
- q) Poisoning by halogen derivatives of hydrocarbons of the aliphatic series
- r) Compressed air illness

6.2.2. Schedule of Occupational Diseases under the Employee Compensation Act

However, the Schedule as contained under the ECA is more detailed and elaborate under the following classifications:

- a) Diseases caused by agents
 - i. Diseases caused by chemical agents
 - ii. Diseases caused physical agents
 - iii. Diseases caused by biological agents
- b) Diseases by target organ systems
 - i. Occupational respiratory diseases
 - ii. Occupational skin diseases
 - iii. Occupational Musculo-skeletal disorders
- c) Occupational cancers.

6.3. Mechanisms for Periodic Review of List of Occupational Diseases

Regarding the Schedule as contained in the Factories Act, Section 53 confers the power to determine what diseases are contained on the Minister of Labour and Employment. This presupposes that the power to review same will also fall under the purview of the Honourable Minister.

The mechanism for periodic review under the ECA is not clearly outlined. However, the conventional practice is alignment with the amendment of the list of Occupational Diseases by the ILO. It is expected that the Schedule as contained in the ECA will be reviewed accordingly in this regard, taking into cognizance the local conditions and statutory requirement, particularly the authority of the Honourable Minister.

6.4. Data on Occupational Accidents and Diseases

Occupational accidents and diseases reporting in Nigeria is part of the statutory responsibilities of the Federal Ministry of Labour and Employment with collaborative input from the NSITF.

6.4.1. Occupational Accident/Injury Data

6.4.1.1. Occupational Fatality Data

Year	Total Number of Reported Fatalities
2014	30
2015	117
2016 (January – September)	91
Total	238

Table 6.2: occupational fatality data (Source NSITF)

Nigeria has recorded 238 fatalities across different sectors of the economy within the last three (3) years, with the start year being 2014. From available records, the year 2015 recorded the highest number of work-related fatalities.

6.4.1.2. Registered Occupational Accidents/Injuries

Through its incident notification process, the reported occupational accidents/injuries recorded are summarized in the Table below.

S/N	MONTH NOTIFICATION WAS RECEIVED	TOTAL NO. OF REPORTED ACCIDENTS/INJURIES
1	2014	956
2	2015	1500
3	2016 (January – September)	1005
TOTAL		3461

Table 6.3: Reported occupational accidents trend (Source NSITF)

Since 2014, a total number of 3461 reported occupational accidents /injuries across different sectors of the economy have been recorded in the country, with the peak year also being the year 2015.

6.4.1.3. Occupational Accident/Injury Classification by Type of Industry and Disablement (2014 – September 2016)

S/N	TYPE OF INDUSTRY/SECTOR	REGISTERED NO. OF OCCUPATIONAL ACCIDENTS/INJURIES	PERCENTAGE COMPOSITION	RECORDED NUMBER OF DISABLEMENT
1	Construction	1358	39.24	83
2	Manufacturing	338	9.77	80
3	Maritime	155	4.48	5
4	Electricity and Power	100	2.89	1
5	Financial Institution	81	2.34	Nil
6	Education	36	1.04	Nil
7	Hospitality	29	0.84	4
8	Oil and Gas	24	0.69	Nil
9	Transportation	22	0.64	Nil
10	Medical and Pharmaceutical	21	0.61	1
11	Agriculture	15	0.43	Nil
12	Aviation	11	0.32	Nil
13	ICT and Telecom	9	0.26	Nil
14	Others	1262	36.46	137

Table 6.5: Occupational accident by Sector (Source NSITF)

The construction industry reported the highest number of work related accidents/injuries, accounting for over 39% of the total figures with the ICT and Telecom industry reporting the least contribution of 0.26%. It is pertinent to note that ‘Others’ category reported the second highest contribution but had the most recorded number of disability recorded.

6.4.1.4. Recorded Number of Disablement by Age Group (2014 – September 2016)

S/N	AGE GROUP (IN YEARS)	RECORDED NUMBER OF DISABLEMENT
1	21 - 30	67
2	31 - 40	81
3	41 – 50	51
4	51 - 60	15
5	61 and above	2
5	Others (Age not provided)	95

Table 6.6: Age group distribution of recorded disability (Source NSITF)

6.5. Estimate of Underreporting of Accidents

Underreporting of accidents to the OSH Department of the Ministry of Labour and Employment appears high in comparison to the number of accident reports sent to the NSITF. This is partly so due to perceptions, on the part of most employers, that such reports may subject them to punitive measures from the enforcement authorities. On the other hand, a lot of employers report the occurrence of accidents to the NSITF because of the motivation for compensation as enshrined in the Employee Compensation Scheme.

7.0. Policies and Programmes of Employers' and Workers' Organisations

7.1. Policies and Programmes of Employers' Organisations

7.1.1. Nigeria Employers' Consultative Association (NECA)

NECA is the umbrella organization of employers in the Organised Private Sector of Nigeria. It was formed in 1957 to provide the forum for the Government to consult with private sector employers on socio-economic and labour policy issues. NECA provides a platform for private sector employers to interact with the government, labour, communities and other relevant institutions in and outside Nigeria for the purpose of promoting harmonious business environment that will engender productivity and prosperity for the benefit of all.

7.1.1.1. Strategic Objectives

- a) To promote and influence policies and laws that will enhance the competitiveness and survival of enterprise.
- b) To protect the rights of enterprise and employers through all legal and legitimate means.
- c) To promote sustainable enterprise and economic development through capacity building and empowerment programmes.
- d) To explore a business and investment model for the long-term financial sustainability of the Association, without losing focus of its raison d'être as a Business Membership Organisation (BMO).
- e) To grow and retain membership.

7.1.1.2. Operational Structure

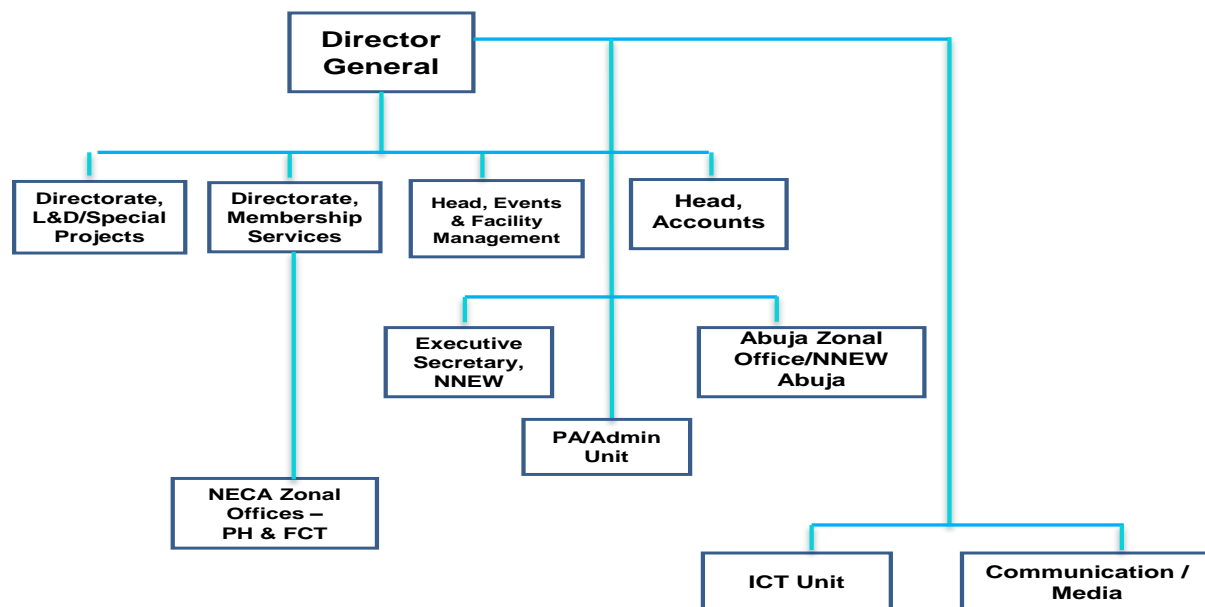
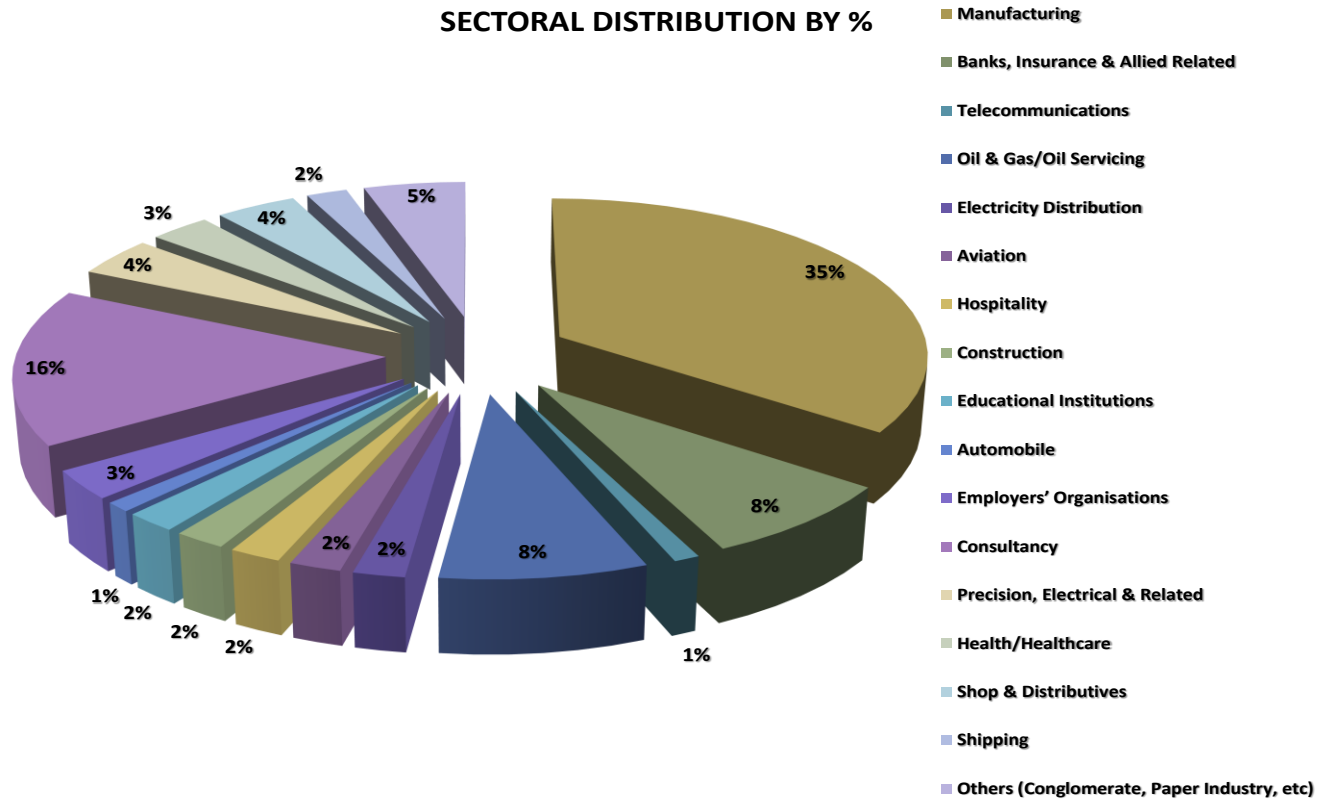


Figure 7.1; NECA Organogram

7.1.1.3. Sectoral Breakdown of Members



7.1.1.4. Geographical Distribution of Members

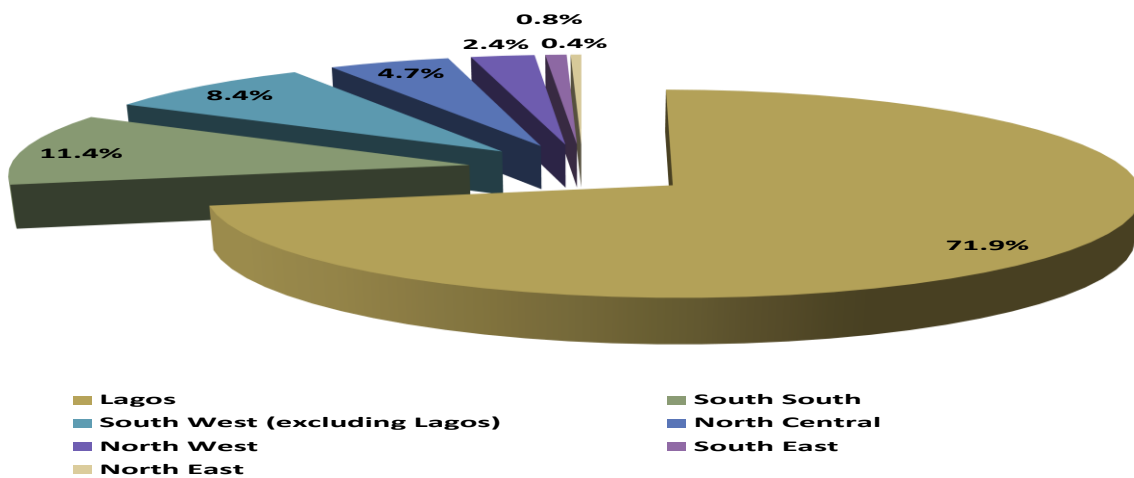


Figure 7.2: Sectorial and Geographical distribution of NECA Membership

7.1.1.5. OSH POLICY

The Association does not have a formal OSH Policy developed to guide its OSH practices or arrangements.

7.1.1.6. OSH Programmes

Safe Workplace Intervention Project (SWIP)

The NSITF-NECA Safe Workplace Intervention Project SWIP aims to promote a safe workplace and minimize the rate of industrial accidents. The Project encourages up to date capacity building and a preventive culture to OSH in Nigerian workplaces. The collaboration between NECA and NSITF is also to ensure efficient and effective implementation of the Employees' Compensation Scheme (ECS) and ensure its full compliance.

Following the signing of the Memorandum of Understanding (MoU) between NSITF and NECA in November 2011, the full implementation of the Project commenced in April 2012, with the following distinctive but mutually inclusive components:

- a) Occupational Safety and Health Audit – annual audit of members' facilities.
- b) Capacity Building programmes – developed from outcome of audit.
- c) Interactive enlightenment forum on the Employees' Compensation Scheme (ECS).
- d) Safe workplace intervention project annual awards ceremony.

Some achievements of the SWIP are:

- a) NECA-NSITF Safe Workplace Intervention Project has improved the quality of health and safety, accident prevention, infrastructure in several companies in the country.
- b) SWIP is promoting awareness on OSH based on best practice and contemporary developments through capacity building programmes in hundreds of companies.
- c) The Project has over the years contributed immensely to building a symbiotic relationship between NSITF and the contributors to the Employee Compensation Scheme through a yearly Award Systems to companies adjudged best as well as least OSH compliant.
- d) The SWIP Annual Interactive Enlightenment Forum held for companies for the purpose of reviewing developments in the field and obtaining feedback from contributors on how the scheme could be repositioned for meaningful impact, has yielded positive results and guided the implementation of the ECS.

7.2. Policies and Programmes of Employee Organisations

7.2.1. Nigeria Labour Congress (NLC)

The Nigeria Labour Congress (NLC) was formally constituted in 1978 as a result of the proscription of the existing four (4) Labour Centres. The NLC has over four (4) million members and spans the public and private sectors of the economy. It has 43 affiliate unions and 37 state councils.

7.2.1.1. Aims and Objectives

The fundamental aims and objectives of Congress are to protect, defend and promote the rights, wellbeing and the interests of all workers, pensioners and trade unions; to promote and defend a Nigerian nation that would be just, democratic, transparent and prosperous and to advance the cause of the working class generally through the attainment clearly spelt out objectives.

7.2.1.3. Structure and Establishment

The Organs of the NLC are the – National Administrative Council; Central Working Committee; National Executive Council; and the National Delegates Conference.

There are seven (7) departments in the Congress, namely – Administration; Education; Finance; Health and Safety; Industrial Relations; Research; and Women and Youth. The Health and Safety department is responsible for the implementation of the Congress's OSH activities. The department was established in the year 2000.

The HSE department has in place an Occupational Safety and Health Committee inaugurated in 2007 whose membership rotates with the tenure of each Congress. The present membership includes:

- a) Nursing and Midwifery Council of Nigeria.
- b) Nigerian Civil Service Union.
- c) National Union of Chemical, Footwear, Rubber, Leather and Non-Metallic Employees (NUCFLANMPE).
- d) Nigeria Union of Petroleum and Natural Gas Workers (NUPENG).
- e) National Union of Road Transport Workers (NURTW).
- f) National Union of Civil Engineering, Construction, Furniture and Wood Workers (NUCECFWW).
- g) Nigeria Labour Congress (NLC).

The activities of the department and the OSH committee are in the areas of child labour, occupational safety and health and HIV and other workplace diseases.

7.2.1.4. OSH Policy

The HSE department has in place a draft OSH Policy that is currently undergoing review and is yet to be debated by the Congress before being ratified.

7.2.1.5. OSH Programmes and Activities

Majority of the department's OSH activities is in the area of HIV and AIDS workplace programming capacity building for affiliate unions. It also builds the capacity of these affiliates in OSH work arrangements.

The department also issues a quarterly OSH Newsletter to the Congress's affiliates.

7.2.2. Trade Union Congress of Nigeria (TUC)

Trade Union Congress of Nigeria (TUC) was registered as a labour centre on 8th of August, 2005. Prior to that date, TUC had gone through various transformations starting in 1980, first as Federation of Senior Staff Associations of Nigeria (FESSAN), then as Senior Staff Consultative Association of Nigeria (SESCAN) and, finally, TUC.

7.2.2.1. Aims and Objectives

The aims and objectives of TUC include the following:

- a) To organise and unite all senior staff associations in Nigeria.
- b) To promote and safeguard the economic and social welfare of its members, preserving and extending their rights within a just, free and democratic society.
- c) To secure equitable observance of all agreements reached between the TUC and employers of labour and among TUC members themselves.
- d) To promote and support legislations that are in the best interest of senior staff and their associations
- e) To render such assistance as shall be consistent with members' interests.
- f) To encourage the participation of members in commerce, industry, mines and agriculture at national and international levels, including the printing and publishing of the Congress' newsletters, journals and books of any other variety.
- g) To render all possible contributions to the well-being of the government and other employers of labour as would engender maximum productivity and economic sufficiency.
- h) To establish and promote cultural co-operation and positive social activities.
- i) To promote and encourage international fraternal relations with organisations that have similar interests as senior staff associations in Nigeria do.
- j) To undertake the education and enlightenment of its members through seminars, symposia, workshops, and the use of bulletins and educational pamphlets with a view to promoting the interests of senior staff associations in Nigeria.
- k) Such other aims and objectives as are lawful and not inconsistent with the spirit and practice of trade unionism.

7.2.2.2. Organisational Structure

The TUC has over 2.5 million members spread across 27 affiliate unions.

The day-to-day administration of TUC is done by its National Secretariat which is headed by the Secretary General assisted by the Deputy Secretary General, departmental heads and other staff.

The National Secretariat is directly supervised by the National Administrative Council (NAC) which is the lowest organ of the Congress and made up of all elected national officers, the Secretary General, the Deputy Secretary General. The NAC reports to the Central Working Committee (CWC) which in turn reports to the National Executive Council (NEC) made up of the principal officers of the State Councils of TUC, the members of NAC and the Presidents and General Secretaries of affiliates.

The highest organ of the TUC is the National Delegates Conference. It has authority over every facet of the labour Centre.

7.2.2.3. OSH Policy

The TUC does not have an OSH Policy in place and does not have an OSH department as well.

7.2.2.4. OSH Programmes and Activities

The TUC is presently not implementing any OSH programme or activity at the moment.

8.0. Regular or Ongoing Activities Related to OSH

8.1. National Activities

Current National OSH activities include:

- a) Annual commemoration of World Day for Safety and Health at Work in collaboration with other stakeholders at both National and State levels.
- b) Reviewing of OSH legislation.
- c) Commemoration of World AIDS Day, every 1st of December.
- d) The implementation of the FMoL and E's Occupational Safety and Health Inspection Checklist, which helps provide knowledge and guidance to both practitioner and non-practitioners of OSH in the course of professional inspection of all work environments as a preventive strategy.

8.2. State Activities

8.2.1. Lagos State Safety Commission

The Commission is saddled with the responsibility of OSH Regulations within the jurisdiction of the State. In fulfilling this mandate, it carries out the following routine activities:

- a) Identification, evaluation and control of biological, chemical, physical, psychosocial, ergonomic and other factors in the work environment which may affect the safety and health of employed persons and the general environment.
- b) Medical surveillance, including medical examination to monitor and check on the health status of the workers and advise on intervention measures.
- c) Training and awareness creation on occupational safety and health in order to promote safety and health culture in the State.
- d) Investigation of occupational accidents, dangerous occurrences and cases of occupational diseases with a view to preventing reoccurrences.

8.3. Employers' Organisations' Activities and Initiatives

NECA through its SWIP initiative conducts annual safety audits for all their member organisations across the country. This audit identifies potential areas of improvement that forms the basis for subsequent capacity building exercises in form of trainings and other interventions.

The NSITF-NECA SWIP Annual Awards Ceremony is designed to reward and encourage companies that are Occupational Safety and Health compliant as well as support those that are not compliant. Compliant companies are rewarded with gifts such as Bus Ambulances, Car Ambulances, while non-compliant companies are aided with OSH infrastructure as recommended for in the Audit Report to enhance their compliance prospects.

8.4. Trade Union Activities and Initiatives

The NLC has been organizing capacity building workshops for affiliate unions in the area of workplace HIV and AIDS and OSH programming and arrangements respectively. It also has in place a draft OSH Policy awaiting debate and approval at the Congress. It has also been advocating for government to improve the capacity of enforcement agencies such as the Occupational Safety and Health Department of the Ministry of Labour and Employment.

8.5. Professional Safety Organisations' Activities and Initiatives

8.5.1. Institute of Safety Professionals of Nigeria (ISPON)

ISPON conducts regular OSH training programmes for registered and non-registered members, as well as offer consultancy services to organizations in the area of emergency response and planning and business continuity. The Institute currently runs collaborative programme with the University of Port Harcourt and University of Petroleum Resources, Effurun leading to the award of Master in HSE and Diploma in HSE respectively.

It also conducts mandatory annual Professional Development Conference. This is usually scheduled for the last quarter of the year.

8.5.2. Society of Occupational & Environmental Health Physicians of Nigeria (SOEHPON)

SOEHPON is involved in the conduct of regular training programmes on basic Occupational Health (OH) and hygiene to public and private sector organisations. It also organizes an OH scientific conference annually for her members and other stakeholders, coupled with its regular ongoing OH advocacy and awareness initiatives.

It is presently making efforts regarding the domestication of OEH short courses in conjunction with international partners in Nigeria.

8.6. International Cooperation

8.6.1. International Labour Organisation (ILO)

The ILO has over the years helped to build capacity in the area of OSH among the tripartite constituents. The assistance has mostly been through training programmes and programme implementation support. Other forms of assistance have been channeled through OSH projects or OSH-related projects.

In 2010, the ILO embarked on the implementation of a project entitled “Improving Safety and Health at Work through a Decent Work Agenda”. The project’s overall objective is “to contribute to a more inclusive society through a reduction in occupational accidents and work-related diseases”. The project’s expected results include: establishment of a national dialogue process on OSH; adoption of a national OSH programme; development of advocacy tools for promoting OSH. The Determination of Hazardous Child Labour was supported by ILO in 2013.

The Organisation is also involved in the implementation of the national HIV and AIDS workplace programme in Nigeria. It is presently involved in the process leading up to the development of a National Occupational Safety and Health Management System.

The ILO in conjunction with the Federal Ministry of Labour and Employment commemorates the World Day for Safety and Health at Work in the country.

9.0. Situation Analysis of the National OSH System

Table 9.1: SWOT Analysis of OSH System in Nigeria

Strengths	Weaknesses
<ul style="list-style-type: none"> a) Availability of basic legislative framework b) Availability of a National OSH Policy c) Availability of a relatively functional Employee Compensation Scheme platform d) Availability of professional OSH associations and groups. e) A core of committed personnel in the OSH institutions f) Availability of a functional prototype State level OSH Management System. 	<ul style="list-style-type: none"> a) Shortage of appropriately trained and certified OSH personnel b) Lack of coordination among stakeholders regarding OSH practices and programmes. c) Lack of a holistic and contemporary National OSH Act. d) Limited coverage of workplaces by extant OSH laws e) Inadequate human resource and logistical capacity to carry out enforcement activities f) Lack of research in OSH. g) Inadequate OSH information management – data collection, collation and dissemination. h) Overlapping functions of some institutions, which are not necessarily backed by Statutes. i) No nationally approved OSH Code of Practice. j) Under-reporting of occupational accidents and diseases.
Opportunities	Threats
<ul style="list-style-type: none"> a) OSH being offered as a degree programme in more local, higher institutions of learning. b) Establishment of more OSH laboratories and research facilities across the country. c) Increased consciousness in the state of OSH in the country by relevant authorities and stakeholders. d) National focus on the promotion of preventive occupational safety and health culture in line with global mandates. 	<ul style="list-style-type: none"> a) Low awareness levels about OSH legislation and role of OSH institutions among stakeholders b) A large and growing informal sector. c) A large, young and inexperienced workforce d) New investors with poor or no commitment to OSH e) Large number of employers not registered with employers' organization f) Underreporting of accidents by employers g) Inadequate funding of OSH institutions h) Inadequate OSH technical capacity among stakeholders i) Inadequate capacity (funding, Human Resource and geographical coverage) among existing advocacy groups j) Weak regulation of professional practice. k) High level of poverty

10.0. General Information about Nigeria

10.1. Introduction

Nigeria lies on the West Coast of Africa between latitudes 4°16' and 13°53' north and longitudes 2°40' and 14°41' east. It occupies approximately 923,760 square kilometers of land stretching from the Gulf of Guinea on the Atlantic Coast in the south to the fringes of the Sahara Desert in the north.

The territorial boundaries are bordered by the Republics of Niger and Chad in the north, the Republic of Cameroon on the east, and the Republic of Benin on the west. Nigeria is the most populous country in Africa and the 14th largest in land mass.

Nigeria has great geographical diversity, with its topography characterized by two main land forms: lowlands and highlands. The highlands stretch from 600 to 1,300 meters in the North Central and the east highlands, with lowlands of less than 20 meters in the coastal areas. The lowlands extend from the Sokoto plains to the Borno plains in the North, the coastal lowlands of western Nigeria, and the Cross River basin in the east. The highland areas include the Jos Plateau and the Adamawa Highlands in the north, extending to the Obudu Plateau and the Oban Hills in the southeast. Other topographic features include the Niger-Benue Trough and the Chad Basin. The Capital is the Federal Capital Territory, Abuja.

10.2. Administrative Arrangement and Governance

The Government of the Federal Republic of Nigeria exercises its powers through its three (3) arms of government, namely –the Executive, Legislature and the Judiciary. These organs derive their powers from the 1999 Constitution of the Federal Republic of Nigeria, which is the supreme law of the Land.

10.2.1. The Executive

The Executive power is vested in the President who is the Head of State and also the Commander-in-Chief of the Armed Forces. The President exercises these powers directly or through members of the Federal Executive Council, comprising of the Vice President, Federal Ministers, Secretary to the Government of the Federation and Security Chiefs.

Similarly, there are State and Local Government Executive tiers headed by the Executive Governor and Local Government Chairman respectively.

10.2.2. The Legislature

The Legislative power of the Federal Republic is vested in the National Assembly. The National Assembly comprises of the Senate and the Federal House of Representatives. The State level is comprised of States' Houses of Assembly.

The National Assembly is vested with the power to make laws, approve public expenditure and taxation measures and oversee government administration through the performance of oversight functions. The bills passed by the National Assembly only become laws upon being assented to by the President.

The Senate consists of 109 Senators and is headed by the Senate President while the House of Representatives is made up of 360 members headed by the Honourable Speaker.

10.2.3. The Judiciary

The Judicial arm is administered by the National Judicial Council (NJC) headed by the Chief Justice of Nigeria. The Judicature of the Federal Republic of Nigeria comprises of:

- a) Federal Courts.
 - I. The Supreme Court of Nigeria
 - II. The Court of Appeal
 - III. The Federal High Court
 - IV. The National Industrial Court of Nigeria
 - V. High Court of the Federal Capital Territory
 - VI. The Sharia Court of Appeal of the Federal Capital Territory
 - VII. The Customary Court of Appeal
- b) State Courts
 - I. State High Courts
 - II. Sharia Court of Appeal of a State
 - III. Customary Court of Appeal of a State
 - IV. Customary Court
 - V. Magistrate Courts

10.3. Demographic Data

According to Nigerian Bureau of Statistics (NBS) projections, the total projected population in 2016 of the country stands at 193, 392, 517, with the total male and female population accounting for 51% (98, 630, 184) and 49% (94, 762, 333) respectively (Source – Nigerian Bureau of Statistics)

10.3.1. Economically Active Population

The economically active population or working age population (persons within ages 15 and 64) in Nigeria is 104.3 million (source – Nigerian Bureau of Statistics).

10.3.2. The Employed Population

According to the NBS Labour Force Report, Nigeria currently has a total labour force population of 85, 819, 823; of which 42, 428, 479 (49%) and 43, 391, 344 (51%) are male and female respectively (source – Nigerian Bureau of Statistics).

From the above, a total of 79, 082, 735 people are employed. The male: female (15 – 64 years) distribution is 52%: 48%, accounting for 41, 123, 022 and 37, 959, 713 respectively (source – Nigerian Bureau of Statistics).

National unemployment rate stood at 10.4% according to the Quarter 4 2015 Labour Force Report of the NBS, while the underemployment rate was 18.7% going by the same report. Underemployment continues to be predominant in rural areas, 22.6% of rural dwellers were underemployed compared to 9.7% of urban dwellers. Given that the nature of rural jobs is largely in agriculture, which is seasonal in nature,

unemployment is more of a concern in urban areas with 12.8% unemployment in urban area compared to 9.5% in the rural areas, as the preference is more for formal white collar jobs, which are located mostly in urban centers(source – Nigerian Bureau of Statistics).

10.3.3. Distribution of Employed Persons by Industrial Sector

Sector	Labour force	% of the labour force
Self- Agricultural	25,931,726	32.8
Employee Government Sector	4,106,585	5.2
Parastatal	420,169	0.5
NGO	266,785	0.3
Local Co-Operative	176,665	0.2
International Co-Operative	150,577	0.2
Int. Organisation or Dip. Mission	416,432	0.5
Private Sector Apprentice	1,747,616	2.2
Self-Non-Agricultural	9,555,964	12.1
Self with Employees	781,195	1.0
Self with no Employees	7,805,584	9.9
Employer	151,576	0.2
Unpaid Family Business	11,174,303	14.1
Paid Household Chores	219,458	0.3
Others	4,829,263	6.1
Unemployed	11,348,837	14.4
Total	79,082,735	100.0

Table 10.1: Sectorial distribution of the labour force (source – Nigerian Bureau of Statistics)

10.4. Literacy Levels

10.4.1. Whole Population

The adult literacy rate (English language) according to the 2010 Literacy Report of the NBS is 57.9%, while the Youth literacy rate (English language) was 76.3%. Urban centers understandably have a higher literacy rate than rural centers, with rates of 73.6% and 49.5% respectively (source – Nigerian Bureau of Statistics).

10.4.2. Labour Force Literacy Levels

Educational Attainment	Labour Force Population	% Composition
Never Attended	23, 509, 432	31
Below Primary	416, 447	0.5
Primary	15, 379, 174	19.5
Secondary	27, 360, 445	36
Post-Secondary	10, 292, 425	13

Table 10.2: Labour force literacy profile (source – Nigerian Bureau of Statistics)

According to the 2015 Quarter 4 Labour Force Reports, majority of the labour force (36%) have attained Secondary School education though a considerable percentage (31%) has never obtained any form of education. This indicates that a significant percentage of the labour force in the country is not literate (source – Nigerian Bureau of Statistics).

10.5. Economic Data

Nigeria's GDP at the end of 2015 stood at 481.07 billion US Dollars. The country's annual growth rate averaged 4.07% from 1982 until 2016 when in Quarter 2 the country witnessed a contraction of 2.08% due to the fall in global oil prices.

According to the Nigerian Gross Domestic Product (Quarter Two, 2016) Report, the contributions of the different sectors of the economy to the GDP are summarized below.

Sector	Percentage Contribution
Mining and Quarrying	8.26
Agriculture	22.55
Manufacturing	9.42
Electricity, Gas, Steam and Air conditioning supply	0.33
Construction	4.30
Trade	17.57
Accommodation and Food Services	0.67
Transportation and Storage	1.17
Information and Communication	12.68
Arts, Entertainment and Recreation	0.23
Real Estate Services	7.57
Finance and Insurance	3.05
Administration and Support Services	0.02
Education	1.88
Professional, Scientific and Technical Services	3.68
Public Administration	2.45
Human Health and Social Services	0.74
Other Services	3.09

Table 10.3: GDP contribution by Sector (source – Nigerian Bureau of Statistics)

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