



AUDIT OFFICE OF GUYANA

PROMOTING GOOD GOVERNANCE, TRANSPARENCY
AND IMPROVED PUBLIC ACCOUNTABILITY

REPORT OF THE AUDITOR GENERAL

**ON A REVIEW OF THE MINISTRY OF LABOUR'S
OCCUPATIONAL SAFETY & HEALTH
INSPECTION PROCESS**

A PERFORMANCE AUDIT





The Auditor General is the external auditor of the public accounts of Guyana, and is responsible for conducting Financial and Compliance, Performance and Value-for-Money and Forensic Audits with respect to the Consolidated Financial Statements, the accounts of all budget agencies, local government bodies, all bodies and entities in which the State has controlling interest, and the accounts of all projects funded by way of loans or grants by any foreign State or organization.

In conducting Performance and Value-for-Money Audits, the Auditor General examines the extent to which a public entity is applying its resources and carrying out its activities economically, efficiently and effectively with due regard to ensuring effective internal management control.

This report has been prepared in accordance with Part V Section 24 (1) (b) of the Audit Act 2004. In conducting this Performance Audit, we followed the Code of Ethics and Standards and Guidelines for Performance Auditing of the International Organization of Supreme Audit Institutions (INTOSAI), of which the Audit Office of Guyana is a member.

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PERFORMANCE AUDIT REPORT

A review of the Ministry of Labour's Occupational Safety and Health Inspection Process



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EXECUTIVE SUMMARY

Why we did this audit

The Ministry's Occupational Safety and Health Department is responsible for protecting workers safety and health Guyana by inspecting workplaces for safety and health requirements to reduce workplace accidents and fatalities. Notably, the Ministry recorded 337 and 655 accidents during the years 2021 and 2022, which included 27 and 20 fatalities, respectively. A performance audit was conducted for the period January 2021 to December 2022, to determine whether the Ministry implemented effective Occupational Safety and Health inspection processes to ensure that obligated employers are protecting the safety and health of workers.

Key messages

The Ministry's OSH inspection processes are not working effectively. We found weaknesses at each stage of the inspection process, from registering new businesses to following up on recommendations made to correct unsafe working conditions. Collectively, the weaknesses increase the possibility that employers are not protecting the safety and health of workers.

What we found

Many un-registered workplaces remain unidentified. The Ministry did not collaborate with other Government agencies to promptly identify new workplaces and enforce registration. Awareness of new workplaces will enable inspectors to monitor workplaces in high-risk sectors on a proactive basis.

Lack of a comprehensive inspection plan. There was no evidence that the Department had properly planned inspections and allocated available resources, especially in the high-risk sector. As a result, the Department could not utilize its resources efficiently and effectively to carry out preventative inspections at workplaces.

Workplaces were not adequately inspected. Inspections carried out were partially effective. Inspectors did not perform important tests that can affect workers safety and health, such as, air quality, noise and radiation levels. The tests should be performed at workplaces regarding construction, manufacturing, service (hospitals, schools, restaurants).

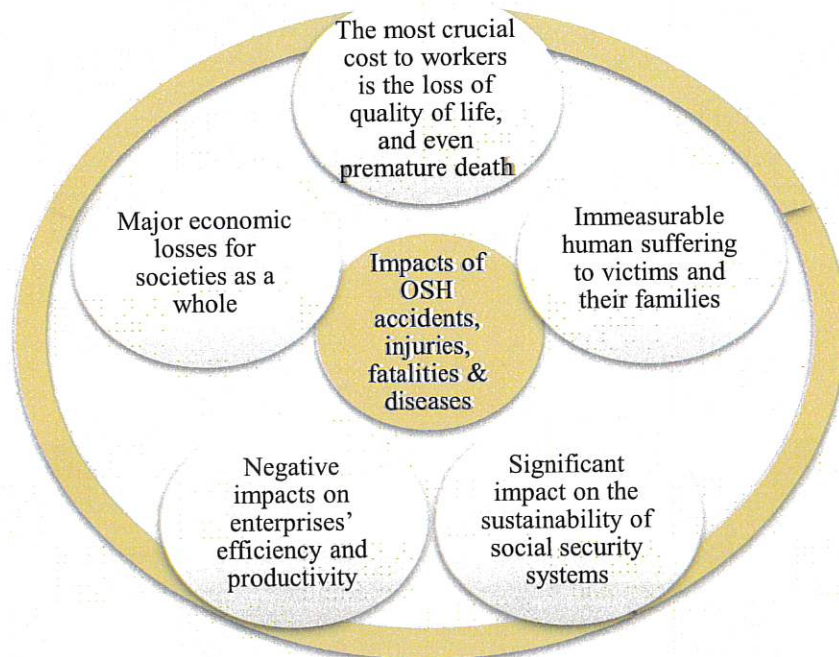
No system to monitor follow-up inspections. Follow-up of inspections is ineffective since progress made by employers to implement inspectors' recommendations was not monitored, and penalties for violations were not enforced.

Way forward

The Audit Office made thirteen recommendations to the Ministry for improvements to the inspection process in place. Through the full implementation of the recommendations, the Department will function effectively and efficiently to ensure that employers protect the safety and health of workers.

Introduction

1. The audit of the Ministry of Labour's Occupational Safety and Health Inspection Process was undertaken by the Audit Office of Guyana for the period 1 January 2021 to 31 December 2022. The audit focused on how the OSH Department registered workplaces, its inspectors' competence, inspection of workplaces and, follow-up and enforcement activities.
2. The operations of the Department are governed by the Occupational Safety and Health Act 99:06, regulations, policies and applicable International Labour Organisation guidelines. The Department's aim is to improve working conditions and environment with the emphasis on preventative rather than curative measures.
3. According to the International Labour Organisation, occupational safety and health is identified as the discipline dealing with the prevention of work-related injuries and diseases as well as the protection and promotion of the health of workers. It aims at the improvement of working conditions and environment.
4. Guyana's unprecedented economic expansion due to the discovery and extraction of oil and gas, has resulted in numerous emerging businesses, both formal and informal. With the establishment of new businesses, comes inherent risks that workers are not always protected from sickness, disease, injury and fatalities at workplaces.
5. Workplace accidents, injuries and fatalities are preventable. The impact of workplace incidents, injuries and fatalities reaches well beyond workers and their families. It can result in wider economic and social consequences as shown in the diagram.



6. In this regard, workplace inspections are an effective tool in ensuring workers safety and health are protected. The aim of inspections is to prevent work related accidents and illnesses by identifying hazards; and checking that preventative measures are implemented and effective.

Financial and administrative management

7. The operations of the Occupational Safety and Health Department falls under the control of the Ministry of Labour, which was established in August 2020. The OSH Department is headed by an Occupational Safety and Health Consultant, who ultimately reports to the Permanent Secretary. Funding for the Department's activities is provided through the Ministry's Programme 2 Labour Administration.

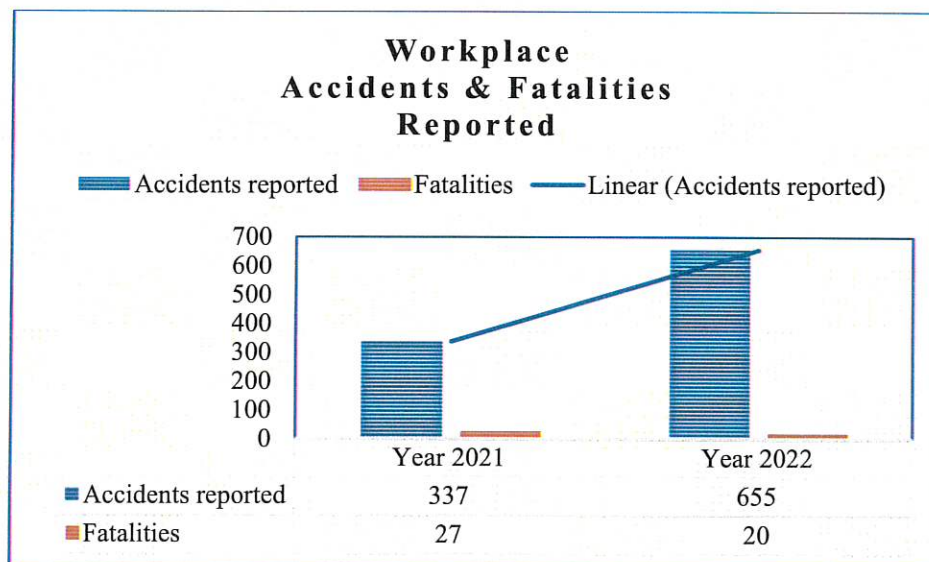
Roles and responsibilities of key players

8. The Permanent Secretary has overall responsibility for the financial management of the Ministry of Labour. The OSH Consultant is responsible for managing the OSH Department and is assisted by two Senior OSH Officers and the OSH Inspectors stationed throughout the 10 Administrative Regions of Guyana.

Reasons for undertaking the audit

9. The audit is important because Guyanese, parliamentarians and other interested stakeholders need assurance that the OSH Department's inspection process was effective in reducing workplace accidents and fatalities to ensure workers safety and health were protected.

10. Notably, the Department has recorded workplace accidents and fatalities as shown in the following diagram:



11. In this regard, a Performance Audit of Ministry of Labour's Occupational Safety and Health Department's inspection process was conducted on the following areas:

- i. Registration of Workplaces:
 - a. Determine whether all obligated workplaces are registered and renewed annually.
 - b. Determine whether registration applications are processed on a timely basis.
- ii. Inspectors Appointment and Training:
 - a. Determine whether fit and proper inspectors are hired.
 - b. Determine whether inspectors received relevant training.
- iii. Inspection of Workplaces:
 - a. Determine whether inspections are properly planned to maximize the use of resources available efficiently.
 - b. Determine whether adequate resources were available to efficiently carry out inspections.
 - c. Determine whether inspection results are reported consistently and completely.
- iv. Follow-up & Enforcement Activities
 - a. Determine whether the Department was tracking and reporting employers' progress on inspectors' recommendations.
 - b. Determine whether penalties for violations were enforced.

Audit objective

12. The overall objective of the audit was to determine whether the Ministry of Labour implemented an effective Occupational Safety and Health inspection process to ensure that obligated employers are protecting the safety and health of workers.

Audit criteria

13. Audit criteria are reasonable standards against which management practices, controls and reporting systems can be assessed. The audit criteria and sources are presented in the "About the Audit" section of this report.

Report structure

14. This report consists of the following four chapters, which cover the Lines of Enquiry considered by this audit:

- *Chapter 1 – Registration of Workplaces*
- *Chapter 2 – Competencies of OSH Inspectors*
- *Chapter 3 – Inspection of Workplaces*
- *Chapter 4 – Follow-up and Enforcement Activities*

Chapter 1

Registration of Workplaces

Criterion 1.1

The OSH Department should ensure that obligated workplaces are promptly registered for monitoring occupational safety and health matters.

Procedures for registering new workplaces

15. The Department's primary responsibility under the OSH Act is to register and regulate workplaces to protect the safety and health of workers. A workplace is required to be registered within 30 days after the workplace commences to operate. In this regard, it is expected that the Department would have utilised all possible measures which include, collaborating with other agencies, to ensure all obligated workplaces are promptly registered.

16. During the audited period, the Department used the following procedures to register workplaces:



Figure 1 – Procedures used to register workplaces
Source: Interview Analysis by Audit Office of Guyana

Many un-registered workplaces remain unidentified

17. The Department did not collaborate with other agencies such as the Deeds and Commercial Registries Authority, to promptly identify new workplaces. A comparison of the Authority's registrations with the Department's registrations revealed that over 99% of new workplaces were not registered. Awareness of new workplaces would allow the Department to enforce registration and enable inspectors to monitor workplaces in high-risk industries on a proactive and timely basis. The following figure provides details:

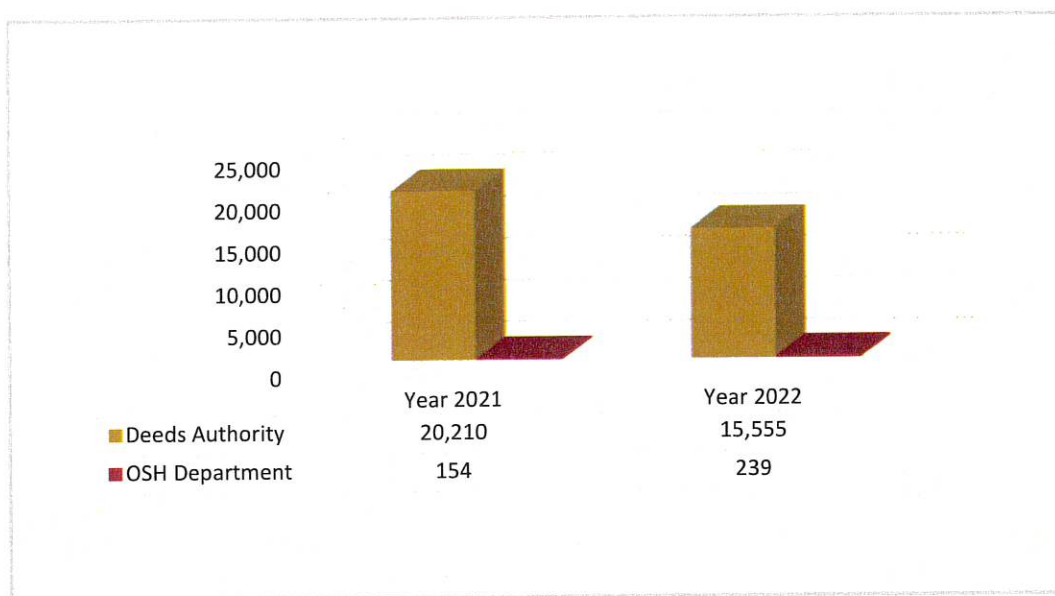


Figure 2 – Comparison of Deeds Authority's and OSH Department's registrations
Source: Quantitative Analysis by Audit Office of Guyana

Recommendation: *The Audit Office recommends that the Head of the Budget Agency implement a system to collaborate with other Government Agencies and obtain information on newly registered businesses on a regular basis.*

Management's Response:

The Department agrees that there is need for more collaboration with other Government agencies.

The registration process is carried out at the Head Office in Georgetown. The OSH Department does not have outstations that are set up to facilitate the registration process which includes the collection of Government revenue. Due to this, it is difficult for business owners and employers in remote areas to access easily. Also, there is a need to review the current registration fees and timeframe.

Additionally, the Department is unable to properly carry out its functions due to a lack of resources.

Criterion 1.2

The OSH Department should ensure that renewals of previously registered workplaces occur promptly for monitoring of occupational safety and health matters.

No basis to monitor registration renewals

18. Previously registered workplaces are due for renewal 30 days after the anniversary date of the prior registration. However, the Department does not have a system to monitor workplace registration expiry dates to enforce the renewal of registrations. For the period of audit, the Department maintained a register of workplaces however, the certificate issue dates were not recorded. For example, there were 282 (154 new and 128 renewals) registered workplaces in 2021 however, only 175 renewals were done in 2022.

Recommendation: *The Audit Office recommends that the Head of the Budget Agency record relevant information that will serve as a basis to track workplaces that are due for renewal of registration annually.*

Management's Response:

Due to a lack of resources, tracking of previously registered workplaces is not done in a systemic manner. Currently, those due for renewal are identified when routine inspections are conducted -and they are found to be in breach of renewal of their registration.

Conclusion

19. The OSH Department did not effectively register many workplaces in Guyana to safeguard the safety and health of workers. Available measures to promptly identify and locate new workplaces and enforce registration were not all utilised. Additionally, there were no effective mechanisms in place to identify workplaces that needed to renew their registration each year.

Chapter 2

Competencies of OSH Inspectors

Criterion 2.1

The OSH inspectors appointed should be competent to carry out inspections effectively at workplaces in all sectors.

OSH inspectors are qualified to evaluate risk assessments

20. During the years 2021 and 2022, the Department had nineteen and eighteen inspectors, respectively. All inspectors were suitably qualified to carry out basic inspections' tests and nine officers were qualified to evaluate risk assessments. Being able to carry out risk assessments is important because it allows inspectors to thoroughly examine processes and working environments to identify unsafe conditions, omissions or situations, that may cause harm, particularly to workers. It also includes the formulation of mitigation plans. The risk of accidents, disease, ill health and fatalities can arise in various ways such as the use of dangerous machinery, exposure to chemicals and biological agents, excessive heat, etc. In this regard, sound technical knowledge and experience is needed to properly assess risks and provide information on how such risks may be effectively managed. In addition, none of the inspectors were subject matter experts or technical examiners such as Plant Inspectors, Construction and Building Inspectors, Electrical Inspectors, Medical Inspectors, Industrial Hygiene Inspectors, etc.

Recommendation: *The Audit Office recommends that the Head of the Budget Agency ensure that OSH inspectors are suitably qualified and experienced to evaluate risk assessments for high-risk sectors and carry out OSH inspections effectively.*

Management's Response:

On appointment, all inspectors undergo the OSH Induction and Orientation Training Programme. In addition, specialist training is provided in some areas such as Construction, Agriculture, Mining, General Industry, ISO45001 and Oil & Gas. The new recruits will be trained in first quarter in 2024 based on funding.

Criterion 2.2

The OSH Department should have a training plan in place to ensure OSH inspectors are continuously trained to maintain and enhance their knowledge and skills.

Training needs not assessed

21. The training needs of OSH Inspectors were not properly assessed to identify performance requirements and the related knowledge, skills, and abilities necessary to carry out the Department's functions effectively. OSH inspectors should be continuously trained to maintain and enhance their competencies to carry out inspections in an effective manner. Nonetheless, training records were examined to determine what training was provided during the audited period. It was observed that nine of the eighteen inspectors participated in the basic OSH Induction Training Programme since they were appointed during the year 2021. The other nine officers were previously trained. In addition, four of the newly appointed officers successfully completed the certificate Programme in OSH from the IDCE, University of Guyana. Further, nine officers received training in three specific areas including: (i) General Industry and Oil and Gas Safety Refresher, (ii) Mines Safety, (iii) Construction Safety (iv) Agriculture Safety and (v) ISO 45001 Certification - Occupational Health and Safety Management System.

Recommendation: The Audit Office recommends that the Head of Budget Agency assess the knowledge and skills of OSH inspectors to identify competency gaps and plan appropriate training.

Management's Response:

A training needs assessment is done but not on a systematic basis. As issues arise, training is identified and provided. For example, accident/incident investigation report writing was identified as an area for improvement and as such, a training programme will be held in the last week of September 2023. It should be noted that OSH Officers also were the beneficiaries of training in "Occupational Hygiene Instrumentation" having recognized the need for them to do so.

Conclusion

22. Although the Department carried out basic inspections at workplaces, they would not be deemed as effective when compared to OSH Standards and best practices. Specific detailed testing should have been done at the workplaces categorised in the high-risk sector. However, because inspectors lacked the necessary technical skills to evaluate risk assessments and carry out technical tests, this was not possible. Further, the Department did not assess the training needs of inspectors to ensure appropriate training was provided in the areas where competency gaps were identified.

Chapter 3

Inspection of Workplaces

Criterion 3.1

The Ministry of Labour should ensure that the OSH Department has adequate resources to carry out workplace inspections effectively.

Resources to carry out effective inspections

23. Several resources and the appropriate allocation are essential to conduct inspections effectively. These include:

Human Resources	Financial Resources	Physical Resources
<ul style="list-style-type: none"> • Competent OSH Inspectors • Subject Matter Experts • Technical Examiners 	<ul style="list-style-type: none"> • Funds from Central Government • Contributions from Donor Agencies 	<ul style="list-style-type: none"> • Vehicles • Equipment • Tools • PPE

Inadequate human resources to conduct inspections effectively

24. The Department had approximately 58% of the staff needed to carry out its functions. According to the Ministry's organisation chart (Annex 1), the authorised staff strength of the OSH Department is 32 officers. However, the actual staffing was nineteen and eighteen officers for the years 2021 and 2022, respectively. The inadequacy of staffing can negatively impact the Department's objectives and planned targets. A comparison of the authorised and actual staff strength is shown in the following figure:

Location	Authorised Staff Strength	Actual Staff Strength		Vacant	
		2021	2022	2021	2022
Head Office	12	7	6	5	6
1	2	1	1	1	1
2	2	2	2	0	0
3	2	1	1	1	1
4	2	2	2	0	0
5	2	2	2	0	0
6	2	1	1	1	1
7	2	0	0	2	2
8	2	0	0	2	2
9	2	2	2	0	0
10	2	1	1	1	1
Total	32	19	18	13	14

Figure 3 – Comparison of authorised and actual staff strength for the years 2021 & 2022

Source: Ministry of Labour's Organisation Chart - OSH Department

Total funding and expenditure cannot be determined

25. The amounts allocated and expended on OSH activities for the period of audit could not be readily determined. The Ministry did not have an approved budgetary allocation that is clearly identifiable for the OSH Department. Instead, the cost estimates were combined with four other Departments under the Labour Administration Programme. Similarly, expenditures were recorded under the same line-items. A request was made for the submission of a schedule of funds allocated and expended for the period of audit, however, the information was not presented.

Lack of physical resources to carry out effective inspections

26. Limited resources were available for OSH Inspectors to perform their duties. A schedule of the physical resources allocated to the Department for the years 2021 and 2022 was presented for audit. It was observed that no specific vehicles were assigned to the OSH Department to transport inspectors and their equipment to workplace locations. Instead, the Ministry had a pool of four vehicles and three motor-cycles for general operations which were shared amongst four departments. All-Terrain Vehicles (ATVs) are required to transit many of the workplace locations in Regions № 1, 7, 8 and 9 which are the Hinterland Regions, but none are made available.

27. Furthermore, there was little or no equipment available to undertake specific testing, such as tests of the workplace environment for contaminants and hazards. The tests conducted usually include surveys on noise levels, vibration levels, water quality, etc. A list of the tests normally conducted, the purposes and the equipment/tools used is located at Annex II. The following figure provides a list of the tools that was available for use by the eighteen inspectors.

№	Test Done	Available in 2021 & 2022	
		Equipment/Tools	Quantity
1.	Noise levels	Sound level meter	2
2.	Vibration levels	~ none ~	-
3.	Air quality	Indoor Air Quality Monitor (gas pump)	1
		KWIK Draw Pumps	4
4.	Light quality	Light Meter	6
5.	Thermal environment quality	~ none ~	-
6.	Radiation levels	Mini Temp Laser Radiation	1
7.	Presence of harmful chemical and biological agents	~ none ~	-

Figure 4 – Tools and equipment under the control of the OSH Department

Source: OSH Department Equipment List

Recommendation: The Audit Office recommends that the Head of Budget Agency ensure that the OSH Department aligns its resources to efficiently achieve its overall objective and targets.

Management's Response:

Currently, the Department has ten members of staff although the structure makes provision for 32. Between September 2022 and January 2023, the OSH Department lost six members of staff who left the job for better remuneration packages.

Human Resources

The Ministry of Labour does not have complete authority over the appointment process. The Ministry interviews and shortlists applicants. However, the Public Service Ministry/ Public Service Commission is responsible for approving the shortlisted candidates and issuing appointment letters. This stage of the process often takes a long time.

Financial Resources

The Department prepares a draft budget for incorporation into the Ministry's overall estimates. However, the Ministry will approach the Ministry of Finance to implement a system to account for OSH funding and related expenditures.

Physical Resources

The Department indeed requires more tools and equipment. To this end, steps were taken in August 2023 to equip each inspector with a kit to test physical stressors such as noise levels, vibration, light and temperature etc. Also, in January 2023, the Ministry acquired four ATVs and three Motor Cycles which are being shared amongst Departments. However, there is still the need for an off-road vehicle for inspections and accident investigations for Regions № 7, 8, 9 and 10.

Criterion 3.2

The OSH Department should establish a comprehensive inspection plan to ensure high-risks workplaces are selected for preventative inspections and the Department's resources are best utilised.

Identifying Workplaces for Inspections

28. Workplace inspections are important to manage occupational safety and health risks. They are an effective tool to identify hazards for corrective action to prevent incidents or accidents, and occupational illnesses and diseases that may result in injuries, illnesses or fatalities. Therefore, proper planning to ensure inspections are carried out effectively, is crucial. An adequate plan will ensure the best use of the existing/available resources of the Department by establishing priorities among the workplaces to inspect. It will also help to ensure that all relevant matters are considered during the conduct of an inspection.

Lack of a comprehensive inspections plan

29. A comprehensive inspection plan to carry out preventative inspections in workplaces, especially in high-risk sectors, was not in place for the years 2021 and 2022. The Department established annual plans which included the targets to be achieved as well as the timeline for completion. However, the basis on which the plans were developed could not be determined since a risk assessment to prioritize workplaces for inspections, was not done. In addition, the plans lacked key details such as the allocation and type of resources needed, and the percentage of time allocated on inspection types and targeted sectors. With the number of workplaces in Guyana, the location of those in the high-risk sectors (hinterlands) and the limited number of inspectors to monitor them, the Department needs to ensure that its limited resources are utilised as efficiently as possible.

Recommendation: *The Audit Office recommends that the Head of Budget Agency develop and implement a comprehensive inspection plan to allow for optimal utilisation of available resources to carry out preventative inspections effectively, especially in high-risk sectors.*

Management's Response:

Planning is done however not on a comprehensive basis. OSH Officers are assigned to function in various districts and Regions which have been identified. A Work plan is developed for them to cover the various districts three days a week. Two days are for inspections while the third day is utilized to conduct accident/ incident investigations. If there are no accidents to be investigated in the districts, then Officers are expected to conduct inspections. They do not have to conduct risk assessments prior to inspections. Risk assessment is part of inspections dependent on the nature or type of operation.

Criterion 3.3

An effective and appropriate inspection system is required to ensure the enforcement of laws and regulations affecting occupational safety and health and the working environment.

Carrying out Workplace Inspections

30. Occupational safety and health inspections involve a critical examination of workplace essentials such as workers, environment, equipment, materials and processes. The purpose is to identify and report potential hazards and risks that can be effectively managed, to prevent accidents, diseases, ill-health and fatalities. In addition, to assess levels of compliance with the OSH laws and regulations.

31. The types of inspections carried out by the Department are as follows:

- Regular Inspections: planned inspections to check compliance with OSH laws, regulations, standards, and other guidelines.
- Special Investigations: are carried out to investigate serious/fatal workplace accidents and complaints received.
- Follow-up Inspections: to verify whether previously identified violations were addressed by the workplace owner or employer.

Total number of inspections unsubstantiated

32. The Department could not provide accurate information on the total number of inspections conducted for the years 2021 and 2022. The reported number of inspections conducted could not be substantiated since the related inspection reports were not submitted for audit. It should be noted that inspection reports must be checked and signed off by any of the two senior OSH officers, of which one is stationed in Region №. 3 and one at Head Office. The following table provides details:

Year	Number of Inspections Conducted	Number of Reports Submitted	Un-Submitted Reports	
Regular Inspections				
2021	687	177	510	74%
2022	1,324	378	946	71%
Special Investigations: Accidents				
2021	337	0	337	100%
2022	655	15	640	98%
Special Investigations: Complaints				
2021	52	0	52	100
2022	21	0	21	100
Follow-Up Inspections				
2021	Not Reported	41	Unknown	n/a
2022	Not Reported	108	Unknown	n/a

Figure 5 – Comparison of inspections completed and reports presented for audit

Source: OSH Department's Inspection Registers and Reports

Recommendation: *The Audit Office recommends that the Head of Budget Agency implement systems to ensure that all inspection reports are maintained in a manner that facilitates easy retrieval.*

Management's Response:

Most of the reports not presented for audit are in relation to inspections conducted in the outlying regions. A decision was taken to keep the reports at the various regional offices since conveying them to Head Office can be time-consuming and costly. Officers use public transportation and for those having to commute by air, only a certain weight is allowed by airlines. However, there is a need to computerize the record keeping system for routine workplace inspections. Form can be computerized and officers will complete via the use of tablets, which will update an electronic database automatically.

Standard Operating Procedures are in place

33. Although not approved, the Department has established Standard Operating Procedures (SOPs) to guide inspectors in conducting inspections. The use of SOPs provides a standardised process to ensure quality work and consistency in how inspectors carry out their duties. Additionally, it enables adherence to national laws and regulations, international standards and industry best practices. As a result, the Department can improve efficiency and boost productivity in carrying out its functions. We recommend the SOPs are approved and regularised to ensure consistent compliance.

Workplaces were not adequately inspected

34. Additionally, important tests were not performed during inspections carried out. Specifically, occupational hygiene tests were not conducted for 104 inspections based on the related reports reviewed. Occupational hygiene tests help to identify workplace hazards that can affect workers' health. The hazards include exposure to chemicals, dust, smoke, noise, vibration and extreme temperatures. The following table provides details:

Economic Sector and Workplace Type	Known Occupational Hygiene Hazard	Inspections where tests were not completed
Construction	extreme temperatures, air quality, noise	15
Manufacturing: Sawmills	extreme temperatures, air quality	12
Service: Police Station	extreme temperatures, air quality	7
Hospitals	radioactive rays, chemicals and biological agents	8
Schools	extreme temperatures, air quality	10
Restaurants	extreme temperatures, air quality	23
Other: Supermarkets Gas Station	extreme temperatures, air quality chemicals	29

Recommendation: *The Audit Office recommends that the Head of Budget Agency ensure all required tests are completed during the inspection of workplaces. Where resources are limited or unavailable, technical experts can be consulted as provided for under the OSH Act.*

Management's Response:

Based on budgetary allocations, Occupational Hygiene measuring equipment and tools need to be provided to ensure that required tests are completed during inspections. With regards to consulting technical experts, guidelines will have to be drafted and adopted to regulate the process.

Inspection forms not properly prepared

35. Inspection reports were not properly prepared by OSH inspectors. The Department has a standardised form in place for carrying out routine inspections across all the various sectors. A sample of 120 reports presented for audit was checked to verify whether all the required sections based on the type of investigation and related findings, were completed. However, 98 (82%) reports were not properly completed. The following figure provides details:

Audit Checks	Required Sections Completed			Total № of Reports Examined
	Yes	No	Partially	
Were all questions/checks in the report addressed by the inspector?	32	0	66	98
Were recommendations seen for identified violations?	31	41	26	98
Did the employer/owner acknowledge the visit and the resulting findings?	92	6	0	98
Was a Violation Letter attached?	39	59	0	98
Was a follow-up inspection date stated?	34	64	0	98
Was a follow-up inspection conducted?	17	81	0	98
Was evidence of supervisory checks seen on the reports?	41	57	0	98

Figure 6 – Analysis of inspections reports
Source: OSH Department's Inspection Registers and Reports

Recommendation: *The Audit Office recommends that the Head of Budget Agency implement controls to ensure that all inspection reports are properly prepared and certified by the relevant authority on completion of inspections.*

Management's Response:

Ministry's Response: The need for clerical support in this regard cannot be over-emphasized. However, there is also a need for an automated system re: a software programme and hardware such as tablets to resolve this issue. So that when inspections are done they are entered immediately into a database programme.

OSH Inspectors are repeatedly reminded to ensure reports are properly prepared. Controls will be implemented to ensure this is done. Additionally, a training workshop is planned for the last week in September 2023 on reporting on inspections/investigations.

Accident investigation reports not properly prepared

36. The reports in relation to fifteen Special Investigations for thirteen fatal and two non-fatal accidents presented for audit, were not properly prepared. Three reports had no recommendations, and one was yet to be finalized. The remaining eleven had recommendations made by OSH inspectors for the employers to implement measures to avoid reoccurrences in the future.

37. In addition, the Department did not present documentary evidence to reflect the status of the investigations conducted into the accidents mentioned, since the contents of the reports varied. For example, some reports included details such as the name and location of the workplace/employer, number of employees, time of the accident, victim's age and occupation, method of notification of accident, date of inspector's visit and the report, summary, recommendations, analysis and conclusion of accident investigated, while some did not. Further, for a fatality investigated, an accident investigation form was presented with partially filled-in information.

Recommendation: The Audit Office recommends that the Head of Budget Agency implement controls to ensure that all investigation reports are properly prepared and certified by the relevant authority on completion of investigations, to enable successful follow-up checks.

Management's Response:

OSH Inspectors are repeatedly reminded to ensure reports are properly prepared. Controls will be implemented to ensure this is done. Additionally, a training programme on accident /Incident investigation and reporting is planned for the last week in September 2023. This is intended to address this shortcoming.

No documentary evidence of “Stop work orders” issued

38. In keeping with the OSH Act, an inspector may order the owner/ employer, orally or in writing, to comply with the requirements of the Act, immediately or within a given timeframe, for contraventions found. However, Section 30 6 (2) directs the inspector to confirm the order made in writing before leaving the workplace.

39. Discussions with the Department’s personnel revealed that inspectors issued “Stop work orders” at some workplaces where fatalities occurred and unsafe working conditions were identified. Further, inspectors conducted follow-up checks to ensure the recommendations were implemented before work resumed. However, the Department did not present documentary evidence to confirm the issuance of “Stop Work Orders”, and the status of implementation of recommendations made before resumption of work at the sites. As a result, it could not be determined: i) how many stop work orders were issued, ii) whether the Department verified that employers implemented the necessary corrective actions to mitigate risks to workers safety and health, before the resumption of work.

Recommendation: The Audit Office recommends that the Head of Budget Agency implement controls to ensure all documentary evidence of work carried out is properly maintained to enable successful follow-up checks and for audit purposes.

Management’s Response:

The Department will implement measures to ensure all records are properly maintained and presented for audit.

Reporting Non-fatal accidents

40. In accordance with the OSH Act, the employer shall notify the Department via written notice of an accident, in the prescribed form “First Schedule”, within four days of the occurrence. Employers who are non-compliant with the requirements of the Act, shall be liable to a fine of between \$10,000-\$50,000 and three months imprisonment.

41. A sample of 132 first schedules and accompanying letters of notifications from 22 workplaces was examined. The purpose of the check was to determine whether the accidents were reported in the stipulated time. It was found that:

- ❖ Twenty-two or 16% of accidents were reported within the stipulated time.
- ❖ Eighty-nine or 67% of accidents were reported after the stipulated time.
- ❖ The notification letters for twenty-one forms (17%) had no dates, as a result, it could not be determined whether the accidents were reported within the stipulated time.

42. Further, only 43 of the first schedules were recorded in the accidents' register kept by the Department. Notably, the "Action to be Taken" column in the register was not written up, therefore, the status of the investigations/ accidents could not be determined.

Management's Response:

The OSH Department recognizes its shortcomings in this regard and as such, steps were taken to rectify this situation. A Recording and Notification of Occupational Accidents and Diseases (RNOAD) system was developed with the support of the International Labour Organization. However, while the system is in operation due to staffing situation, it was not fully functional at the time of the Audit. This will be rectified shortly.

Conclusion

43. The Department's processes for carrying out inspections at workplaces were not effective. A comprehensive plan was not in place to enable the Department's management to allocate its resources for optimal utilisation. Additionally, the Department's personnel did not properly document the work conducted.

Chapter 4

Follow-up and Enforcement Activities

Criterion 4.1

The OSH Department should establish a follow-up inspection plan to verify that unsafe conditions at workplaces are promptly corrected, to protect the safety and health of workers.

Lack of a Follow-up Inspections' plan

44. A comprehensive follow-up inspections' plan was not established and implemented for the years 2021 and 2022. An "Annual Plan for Preventative Activities" was presented for both years however, the plans lacked key details. Specific follow-up and enforcement activities, and the associated costs were not included. Follow-up inspections are required to ensure that owners and employers implement inspector's recommendations to effectively address previously identified hazards. The purpose is to protect the health and well-being of employees.

Recommendation: *The Audit Office recommends that the Head of Budget Agency establish a plan for follow-up inspections to confirm that identified violations are promptly and effectively corrected.*

Management's Response:

There is a plan for follow-up inspections to be done following the inspection of workplaces. These are usually done during the normal inspection visits. Every OSH Officer is aware of the need for this action but there may be lapses at times and this will be addressed.

Total number of Follow-up inspections unknown

45. For inspections to be effective, follow-up activities must be conducted to determine whether corrective actions recommended were promptly implemented, to protect workers safety and health. The audit sought to verify the total number of follow-up inspections carried out during the years audited. However, the Department did not present documentary evidence to show the number of follow-up inspections conducted during the years audited.

Management's Response:

Follow-up inspections are usually done from time to time and in most instances, there is a high level of compliance with the recommendations made according to the reports from the officers. However, it is recognized that there is need for improvement with regards to the record keeping and this will be addressed with an improvement of the staffing situation.

Criterion 4.2:

The OSH Department should carry out enforcement activities after follow-up inspections, to ensure employers protect the safety and health of workers.

No system to monitor Follow-up inspections

46. The Department's inspectors issued a "Notice of Prosecution/ Violation Letter" to the employer/ owner, for breaches found during inspections at workplaces. The letter includes the following information:

- ❖ Date of Inspection
- ❖ Name and address of owner/ employer and workplace
- ❖ List of violations found
- ❖ Other comments
- ❖ Warning of prosecution for violations listed
- ❖ Date of follow-up inspection
- ❖ Space for OSH inspector's signature
- ❖ Space for employer/ owner's signature

47. Audit examination of a sample of 169 inspection reports, to verify whether violations cited on "Violation Letters" issued were followed up. The follow-up inspections will enable the inspector to determine whether the employers/owners implemented corrective actions to protect workers safety and health.

48. We found that follow-up inspections were carried out for only 38 of the 169 inspection reports chosen or 22% of follow-up inspections were conducted for the sample of reports chosen, i.e., 22%. Further, only 13 of the follow-up reports revealed that all recommendations were implemented. The remaining twenty-five had either partially or not implemented the recommendations made by inspectors. Therefore, in keeping with the Act, we would expect the Department to enforce the laws and regulations for violations found to deter future reoccurrences by employers/ owners. However, there was no evidence that the Department fined/ penalized the employers/ owners who breached the requirements of the laws and regulations. As a result, the Department was not effective in enforcing the laws and regulations.

49. Follow-up reports for Region № 9 and a few for Region № 4, were attached to previous inspection reports for reference to corrective actions taken by employers/ owners. However, for the remaining Regions, it was unclear how follow-up inspections were carried out, with regards to prior violations reported. As a result, it could not be determined how the inspectors verified whether the employers implemented any corrective actions to achieve compliance and protect workers safety and health.

Recommendation: *The Audit Office recommends that the Head of Budget Agency implement measures to properly account for follow-up inspections and monitor corrective actions taken by employers to mitigate risks to workers.*

Management's Response:

It is recognized that there is need for improvement with regards to the record keeping and this will be addressed with an improvement of the staffing situation.

No Compliance Plans required

50. To ensure recommendations made are implemented, a compliance plan is prepared by the employer/ owner and submitted to the Department, after an order by an inspector who found breaches. The plan specifies *what the employer plans to do to comply with the order and when the employer intends to achieve compliance according to the requirements of the Act.*

51. Therefore, to uphold the provisions of the Act, the Department should ensure employers/ owners are accountable for implementing recommendations made in a timely manner to achieve compliance with the requirements of OSH laws and regulations. During the audited period, discussions with OSH personnel revealed that the Department did not request nor obtain compliance plans from employers for contraventions found.

52. The compliance plan will enable the Department to track progress made, in a timely manner, during follow-up inspections, on actions taken by employers/ owners. Further, the Standard Operating Procedures states that *"employers are encouraged to remedy the existing breaches/ non-compliance"*, however the methods used to encourage compliance were not stated therein.

Management's Response:

Compliance plans from employers are not a requirement in the case of normal inspections. According to Section 30 (4) of the Occupational Safety and Health Act, Chapter 99:06 they may be required in cases where an Order is made by an Inspector. In fact, such plans should only be utilized in circumstances where an order is issued for a correction of a serious breach of the Act where the likelihood exists that workers can be seriously or fatally injured.

Conclusion

53. The Department had no plans in place for successful follow-up and subsequent enforcement activities. The number of Follow-up inspections carried out were not properly documented. Further, it could not be determined how inspectors carried out follow-ups to verify corrective actions implemented by employers to ensure workers safety and health are protected. Additionally, there was no evidence that the Department instituted enforcement penalties against employers as required.

Overall Conclusion

54. The Occupational Safety and Health Department's did not ensure inspections processes implemented were effective to ensure that obligated employers protected the safety and health of workers. We base our conclusion on the following:

- The Department's registration processes were not effectively implemented to enforce registration of workplaces that were newly established, or due for annual re-registration.
- Inspections carried out were not effective, since only basic tests were done at workplaces inspected. All inspectors did not possess the necessary technical skills to carry out technical tests at workplaces.
- The Department did not plan properly for inspections to efficiently utilise the resources available.
- A database of workplaces in the various sectors was not maintained to enable inspectors to select possible workplaces for preventative inspections.
- The total number of inspections could not be accurately determined.
- Findings recorded on inspections and accidents reports were not properly documented and monitored.
- Workplaces were not effectively monitored by the Department to determine whether corrective actions were taken by employers to protect workers safety and health.
- Enforcement fines and penalties were not instituted against workplaces that were in violation of OSH laws and regulations.

About the Audit

The audit examined the stages of the inspection process of the Ministry's Occupational Safety and Health Department to determine whether they are effective in ensuring that employers protect the safety and health of workers.

Scope and Approach

The audit covered the period 1 January 2021 to 31 December 2022. Audit work was conducted to assess how the Department identified and registered workplaces, ensured inspectors were competent, workplaces were proactively inspected and track progress made by employers to ensure safe working conditions exist for workers.

Audit Methodology

The Audit Office undertook the following methodological approach: -

- a. Interviews were conducted with staff of the Ministry of Labour and Occupational Safety and Health Department to understand their roles and responsibilities.
- b. Reviews were done of the Occupational Safety and Health Act and Regulations, National OSH Policy, registers, application forms, inspections reports, monthly, semi-annually and annual reports, and other key documents to gain a comprehensive understanding and to gather sufficient and appropriate audit evidence.
- c. Reviews were done of key systems of internal control and documentation maintained by the Department to gain an understanding of the operation of systems and controls.

Audit Criteria and Sources

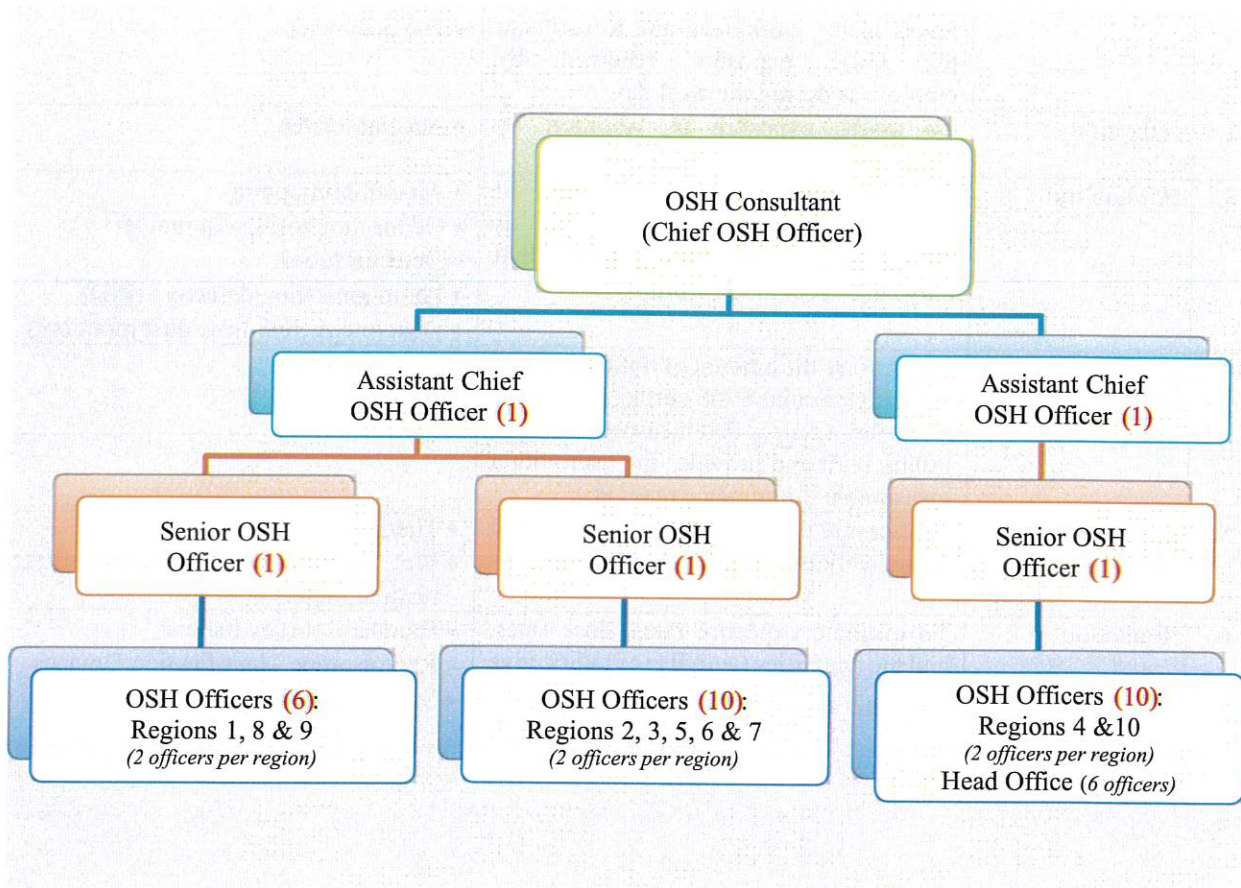
The main criteria that were used to conduct this audit and their sources are as follows:

CRITERIA	SOURCES
Chapter 1 – Registration of Workplaces	
<p>1.1 The OSH Department should ensure that obligated workplaces are promptly registered for monitoring occupational safety and health matters.</p> <p>1.2 The OSH Department should ensure that renewals of previously registered workplaces occur promptly for the monitoring of occupational safety and health matters.</p>	<p>OSH Act, Part II, Section 7</p> <p>(1) Every owner or employer of an industrial establishment shall apply for registration:</p> <ul style="list-style-type: none"> - Within thirty days of the appointed day. - Within thirty days after the industrial establishment commences to operate as such. - Within thirty days after the anniversary of every certificate of registration.
Chapter 2 – Competencies of Osh Inspectors	
2.1 The OSH inspectors appointed should be competent to carry out inspections effectively at workplaces in all sectors.	<p>OSH Act, Part III, Section 12</p> <p>(4) The Minister may designate fit and proper persons to be inspectors.</p>
2.2 The OSH Department should have a training plan in place to ensure OSH inspectors are continuously trained to maintain and enhance their knowledge and skills.	<p>International Labour Organisation Convention 155, Article 5</p> <p>(c) Training, including necessary further training, qualifications and motivations of persons to achieve adequate levels of safety and health.</p> <p>National Policy on OSH 2018 Enhance the status of safety and health officers by continuous training, certification and accreditation.</p> <p>National expertise of professionals in various fields of Occupational Safety and Health shall be developed by continuous training and specialized education.</p>

CRITERIA	SOURCES
Chapter 3 – Inspection of Workplaces	
3.1 The Ministry of Labour should ensure that the OSH Department has adequate resources to conduct workplace inspections effectively.	National Policy on OSH 2018 4. Commitment (page 11) The Ministry therefore stands committed to protecting the safety, health and welfare of all employees from occupational or work-related hazards and exposures, by equipping and expanding the capacity of the OSH department.
3.2 The OSH Department should establish a comprehensive inspection plan to ensure high-risks workplaces are selected for preventative inspections and the Department's resources are best utilised.	Best practices.
3.3 An effective and appropriate inspection system is required to ensure the enforcement of laws and regulations affecting occupational safety and health and the working environment.	International Labour Organisation Convention 155, Article 5 The enforcement of laws and regulations concerning occupational safety and health and the working environment shall be secured by an adequate and appropriate system of inspection.
Chapter 4 – Follow-Up and Enforcement Activities	
4.1 The OSH Department should establish a plan to track employers' progress to correct unsafe working conditions.	Best practices.
4.2 The OSH Department should carry out follow-up and enforcement activities after workplace inspections, to ensure employers protect the safety and health of workers.	Part III, Section 30 requires an employer to submit to the Department a compliance plan of action and timeframe. Part IX, Section 77 (3), Section 79 (2-5) and Section 81 empowers the Department to fine/ penalize or institute legal proceedings against contraveners of the laws and regulations.

Appendix I

OSH Department Organisation Chart



Appendix II
List of the tests normally conducted for hygiene monitoring

Nº	Test Done	Purpose of Test	Equipment/Tools Used
1.	Noise levels	To measure or monitor the actual noise levels in the workplace and to estimate the noise exposure received by employees during the workday.	<ul style="list-style-type: none"> • Sound level meter • The dosimeter
2.	Vibration	To assess exposure to vibration by measuring the vibration acceleration.	<ul style="list-style-type: none"> • Accelerometer
3.	Air quality	To determine the concentration of suspected airborne hazards such as particulate (Dust), fume, vapour, gas that may be present in the workplace.	<ul style="list-style-type: none"> • Air-sampling pump • Odour monitoring equipment • Detector tubes, • Photo ionisation detectors (PID) • Dust tracks (real-time dust monitors)
4.	Light quality	To measure the amount of light in a space or on a particular work surface. The light meter has a sensor that measures the light falling on it and provides the user with a measurable illuminance reading.	<ul style="list-style-type: none"> • Lux meter
5.	Thermal environment	To measure the extremes of heat and cold of the work environment.	<ul style="list-style-type: none"> • Thermometer • Wet Bulb Globe Temperature direct reading meter
6.	Radiation	To evaluate exposure rates, dose rates, and the quantities (activity) of radioactive materials and contamination.	<ul style="list-style-type: none"> • Handheld survey meters • Radioisotope Identification Devices • Scalers and Counters

Definition of Terms used in the Audit Report

Term	Definition
OSH	Occupational Safety and Health.
ILO	International Labour Organisation – an organisation that sets labour standards, for its members states, to develop policies and devise programmes promoting decent work for all women and men.
Department	Occupational Safety and Health Department, referred to as “Authority” in the Act.
Workplaces	Any industrial establishment, place or premises where a worker goes for work and is under the direct or indirect control of the employer.
Obligated workplaces	The OSH Act applies to every workplace, except otherwise exempted by the Minister of Labour.
Deeds and Commercial Registries Authority	The agency responsible for registering businesses and companies in Guyana.
Sectors	The various sectors where economic activities are carried out, such as mining, construction, agriculture etc.
Registration and renewal	Workplaces are registered after establishment, while renewals are annual re-registration.
Certificate issue date	Effective date of the certificate issued to the registrant.
Competent inspectors	Referred to as “Fit and proper” inspectors in the OSH Act. The inspectors carry out inspections at workplaces.
Risk	The likelihood and consequences that exposure to hazards will result in injury, disease or fatality.
Hazard	The potential to cause harm or an unwanted outcome. For example, working at heights is hazardous and may result in physical trauma from a fall.
Risk assessments	An examination of processes and working environments to identify unsafe conditions, omissions or situations, that may cause harm, particularly to workers.
ISO 45001 Certification	A globally recognized standard that demonstrates an effective occupational health and safety management system. The standard helps companies to identify and minimize work-related threats to employees, by implementing preventive measures.
High-risk sectors	The sectors identified by the OSH Department as posing the most risks to workers safety and health, due to the number of accidents and fatalities. For example, mining, construction, logging, agriculture.
Adequate inspections	The adequacy of the inspections carried out is measured against the various checks on the standard inspection form used by the Department’s inspectors.
Stop work order	An inspector is empowered by the OSH Act to stop work immediately at a workplace if a serious accident or fatality has occurred.



MINISTRY of LABOUR

Capacity Building | Human Development
Protection of the Rights of Workers



13th September, 2023

Mr. Deodat Sharma
Auditor General
Audit Office
Kingston
Georgetown

Dear Mr. Sharma


**RE: PERFORMANCE AUDIT ON THE OCCUPATIONAL SAFETY AND
HEALTH DEPARTMENT - MINISTRY OF LABOUR
FOR THE PERIOD 01 JANUARY, 2021 TO 31 DECEMBER 2022**

With reference to the subject above, after reviewing the draft report of the performance audit, the Ministry of Labour commends the Audit team for the conduct of a comprehensive analysis and report. The Ministry of Labour will endeavour to adopt the recommendations which have been posited in a bid to enhance systems at the Occupational Safety and Health Department and the Ministry of Labour.

Please find attached the Ministry of Labour's response to the findings of the audit for inclusion in the final report, as was requested.

We remain committed to the continuous improvement of our systems and services to enhance productivity and efficiency.

Sincerely


Mrs. Mae Toussaint Jr. Thomas-Meerabux
Permanent Secretary

Mae Toussaint Jr. Thomas-Meerabux
Permanent Secretary
Ministry of Labour



82 Brickdam, Georgetown, Guyana

Office: (592) 223-9144

psmolgy@gmail.com

Chapter 1 - Registration of Workplaces

Procedures for registering new workplaces

Ministry's Response:

The Department agrees that there is need for more collaboration with other Government agencies.

The registration process is carried out at the Head Office in Georgetown. The OSH Department does not have outstations that are set up to facilitate the registration process which includes the collection of Government revenue. Due to this, it is difficult for business owners and employers in remote areas to access easily. Also, there is a need to review the current registration fees and timeframe.

Additionally, the Department is unable to properly carry out its functions due to a lack of resources.

Basis to track registration renewals unknown

Ministry's Response:

Due to a lack of resources, tracking of previously registered workplaces is not done in a systemic manner. Currently, those due for renewal are identified when routine inspections are conducted -and they are found to be in breach of renewal of their registration.

Chapter 2 - Competencies of OSH Inspectors

Most of the OSH Inspectors were qualified to evaluate risk assessments

Ministry's Response:

On appointment, all inspectors undergo the OSH Induction and Orientation Training Programme. In addition, specialist training is provided in some areas such as Construction, Agriculture, Mining, General Industry, ISO45001 and Oil & Gas. The new recruits will be trained in first quarter in 2024 based on funding.

Training needs not assessed

Ministry's Response:

A training needs assessment is done but not on a systematic basis. As issues arise, training is identified and provided. For example, accident/incident investigation report writing was identified as an area for improvement and as such, a training programme will be held in the last week of September 2023. It should be noted that OSH Officers also were the beneficiaries of training in "Occupational Hygiene Instrumentation" having recognized the need for them to do so.

Chapter 3 - Inspection of Workplaces

Inadequate human resources to conduct inspections effectively

Total funding and expended cannot be determined

Lack of physical resources to conduct inspections effectively

Ministry's Response:

Currently, the Department has 10 members of staff although the structure makes provision for 32. Between September 2022 and January 2023 the OSH Department lost 6 members of staff who left the job for better remuneration packages.

Human Resources

The Ministry of Labour does not have complete authority over the appointment process. The Ministry interviews and shortlists applicants. However, the Public Service Ministry/ Public Service Commission is responsible for approving the shortlisted candidates and issuing appointment letters. This stage of the process often takes a long time.

Financial Resources

The Department prepares a draft budget for incorporation into the Ministry's overall estimates. However, the Ministry will approach the Ministry of Finance to implement a system to account for OSH funding and related expenditures.

Physical Resources

The Department indeed requires more tools and equipment. To this end, steps were taken in August 2023 to equip each inspector with a kit to test physical stressors such as noise levels, vibration, light and temperature etc. Also, in January 2023, the Ministry acquired 4 ATVs and 3 Motor Cycles which are being shared amongst Departments. However, there is still the need for an off-road vehicle for inspections and accident investigations for Regions № 7, 8, 9 and 10.

Lack of a comprehensive inspections plan

Ministry's Response:

Planning is done however not on a comprehensive basis. OSH Officers are assigned to function in various districts and Regions which have been identified. A Work plan is developed for them to cover the various districts three days a week. Two days are for inspections while the third day is utilized to conduct accident/ incident investigations. If there are no accidents to be investigated in the districts, then Officers are expected to conduct inspections. They do not have to conduct risk assessments prior to inspections. Risk assessment is part of inspections dependent on the nature or type of operation.

Total number of inspections unsubstantiated

Ministry's Response:

Most of the reports not presented for audit are in relation to inspections conducted in the outlying regions. A decision was taken to keep the reports at the various regional offices since conveying them to Head Office can be time-consuming and costly. Officers use public transportation and for those having to commute by air, only a certain weight is allowed by airlines. However, there is a need to computerize the record keeping system for routine workplace inspections. Form can be computerized and officers will complete via the use of tablets, which will update an electronic database automatically.

Workplaces were not adequately inspected

Ministry's Response:

Based on budgetary allocations, Occupational Hygiene measuring equipment and tools need to be provided to ensure that required tests are completed during inspections. With regards to consulting technical experts, guidelines will have to be drafted and adopted to regulate the process.

Inspection forms not properly prepared

Ministry's Response:

The need for clerical support in this regard cannot be over-emphasized. However, there is also a need for an automated system re: a software programme and hardware such as tablets to resolve this issue. So that when inspections are done they are entered immediately into a database programme.

OSH Inspectors are repeatedly reminded to ensure reports are properly prepared. Controls will be implemented to ensure this is done. Additionally, a training workshop is planned for the last week in September 2023 on reporting on inspections/investigations.

Accidents investigation reports not properly prepared

Ministry's Response:

OSH Inspectors are repeatedly reminded to ensure reports are properly prepared. Controls will be implemented to ensure this is done. Additionally, a training programme on accident /Incident investigation and reporting is planned for the last week in September 2023. This is intended to address this shortcoming.

No documentary evidence of "Stop work orders" issued

Ministry's Response:

The Department will implement measures to ensure all records are properly maintained and are presented for audit.

Reporting Non-fatal accidents

Ministry's Response: The OSH Department recognizes its shortcomings in this regard and as such, steps were taken to rectify this situation. A Recording and Notification of Occupational Accidents and Diseases (RNOAD) system was developed with the support of the International Labour Organization. However, while the system is in operation due to staffing situation, it was not fully functional at the time of the Audit. This will be rectified shortly.

Chapter 4 - Follow-up and Enforcement Activities

Lack of a Follow-up Inspections plan

Ministry's Response:

There is a plan for follow-up inspections to be done following the inspection of workplaces. These are usually done during the normal inspection visits. Every OSH Officer is aware of the need for this action but there may be lapses at times and this will be addressed.

Total number of Follow-up inspections unknown

Ministry's Response: Follow-up inspections are usually done from time to time and in most instances, there is a high level of compliance with the recommendations made according to the reports from the officers. However, it is recognized that there is need for improvement with regards to the record keeping and this will be addressed with an improvement of the staffing situation.

No system to track Follow-up inspections

Ministry's Response: It is recognized that there is need for improvement with regards to the record keeping and this will be addressed with an improvement of the staffing situation.

No Compliance Plans required

Ministry's Response: Compliance plans from employers are not a requirement in the case of normal inspections. According to Section 30 (4) of the Occupational Safety and Health Act, Chapter 99:06 they may be required in cases where an Order is made by an Inspector. In fact, such plans should only be utilized in circumstances where an order is issued for a correction of a serious breach of the Act where the likelihood exists that workers can be seriously or fatally injured.