



Government of the  
Republic of Zambia



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# NATIONAL STUDY ON RECORDING AND NOTIFICATION OF OCCUPATIONAL ACCIDENTS AND DISEASES IN ZAMBIA





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The draft profile was discussed by national stakeholders who approved the final version in June 2012.

Mr. Franklin Muchiri, Senior OSH Specialist – ILO, Ms Annie Rice, Senior OSH Specialist – ILO, Ms. Amelie Schmitt, Chief Technical Advisor – ILO Project on “Improving Safety and Health at Work through a Decent Work Agenda” and Mr. George Mwiya Mukosiku, National Project Coordinator – ILO Project on “Improving Safety and Health at Work through a Decent Work Agenda” reviewed the draft report and provided comments and suggestions on the content and layout.

I would like to express my appreciation to all those who contributed to the development of the National Study on Recording and Notification of Occupational Accidents and Diseases in Zambia and I do believe that the Study will serve as a useful tool for improving OSH in Zambia.

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## EXECUTIVE SUMMARY

Workers undertake employment for economic and social security despite the fact that a lot of them get fatal work-related injuries daily. The International Labour Organisation (ILO) estimates that there are 6300 work-related injuries per day while the ministry responsible for labour in Zambia estimates that a little over 3 fatal injuries per day are recorded among 5% of the national labour force that is monitored in the country. Grounds for mitigating this situation are humanitarian, moral, social and economic. For instance, if one considers the economic side of this matter, unsafe and unhealthy workplaces cause worldwide loss of 4% of the GDP while in developing countries economic losses can be up to 10% of the national GDP.

The above observations require each country to set-up a successful occupational injuries prevention programme that provides clear knowledge of the number of accidents and diseases, their seriousness as well as the workplaces and industries where they occur. The system that provides this information is an effective recording and notification system for occupational accidents, occurrences, incidents and diseases. Zambia has a rudimentary national recording and notification system. This report provides information on the coverage, legislation and gaps of this system with a hope that the information will be used to enhance the system.

The evaluation of the present recording and notification system starts with the premise that injuries statistical information comes from analysis of a meticulously compiled national recording and notification database. The three types of institutions best positioned to collect information of the database are institutions that monitor accidents due to workplace hazards, monitor occupational diseases among workers and compensate injured workers. In Zambia, these institutions are established by occupational safety and health (OSH) legislation that has sections stipulating recording and notification of occupational accidents, occupational occurrences and occupational diseases in the country. This legislation consists of five Acts of Parliament. Two of these are overseen by the ministry responsible for mines that executes them under the Mine Safety Department (MSD), another two Acts are overseen by the ministry responsible for labour that executes them under the Occupational Safety and Health Services Department (OSHSD) and the Workers Compensation Fund Control Board (WCFCB) and one Act is overseen by the Ministry of Health that implements it under the Occupational Health and Safety Institute (OSHI).

Current national recording and notification coverage in the country is as low as 5% of the economically active workforce in the institution serving the highest number of workers, namely, WCFCB. Further, even in institutions serving the highest fractions of workers from the point of view of mandated coverage (MSD covering ~100% of the miners) there are large gaps in recording and notifications relative to ILO recommendations for recording and notification. Sadly some shortcomings are as basic as

- the need of government to ratify ILO conventions aimed at enhancing professionalism in recording and notification and OSH matters in general
- the need for stakeholders to come up with OSH legislation and OSH policy clearly addressing harmonized recording and notification activities among competent authorities to foster maintenance of a unified national recording and notification electronic database.
- stakeholders' clear perception of the need of graduate academic and professional OSH training as well as OSH infrastructure development in the country that will ensure that the country provides recording and notification statistics that meets international recommendations.

In closing, the report gives a SWOT analysis that acknowledges the presence of recording and notification legislation and institutions in the country and encourages stakeholders to update/strengthen this legislation and the institutions. The report also urges close collaboration of stakeholders to strengthen the recording and notification in the country due to the fundamental understanding that poorly checked unsafe or unhealthy worksites depict lack of robust and efficient systems of health care, economic production and social justice. The report notes that a nation that avoids or fails to initiate and sustain recording and notification activities that measurably and progressively promote safe and healthy worksites, in simple

terms, accommodates and facilitates unsafe and unhealthy behaviour on a daily basis in requiring its nationals to engage in work.



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# 1. INTRODUCTION: THE NEED OF EFFECTIVE REPORTING IN OCCUPATIONAL INJURY AND DISEASES PREVENTION

Workers need employment because they derive economic and social security from it. Though it is their right to return from work unharmed at the end of each working day, the sad reality is that a lot of them get fatal work-related injuries or diseases daily. A few specific examples are apt.

At the global level, the 2003 International Labour Organization (ILO) estimates that on average 6300 people die daily from work-related accidents or diseases<sup>1</sup>. This is a total of more than 2.31million work-related deaths per year. The ILO further explains that of these 2.31 million deaths, about 358,000 are from workplace accidents and more than 1.95 million are from work-related diseases. ILO data show that deaths from occupational diseases are 5.4 times more than those from occupational accidents. When non-fatal accidents are considered, ILO in 2003 estimated that there were 337 million workplace accidents that cause more than four days' absence from work each year<sup>1</sup>.

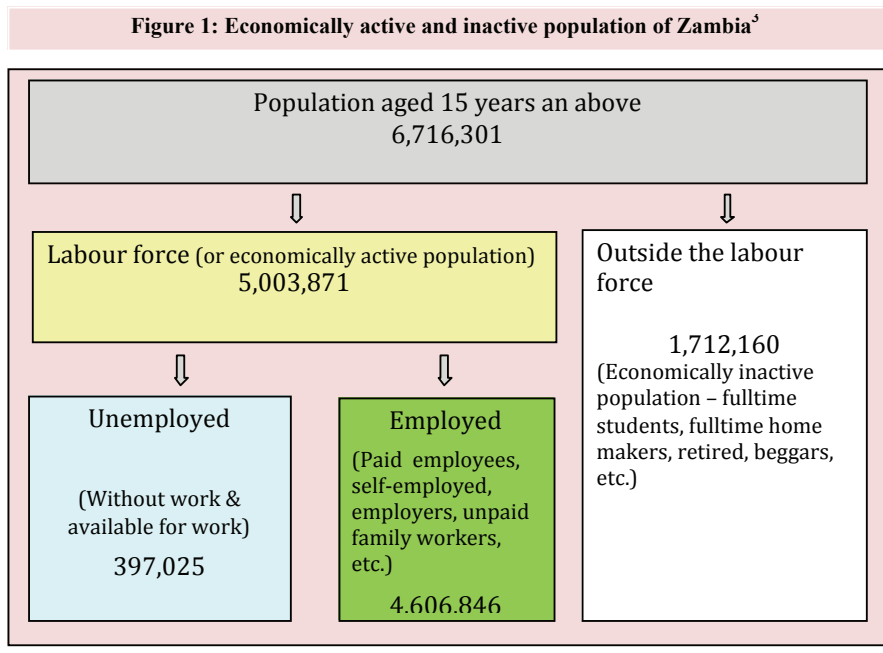
At the national level, though the Worker's Compensation Fund Control Board is not in a position to give information on fatal occupational diseases, it reported 5758 accidents during the period 2003-2007. Of these accidents, 512 were fatal and 3174 resulted in permanent disablement. Additionally, the Ministry of Labour estimates that 1200 accidents and diseases are reported from all industries annually. These occupational injuries and diseases data are for a population of 5 million economically active Zambians shown in Figure 1 and are probably associated with substantial under reporting<sup>2</sup>.

Clearly, mitigating the situation outlined in the above two paragraphs is the humanitarian, moral and social aspect of improving prevention of occupational injuries or diseases. Further, unsafe or unhealthy workplaces cause a worldwide loss of 4% of the GDP<sup>5</sup>. This problem affects both developing and developed countries. However, the situation is more severe in developing countries where it is estimated that in some countries losses can be up to 10% or more of the national GDP. In these times of economic and financial crises in both developed and developing countries, these are losses that we can ill-afford. Again, if we are to redeem treasure that is being lost through unsafe and/or unhealthy workplaces, prevention is the key!

The above observations require us to identify prevention strategies that are needed to set up a successful occupational injuries or diseases prevention programme. ***An important facet of every good occupational injuries prevention programme is clear knowledge of the number of accidents and diseases, their seriousness, their causes and the workplaces and industries where they occur. This means that every country needs a well-functioning and effective system on recording and notification and how analysis of the resulting database is performed.***

In many developed countries where such databases have been developed, experience has shown that it is not a simple project to set up a good reporting system, design the right database, obtain required additional data and draw useful conclusions for stakeholder (national, industry specific or enterprise specific) prevention strategies and action plans.

Zambia is a developing country that needs to improve its rather rudimentary injuries and disease reporting system. As intimated above, such a project needs careful planning. This report gives information on activities that could be vital in strengthening the **National System on Recording and Notification of Occupational Accidents and Diseases in Zambia.** An outline of the components of a typical recording and notification system that will shade light on the status of the current Zambian recording and notification system will precede an examination of coverage and scope of the system.



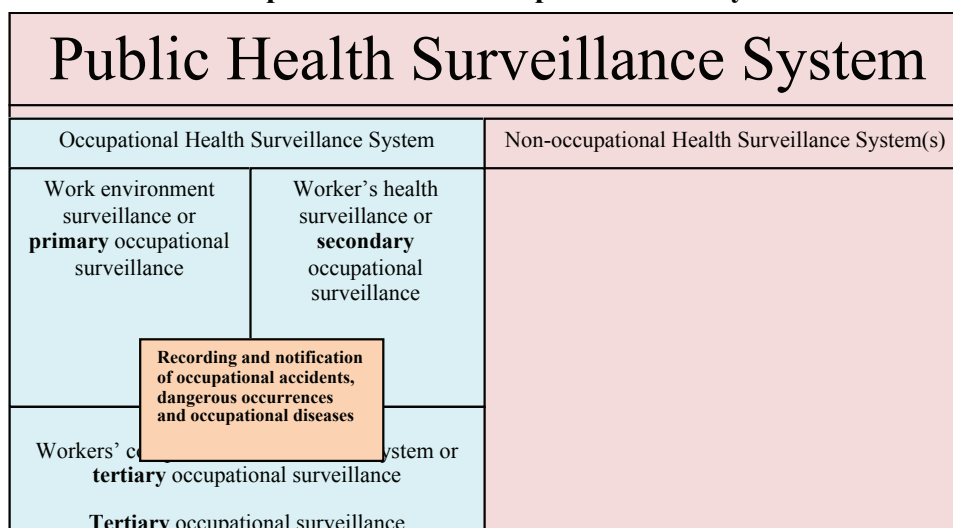
### 1.1 Elements of a recording and notification system for occupational accidents and diseases

A recording and notification system of occupational accidents and occupational diseases is a facet of an occupational health surveillance system which in turn is a part of a public health surveillance system as shown in Figure 2.

If one starts with the broader picture of in arriving at simple understanding of recording and notification system, presented in Figure 2, public health surveillance is defined as “the on-going systematic collection, analysis and interpretation of health-related data with the *a priori* purpose of preventing or controlling disease or injury, or identifying unusual events of public health importance, followed by the dissemination and use of information for public health action”. It has seven on-going activities that have 3 basic steps shown in Table 1 below.

These 7 activities constitute the elements of a coherent and state-of-the-art public health surveillance system. When they are followed sequentially within their steps, these activities provide continuous feedback for system improvement since the findings are fed directly to public health programs that benefit the populations from which the data are collected.

**Figure 1: Relationships between a recording and notification system, an occupational health and public health system**



**Table 1.1: Steps and activities of a Public Health Surveillance System**

STEP NO.	STEP DESCRIPTION	ACTIVITY NO.	ACTIVITY DESCRIPTION
1	System development	1	Planning and design
2	Data collection and analysis	2	Data collection
		3	Data collation
		4	Data analysis
		5	Data/results interpretation
3	Data use	6	Dissemination
		7	Application to public health programme

One form of public health surveillance of interest to this report is occupational health surveillance. The National Institute for Occupational Safety and Health (NIOSH) of the United States of America defines occupational health surveillance as “the tracking of occupational injuries, illnesses, hazards, and exposures” while the Joint ILO/WHO Committee on Occupational Health at its 12<sup>th</sup> session in 1995 defined an occupational health surveillance system as “a system which includes a functional capacity for data collection, analysis and dissemination linked to occupational health programmes”. According to the ILO Encyclopaedia of Occupational Health, an occupational health surveillance system has three levels, namely; primary, secondary and tertiary level. These levels are explained below.

Primary occupational health surveillance is monitoring of the working environment that includes identification, evaluation and control of environmental factors that may affect workers health. This may focus on ergonomics, accident and disease prevention, occupational hygiene, work organization and psychosocial factors in the workplace. A new concept of surveillance of the working environment to occupational health is “*workplace health surveillance*” which refers to *removal of accident and disease causative factors at the workplace*. **From a recording and notification point of view, a primary occupational surveillance system easily and efficiently captures information on occupational incidences, occurrences and accidents.**

Secondary occupational health surveillance is workers’ health monitoring. This covers procedures and investigations to assess workers’ health in order to detect and identify any abnormal health effects arising from injurious exposure to occupational hazards. As intimated earlier on in the explanation of public health surveillance, the results of the workers’ health surveillance should be used to protect and promote the health of the exposed working population. Typical health assessment procedures are medical examinations, biological monitoring, radiological examinations, questionnaires or review of health records. A term often synonymously used to refer to workers’ health surveillance is workers’ medical screening. Up-to-date workers’ medical screening procedures aim at early detection and treatment of diseases associated with particular occupations. **From a recording and notification point of view, the occupational health surveillance system easily and efficiently captures information on occupational health effects/diseases.**

Tertiary occupational health surveillance is a facet of the occupational health surveillance system that compensates workers who suffer compensable occupational injury due to occupational accidents or diseases that are recorded and notified at workplaces monitored by the two above mentioned types of labour inspectorates. **From a recording and notification point of view, the occupational injury compensation system easily and efficiently captures information on compensable occupational accidents and diseases.**

An efficient recording and notification system for occupational accidents and diseases operates in a manner that uses the activities outlined in Table 1 to capture information at all national workplace hazard and workers health monitoring inspectorates as well as workers compensation institutions.



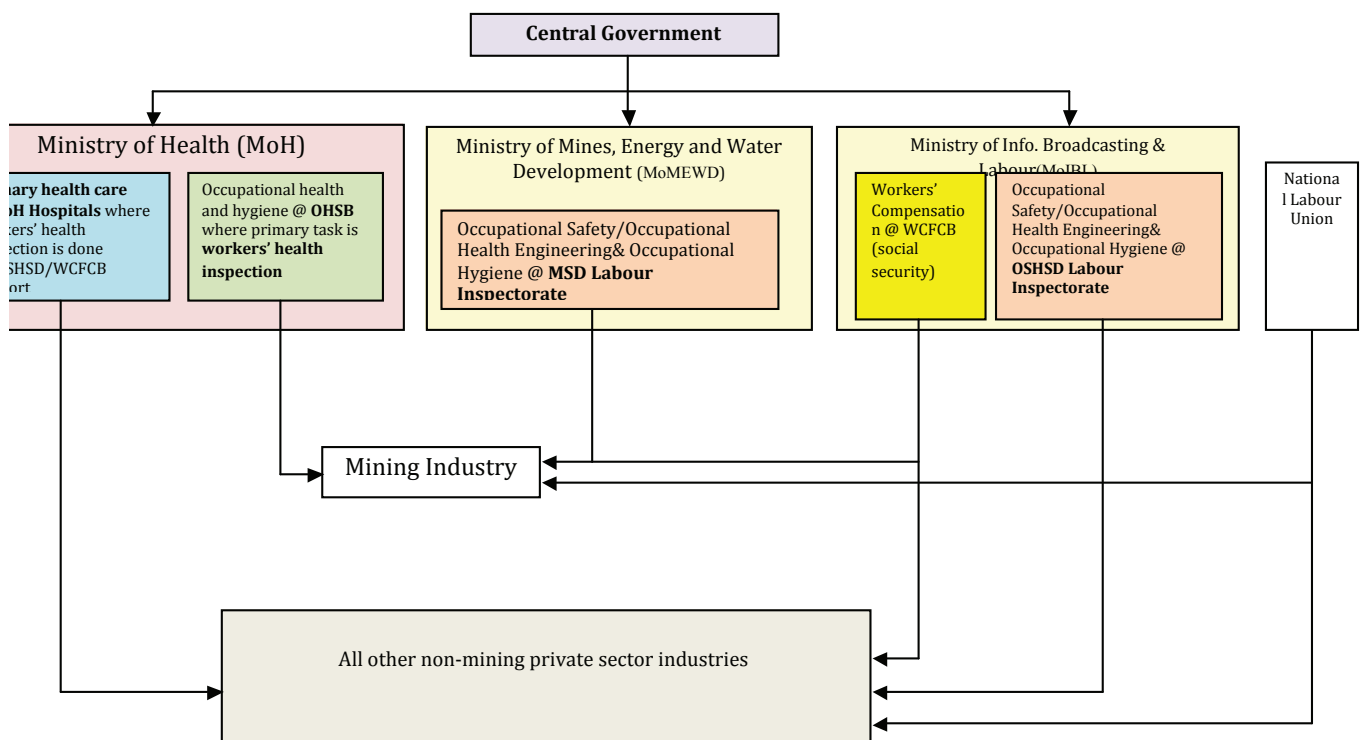


## 2. SCOPE OF COVERAGE AND DEFINITIONS

Three ministries shown in Figure 3 are responsible for occupational safety and health matters in Zambia as provided in the Acts of Parliament specified in Tables 4.1 and 4.2. These ministries are the Ministry of Information, Broadcasting and Labour (MoIBL)<sup>6,7</sup>, the Ministry of Health (MoH)<sup>8</sup> and the Ministry of Mines, Energy and Water Development (MoMEWD)<sup>9</sup>. Recording and notification that occurs in these three ministries constitutes the national system for recording and notification of occupational accidents and diseases reported in Zambia. These activities are carried out at occupational injury prevention institutions shown in Table 2.1, namely,

- (i) two primary prevention institutions consisting of labour inspectorates engaged in surveillance of the working environment. One institution is under MoIBL while the second one is under MoMEWD. These institutions are called the Occupational Safety and Health Services Department (OSHSD) and the Mines Safety Department (MSD), respectively.
- (ii) a secondary prevention institution which is an inspectorate engaged in workers' health surveillance under MoH. This institution is called Occupational Health and Safety Institute (OHSI) governed by the Occupational Health and Safety Institute (OHSB) and
- (iii) a tertiary prevention institution that deals with workers' compensation when workers suffer occupational injury. This institution is also under MoIBL and is called the Workers' Compensation Fund Control Board (WCFCB). WCFCB occupational injury prevention mandate is stipulated section 11 subsection 3(a) and (b) of the Workers' Compensation Act.

Figure 1: Governmental organisation and division of responsibility for occupational safety and health activities in Zambia



**Table 2. 1: Recording and notification institutions and their roles.**

INSTITUTION	MINISTRY	ROLE	COVERAGE AREA
Occupational Health Safety Institute– OHSI(formerly, Occupational Health Management Board – OHMB)	Health (MoH)	Workers’ health surveillance	Records incidences and provides annual statistics of incidence and prevalence of occupational diseases among miners. OHSI certification data are reported to employers and WCFCB. The OHSI & the employer’s notification report of an occupational disease prompt WCFCB to compensate entitled workers. Though mandated to cover all workers, its present capacity only routinely covers miners.
Mine Safety Department – MSD	Mines, Energy and Water Development (MoMEWD)	Work environment (hazard or) surveillance, i.e., mining industry labour inspectorate	Records, receives notification of and investigates occupational accidents and dangerous occurrences in mines and at quarries. It covers this sector well.
Occupation Safety and Health Services Department – OSHSD	Information, Broadcasting Labour (MoIBL)	Hazard surveillance, i.e., non-mining industry labour inspectorate	Receives notification of as well as records occupational accidents and dangerous incidents in all industries other than the mining industry, defence forces and the public service. Its limited capacity only enables it to cover major manufacturing plants well. It is also mandated to receive notification of incidence of occupational diseases by employers and medical practitioners but this work is curtailed by limited occupational health service capacity of medical practitioners of the MoH public health service system.
Workers’ Compensation Fund Control Board –WCFCB	Information, Broadcasting Labour (MoIBL)	Compensates injured workers	Receives notification and compensation claims for occupational accidents and occupational diseases. It also investigates and provides statistics for compensated occupational accidents and diseases

## 2.1 Coverage

Table 2.2 shows good recording and notification coverage of workers in the mining industry (~100%). In this industry two inspectorates (MSD and OHSI for *accidents/dangerous occurrences and occupational diseases*, respectively) work smoothly with the compensation authority (WCFCB). However, the table also shows that non-mining economic activities inspected by OSHSD for occupational accidents/dangerous occurrences and diseases are rather poorly covered (~11%). This is because limited coverage is only regular for work environment monitoring at major factories. Though the inspectorate is also mandated to cover occupational disease notification this aspect of the inspectorate are yet to be covered by the constrained OHSI workers’ health monitoring services. In lieu of OHSI’s health surveillance services to support OSHSD covered workers, health inspections in the non-mining sector, where ever possible, are provided by the MoH government hospitals until such a time that OHSI services will spread throughout the country. Notification of compensable occupational accidents and diseases in the non-mining sector is done jointly by OSHSD and the WCFCB. In Table 2.2, coverage of WCFCB is higher than of OSHSD due to the fact that WCFCB also covers the mining industry. It is to be noted that government employees in

the public sector including defence and security services are not included in Table 2.2 because they are not covered by the three inspectorates and the workers' compensation system. They are covered by an employers' (that is, government) liability compensation system. As such, recording and notification data of this category of workers is not centrally captured.

**Table 2. 2: Coverage of recording and notification institutions**

INSTITUTION	ROLE	ESTIMATED STAFF & COVERED WORKERS		
		Total Staff	Records & Notification Staff	Covered Workers
OHSI	Workers' health surveillance; mostly mining industry (labour inspectorate or occupational health inspectorate)	12 (1 information technologist, 3 Hygienists, 2 Occupational Physicians, 1 Epidemiologist and 5 General Medical Officers)	1 Occupational Epidemiologist	52,475 (nearly 100 % coverage of miners at registered mines as required by Mines and Minerals Act)
MSD	Work environment surveillance for mining industry (labour inspectorate)	15 inspectors (3 machinery, 2 environment, 2 explosives and 8 mining)	1 inspector	58,672 (nearly 100 % coverage of miners at registered mines but this is 1.3 % of the workforce it should cover inclusive of Factories Act)
OSHSD	Work environment surveillance for non-mining industries (labour inspectorate)	13 inspectors	1 inspector	Factories (200,000 or <4.3% of potential workforce)
WCFCB	Workers compensation of mining & non-mining industries (social security)	4 Occupational Health and Safety Officers	4 officers	<250,000 i.e. less than 5.4% of potential workforce

Tables 2.3 and 2.4 show lists of occupational diseases covered by WCFCB through OHSI and OSHSD. It is apparent that though the two institutions are in the same ministry, the former has a longer list of diseases while the latter only shows diseases that the Workers Compensation Act of 1999 inherited from Pneumoconiosis Compensation Act, Cap 217 of 1950 during its merger with the Workers Compensation Act, Cap 271 of 1964 and repealing of both Acts.

As seen in Figure 1, the latest Zambian labour force survey report shows that there are 4.61 million workers out of the 5.00 million economically active Zambians. If one recalls that public sector employees are nearly 264,000<sup>4</sup> workers out of approximately 500,000 workers in formal employment, it means that there are about 236,000 private sector workers in formal employment whom the present compensation system can register out of 4.35 (4.61 - 0.26) million workers that are supposed to be covered by our national recording and notification system. The most effectively covered group of workers by the national recording and notification system for occupational accidents, dangerous occurrences and diseases is that of miners who are more than 58,672 or a little over 1% of the national work force as shown in Table 2.5 below.

Table 2.4: Occupational diseases in the Factories Act, Cap 441

SECOND SCHEDULE - INDUSTRIAL DISEASES(Section 78)

1. Lead poisoning
2. Phosphorus poisoning
3. Arsenical poisoning
4. Mercurial poisoning
5. Anthrax
6. Carbon bisulphide poisoning
7. Aniline poisoning
8. Chronic benzene poisoning
9. Manganese poisoning
10. Compressed air illness
11. Cyanide poisoning
12. Toxic jaundice: that is, jaundice due to tetrachlorethane or nitro- or amido-derivatives of benzene or other poisonous substance.
13. Epitheliomatous-ulceration: that is, ulceration due to tar, pitch, bitumen, mineral oil or paraffin, or any compound, product or residue of any of these substances.
14. Chrome ulceration: that is, ulceration due to chronic acid or dichromate of potassium, sodium or ammonium or any preparation of any of these substances occurring in a factory.
15. Toxic anaemia: that is, pathological manifestations due to-
  - (a) radium or any other radio-active substances; or
  - (b) X-rays.
16. Lead poisoning
17. Phosphorus poisoning
18. Arsenical poisoning
19. Mercurial poisoning
20. Anthrax

The situation summarized in Table 2.5 obtains because WCFCB with all three basic elements of a recording and notification system (namely; accidents, dangerous occurrences and occupational diseases notification capacity) can only cover a group of workers with adequate labour and occupational health inspection back-up as well as employer's with ready capacity to pay assessments. Clearly, Zambia is one of the countries that should devote more resources to Occupational Health and Safety (OSH) research, knowledge management and dissemination, information exchange and proper and consistent enforcement of OSH law<sup>1</sup>.

**Table 2.5: Coverage of national recording and notification system for different categories of workers**

<i>Worker category</i>	<i>No. of Workers</i>	<i>Workers (%)</i>	<i>Comment</i>
All sectors (formal, informal, self-employed)	~ 4,610,000	100.00	Zambian employees
Formal sector	~ 500,000	10.85	Workers of the formal sector
Public sector (formal)	~ 264,000	5.73	Government (public, defence, and police service) workers. Workers who are excluded from national recording and notification system.
Private sector (formal)	~ 236,000	5.12	Workers who are potentially covered by institutions of the Zambian recording and notification system consisting of the labour inspectorates (MSD, OSHSD and OHSI) and a workers' compensation board (WCFCB whose 2012 worker coverage is estimated to be 371,341)
Mining sector	58,672	1.27	Workers effectively covered by the recording and notification system of MSD, OHSB and WCFCB

Table 2.5 above shows that the population of Zambians in the private and the public formal employment sector that could be covered by the recording and notification system is about 11%. Since the present system deals with recording and notification in the private sector, it can only cover 5.12% of the population. This highest coverage is what is at the moment covered the broadest serving inspectorate, namely, WCFCB. The most effective inspectorate in terms complete coverage of under its mandate is the MSD that covers 100% of its close to 60,000 miners. The OHSI covers 100% of the miners but this workforce is only 1.3% of the national workforce that it should cover or close to 10% of the workforce in formal employment that it should cover in the country and 20% of the workforce is the formal private sector that it should cover. The situation of OSHSD coverage is no better than the analyses given for the other institutions of the other institutions.

Small scale enterprises, agricultural/forestry/fisheries/service sector<sup>2</sup> (>71% of Zambian employed labour force), etc. are not covered for occupational accidents/dangerous occurrences and occupational diseases. Further, though covered by WCFCB, both labour inspectorates do not cover *commuting accidents* as part of their recording and notification system of occupational accidents and diseases. It should be added that many employers cover compensation aspects of commuting accidents through workers' collective bargaining system when the employer's transport is involved in an accident that injures a worker commuting to work.

## 2.2 DEFINITIONS

The definition of **occupational accident** used by the Mines Safety Department in sub-regulation 2 of regulation 1601 of the Mining Regulations in the Mines and Minerals Act or in sub-regulation 2 of regulations 130 and 284 of the Explosives Regulations in the Explosives Act is:

### **An event**

- (a) Involving the death of any person;
- (b) In which any person becomes unconscious either from heatstroke, heat exhaustion, electric shock, the inhalation of blasting or other poisonous fumes or the inhalation of any

poisonous gas;

- (c) In which the injuries sustained by any person are so serious that it is possible that they may prove fatal.

The definition of **occupational accident** used by OSHSD in the Factories Act Cap 441 is:

**An event which**

- (a) causes loss of life to a person employed in that factory; or
- (b) disables any such person for more than three days from earning full wages for the work for which he was employed;

The labour inspectorates' (MSD and OSHSD) definition of a **dangerous occurrence** is:

An unexpected occurrence that is likely to cause injury or damage to both personnel and equipment.

Both MSD and OSHSD define fatal and non-fatal accidents

A *fatal accident* is one which involves death of a person or persons and

A *non-fatal (or lost time accident)* is an accident where the injured person does not report for work for more than three days excluding the day of the accident. Both of these events together with dangerous occurrences require recording, reporting and notification according to Zambian laws.

Zambian law has no succinct definition of an **occupational incident** but the perception is that it is a minor accident in which there is no lost time injury to a worker.

The definition of **occupational accident** used by the WCFCB in the Workers Compensation Act of 1999 is:

An occupational accident is one resulting in injury to a worker or in damage to, or destruction of, any artificial aid used by a worker in the course of employment. The Workers' Compensation Fund Control Board divides non-fatal into permanent and temporary disability accidents, so that it has three categories of accidents when fatal accidents are included. Workers' Compensation Act does not talk about dangerous occurrences or incidents.

Tables 2.6 to 2.8 list dangerous occurrences in Zambian legislation as embodied in the Mines and Minerals Act, Explosives Act and the Factories Acts, respectively.

The inferred definition of **occupational disease** in the Factories Act is:

"scheduled disease" which means any disease specified in the Second Schedule for Section 78

The definition of **bodily injury** in the Factories Act, Cap 441 is:

"bodily injury" includes injury to health

The definition of **occupational disease** used by OHSI in Occupational Health and Safety Act, 2010 is:

*Occupation disease or injury* means a disease or injury contracted or suffered as a result of one's employment or by such disease or injury as the Minister may prescribe, by statutory instrument.

The inferred definition of **occupational disease** in the Worker's Compensation Act of 1999 is:

"scheduled disease" which means any disease specified in the First Schedule

The definition of **injury** in the Worker's Compensation Act of 1999 is:

A *personal injury* and includes the contraction of a disease

**Table 2.6: Dangerous occurrences of the Mines and Minerals Act in Mining Regulation 1603**

1. The fracture or failure of any part of any machinery other than machinery referred to in paragraph (2), whereby the safety of any person has been or may be endangered.
2. any occurrence in connection with winding plant or lift installation involving –
  - (i) the fracture or failure to work efficiently of any essential part including a winding rope and all its attachments to the conveyance or drum, sheaves, shafts, axles or bearings, brakes, gearing, depth indicators or drums;
  - (ii) the jamming or overloading of any part of the winding plant or the derailment of any conveyance which results in the possible overstrain of the rope;
  - (iii) the failure of any overwind prevention device or safety catch to act when required, or the action of such device or catch when not required;
  - (iv) any conveyance accidentally leaving its guides in a vertical shaft;
  - (v) any accidental overwind on a certificated winding engine;
3. the accidental ignition or detonation of explosives and any accident due to explosives;
4. the flooding of any considerable portion of the workings or the failure of any dam or reservoir used for conserving water or slimes;
5. the collapse, mechanical failure or overturning of any crane derrick, winch, hoist or similar lifting appliance;
6. any accidental explosion or large fire due to the ignition of dust, gas, oil or vapour;
7. any accidental fire underground or accidental large fire on surface;
8. the explosion or bursting of any receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or mixture of gases, or of any liquid or solid resulting from the compression of gas; the explosion or bursting of any steam boiler or steam receiver;
10. any electrical short circuit or failure of electrical machinery resulting from the malfunction of any protective device and attended by explosion or fire;
11. any electrical shock or burn to a person who consequently receives medical treatment;
12. the extensive caving of any underground workings or any extensive subsidence of the ground which is not normal for the method of mining in practice;
13. any prolonged failure of the main ventilation system;
14. the bursting of any revolving vessel, wheel or grinding wheel moved by mechanical power, but excluding rubber tyres.

**Table 2.7: Dangerous occurrences of the Explosives Act in Explosives Regulation 286**

1. Failure of any machine whereby the safety of any person has been or may be endangered.
2. Accidental ignition or detonation of explosives or ingredients thereof and any accidents due to the explosives.
3. Any incidence of spontaneous combustion in stockpiled ingredients.
4. Any case of fire.
5. Any incidence of the flooding of substantial part of an explosives factory.
6. Accidental explosion or large fire due to the ignition of dust, gas, inflammable liquids or vapour.
7. The explosion of any receiver or container used for the storage at a pressure greater than atmosphere of any gas or mixture of gases, or any liquid or solid resulting from the compression of gas, including the explosion of steam boilers or steam receivers.
8. Any electrical short circuit or failure of electrical machinery resulting from the malfunction of any protective device and attended by explosion or fire.
9. Any electrical shock or burn to a person and resulting in such person receiving medical treatment in consequence thereof
10. The finding of any dangerous matter extraneous to the manufacturing process.

**Table 2.8: Dangerous occurrences in First Schedule of the Factories Act (for Section 77)**

1. Bursting of a revolving vessel, wheel, grindstone or grinding wheel moved by mechanical power.
2. Collapse or failure of a crane, derrick, winch, hoist or appliance used in raising or lowering persons, goods, material, plant or any part thereof or the overturning of a crane.
3. Explosion or fire due to ignition of dust, gas or vapour.
4. Electrical short circuit or failure or electrical machinery, attended by explosion or fire, or any damage to an underground electrical system, caused by excavation or otherwise.
5. Explosion or fire affecting any room in which persons are employed and causing suspension of ordinary work.
6. Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.
7. Explosion from a steam boiler or steam receiver.



The definitions embodied in ILO Con No. 155, P155 of 2002 and the ILO Codes of Practice on Recording and Notification of Occupational Accidents and Diseases are

**Commuting accident:** An accident occurring on the direct way between the place of work and

- (a) the worker's principal or secondary residence;
- (b) the place where the worker usually takes his/her meals; or
- (c) the place where the worker usually receives his/her remuneration, which results in death or personal injury involving loss of working time. Traffic accidents in which workers are involved during working hours and which occur in the course of paid work are considered as occupational accidents.

**Competent authority:** A minister, government department or other public authority with the power to issue regulations, orders or other instructions having the force of law. Under national laws or regulations, the competent authorities may be appointed with responsibilities for specific activities, such as for implementation of national policy and procedures for reporting, recording and notification, workers' compensation, and the elaboration of statistics.

**Dangerous occurrence:** Readily identifiable event as defined under national laws and regulations, with potential to cause an injury or disease to persons at work or the public.

**Employer:** Any physical or legal person who employs one or more workers.

**Enterprise:** An institutional unit or the smallest combination of institutional units that encloses and directly or indirectly controls all necessary functions to carry out its own production activities.

**Establishment:** An enterprise or part of an enterprise which independently engages in one, or predominantly one, kind of economic activity at or from one location or within one geographic area, for which data are available, or can be meaningfully compiled, that allow the calculation of the operating surplus.

**Incident:** An unsafe occurrence arising out of or in the course of work where no personal injury is caused, or where personal injury requires only first-aid treatment.

**Loss of working time:** Lost days counted from and including the day following the day of the accident, measured in calendar days, weekdays, work shifts or working days. Calendar days are preferable as a measure of accident severity, while working days are preferable as a measure of economic impact. Where working days or weekdays are used, an estimate in terms of calendar days should be provided wherever possible.

*Lost time:* See *Loss of working time*.

**Non-fatal occupational injury:** Occupational injury not leading to death.

**Notification:** Procedure specified in national laws and regulations which establishes the ways in which:

- (a) the employer or self-employed person submits information concerning occupational accidents, commuting accidents, dangerous occurrences or incidents; or
- (b) the employer, the self-employed person, the insurance institution or others directly concerned submit information concerning occupational diseases; as appropriate and as prescribed by the competent authority.

**Occupational accident:** An occurrence arising out of or in the course of work which results in:

- (a) fatal occupational injury;
- (b) non-fatal occupational injury.

**Occupational disease:** A disease contracted as a result of an exposure to risk factors arising from work activity.

**Occupational injury:** Death, any personal injury or disease resulting from an occupational accident

**Recording:** Procedure specified in national laws and regulations which establish the means by which the employer or self-employed person ensures that information be maintained on:

- (a) occupational accidents and diseases;
- (b) commuting accidents; and
- (c) dangerous occurrences and incidents.

**Reporting:** Procedure specified by the employer in accordance with national laws and regulations, and in accordance with the practice at the enterprise, for the submission by workers to their immediate supervisor, the competent person, or any other specified person or body, of information on:

- (a) any occupational accident or injury to health which arises in the course of or in connection with work;
- (b) suspected cases of occupational diseases;
- (c) commuting accidents; and
- (d) dangerous occurrences and incidents.

One observation that can be made about the Zambian system of recording and notification is that Zambian legislation permits different OSH institutions to use different lists of occupational diseases. The ILO encourages member states to harmonise their national systems.

### 3. RATIFICATION AND APPLICATION OF ILO CONVENTIONS AND TOOLS

Table 3.1 shows the ten ILO international conventions and recommendations that have a bearing on recording and notification of occupational accidents and diseases<sup>14,15</sup> while Table 3.2 gives a list of the 43 international labour conventions ratified by Zambia<sup>16</sup>. Since four of the ratified conventions have been denounced, only 39 are in force. On comparing Tables 3.1 and 3.2 one sees that of the nine conventions that are important to recording and notification of occupational accidents and diseases, Zambia has only ratified one. It is little wonder that Zambian OSH legislation has many gaps since it is implemented through institutions that are not formally coordinated with respect to recording and notification guidelines of the ILO.

In working towards attaining a harmonized national system of recording and notification of occupational accidents and diseases, the main administrative step the country's competent authorities need to take is to foster workplace and international initiatives that should

- (a) avail the country knowledge/tools of recording and notification of occupational accidents and diseases. Addressing this administrative lapse could ideally start with ratifying the pertinent unratified conventions mentioned above and assiduously utilizing their associated recommendations and codes of practice,
- (b) harmonize the country's OSH legislation to efficiently support the system, and
- (c) train and retain sufficient OSH professional staff for OSH and the private sector institutions to support the national recording and notification systems
- (d) train and retain OSH professional staff for compiling recording and notification data for the public sector system

**Table 3.1: Relevant International Labour Organization Conventions and Recommendations**

Conventions		Recommendations	
No.	Title	No.	Title
C81	Labour Inspection, 1947	R81	Labour Inspection, 1947
C121	Employment Injury Benefits, 1964 (with Schedule I, List of occupational diseases - amended 1980)	R121	Employment Injury Benefits, 1964
C129	Labour Inspection (Agriculture), 1969	R133	Labour Inspection (Agriculture), 1969
C134	Prevention of Accidents (Seafarers), 1970	R142	Prevention of Accidents (Seafarers), 1970
<b>C135</b>	<b>Workers' Representatives, 1971</b>	<b>R143</b>	<b>Workers' Representatives, 1971</b>
C155	Occupational Safety and Health, 1981	R164	Occupational Safety and Health, 1981
C160	Labour Statistics, 1985	R170	Labour Statistics, 1985
C161	Occupational Health Services, 1985	R171	Occupational Health Services, 1985
C176	Safety and Health in Mines, 1995	R183	Safety and Health in Mines, 195
C187	Promotional Framework for Occupational Safety and Health, 2006	R197	Promotional Framework for Occupational Safety and Health, 2006

Table 3.2: List of International Labour Organization Conventions Ratified by Zambia

#	Convention	Ratification date	Status
1	C5 Minimum Age (Industry) Convention, 1919	02/12/1964	Denounced on 19/06/1976
2	C11 Right of Association (Agriculture) Convention, 1921	02/12/1964	Ratified
3	C12 Workmen's Compensation (Agriculture) Convention, 1921	02/12/1964	Ratified
4	C17 Workmen's Compensation (Accidents) Convention, 1925	02/12/1964	Ratified
5	C18 Workmen's Compensation (Occupational Diseases) Convention, 1925	22/02/1965	Ratified
6	C19 Equality of Treatment(Accident Compensation) Convention, 1925	02/12/1964	Ratified
7	C26 Minimum Wage-Fixing Machinery Convention, 1928	02/12/1964	Ratified
8	C29 Forced Convention, 1925	02/12/1964	Ratified
9	C45 Underground Work (Women) Convention, 1935	02/12/1964	Denounced on 03/03/1998
10	C50 Recruiting of Indigenous Workers Convention, 1936	02/12/1964	Ratified
11	C64 Contracts of Employment (Indigenous Workers) Convention, 1939	02/12/1964	Ratified
12	C65 Penal Sanctions (Indigenous Workers) Convention, 1939	02/12/1964	Ratified
13	C86 Contracts of Employment (Indigenous Workers) Convention, 1947	02/12/1964	Ratified
14	C87 Freedom of Association and Protection of the Right to Organise Convention, 1948	02/09/1996	Ratified
15	C89 Night Work (Women) Convention (Revised), 1948	02/12/1964	Denounced on 10/09/2001
16	C95 Protection of Wages Convention, 1949	23/10/1979	Ratified
17	C97 Migration for Employment Convention (Revised), 1949	02/12/1964	Ratified
18	C98 Right to Organise and Collective Bargaining Convention, 1949	02/09/1996	Ratified
19	C99 Minimum Wage Fixing Machinery (Agriculture) Convention, 1951	20/06/1972	Ratified
20	C100 Equal Remuneration Convention, 1951	20/06/1972	Ratified
21	C103 Maternity Protection Convention (Revised), 1952	23/06/1979	Ratified
22	C105 Abolition of Forced Labour Convention, 1957	22/02/1965	Ratified
23	C111 Discrimination (Employment and Occupation) Convention, 1958	23/06/1979	Ratified
24	C117 Social Policy (Basic Aims and Standards) Convention, 1962	02/12/1964	Ratified

Table 3.2: List of International Labour Organization Conventions Ratified by Zambia

#	Convention	Ratification date	Status
25	C122 Employment Policy Convention, 1964	23/06/1979	Ratified
26	C123 Minimum Age (Underground Work) Convention, 1965	03/04/1967	Denounced on 13/10/1999
27	C124 Medical Examination of Young Persons (Underground Work) Convention, 1965	10/03/1967	Ratified
28	C131 Minimum Wage Fixing Convention, 1970	20/06/1972	Ratified
29	<b>C135 Workers' Representatives Convention, 1971</b>	<b>24/05/1973</b>	<b>Ratified</b>
30	C136 Benzene Convention, 1971	24/05/1973	Ratified
31	C138 Minimum Age Convention, 1973	09/02/1976	Ratified
32	C141 Rural Workers' Organisations Convention, 1975	04/12/1978	Ratified
33	C144 Tripartite Consultation (International Labour Standards) Convention, 1976	04/12/1978	Ratified
34	C148 Working Environment (Air Pollution, Noise and Vibration) Convention, 1977	19/08/1980	Ratified
35	C149 Nursing Personnel Convention, 1977	19/08/1980	Ratified
36	C150 Labour Administration Convention, 1978	19/08/1980	Ratified
37	C151 Labour Relations (Public Service) Convention, 1978	19/08/1980	Ratified
38	C154 Collective Bargaining Convention, 1981	04/02/1986	Ratified
39	C158 Termination of Employment Convention, 1982	09/02/1990	Ratified
40	C159 Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983	05/01/1989	Ratified
41	C173 Protection of Workers' Claims (Employer's Insolvency) Convention, 1992	25/05/1998	Ratified
42	C176 Safety and Health in Mines Convention, 1995	04/01/1999	Ratified
43	C182 Worst Forms of Child Labour Convention, 1999	10/12/2001	Ratified



## 4. POLICY AND MECHANISM ON RECORDING, NOTIFICATION AND INVESTIGATION OF OCCUPATIONAL ACCIDENTS, OCCUPATIONAL DISEASES AND DANGEROUS OCCURRENCES AND RELATED STATISTICS

A national policy is a course of action adopted and pursued by a government in dealing with a professional matter like occupational safety and health or recording and notification of occupational accidents, dangerous occurrences and occupational diseases. Figure 2 shows how the system for recording and notification of occupational accidents, dangerous occurrences and occupational diseases is part of an occupational health surveillance system.

It can be inferred from the above paragraph that a government with a national policy on recording and notification should be one with a coherent recording and notification system. *Often, a coherent recording and notification system depends on existence of an up-to-date occupational safety and health system (comprised of harmonized primary, secondary and tertiary occupational health prevention institutions/activities) and its occupational safety and health policy.* **Zambia has no national policy on recording and notification of occupational accidents, dangerous occurrences and occupational diseases. This situation could be attributed to lack of an up-to-date occupational safety and health system and lack of a national occupational health and safety policy that could easily encompass recording and notification matters.**

Section 32 of the Occupational Safety and Health Act No. 36 of 2010 that is entitled “Health and safety policy” indicates that the “*Director of the Occupational Health and Safety Institute may direct any employer in writing and any category of employees, by notice in the Government Gazette to prepare a health and safety policy.....*” This stipulation which only exists in this Act, though of good intention, is at best corny because it comes from the Ministry of Health’s occupational health inspectorate that is yet to prepare a national occupational health and safety policy.

Tables 4.1 and 4.2 below give a summary and detailed description of Zambian legislation mandating each competent authority that is part of the national recording and notification system for occupational accidents and diseases, respectively. Table 4.3 is a summary of the salient features of the Zambian recording and notification legislation that considers what is place in suggesting what needs to be done in moving forward. The sections that follow, discuss the contents of Table 4.2 in a little more details for a better understanding of Table 4.3

***The fact the there is no national policy on recording and notification of occupational accidents and diseases easily leads to the situation where here is no unified database for recording and notification of occupational accidents, occurrence, incidences and disease.*** This is because collection, maintenance of each institution’s database, analysis and investigation of occupational accidents and diseases and dangerous occurrences is carried out by each competent authority as stipulated or implied by the relevant obtaining legislation. In Acts of Parliament that lack relevant formal stipulations on existing imbalances exacerbate weaknesses of the current national recording and notifications systems. Some of the weaknesses outlined in Table 4.3 are

- (a) lack of recording and notification system electronic databases of occupational harmonized to ILO recommendations,
- (b) lack of a mechanism ***for operating and maintaining a national system of recording and notification of occupational accidents and diseases that ensures application of a uniform procedures by workplaces, physicians and health facilities.***

- (c) Skeletal levels of OSH staffing in competent recording and notification authorities. For the majority of this staff, their OSH academic and/or professional credentials may not be internationally recognizable as one may infer from Tables 5.1 and 5.2 that show qualifications of staff engaged in activities of the labour inspectorates in OSH matters and the national recording and notification system.

The four competent authority institutions work with employers to collect data stipulated by relevant legislation and do not delegate any of their recording and notification functions and responsibilities to other public institutions, workers' organizations or other organizations. Overall, the situation of this staff relative to the task they ought to be doing seems untenable when one recalls that Table 2.5 shows that they effectively cater for 1% of the workers in the country's private sector and is not in a position to effectively cover 5% per cent of the work force in the formal private sector that can afford assessments. This is not to mention that, though government is the principal stakeholder institution on the issue of effective recording and notification of occupational accidents, dangerous occurrences and occupational diseases, recording and notification data on its work force which is 5% of the national work force is not reported in one database.

**Clearly, there is need to have arrangements that will foster improved coordination of recording and notification functions and responsibilities between occupational health institutions that will result in development of one comprehensive national database on occupational accidents, occupational diseases and dangerous occurrences and related statistics.**

Due to influence of a strong mining sector, with good notification and recording procedures basic principles and procedures for implementing recording, notification and investigation of occupational accidents, dangerous occurrences occupational diseases and related statistics already exist in our occupational health institutions. However, the institutions require a national policy to improve coordination of their activities and upgrade recording and notification capacity.



Table 4.4.1: Summary of recording and notification legislation in Zambia.

Legislation (that is, name of Act of Parliament)	Implementing Institution	Type OSH prevention activities	Stipulated recording and notification activities
1. Factories Act, Chapter 441	Occupational Safety and Health Services Department (OSHSD)	Primary prevention of occupational injuries guided by focusing on workplace inspections to reduce hazards in the non-mining sector	<ol style="list-style-type: none"> <li>1. recording of incidences, occurrences, occupational accidents and occupational diseases.</li> <li>2. notification of occupational accidents and diseases</li> <li>3. investigation of occupational accidents</li> </ol>
2. Mines and Minerals Development Act, No. 7 of 2008, CAP 323 and its mining regulations	Mine Safety Department (MSD)	Primary prevention of occupational injuries guided by focusing on workplace inspection to reduce hazards in the mining sector and explosives plants	<ol style="list-style-type: none"> <li>1. recording of incidences, occurrences, and occupational accidents.</li> <li>2. notification of occupational accidents</li> <li>3. investigation of occupational accidents</li> </ol>
4. Explosives Act No. 10 of 1974 & its explosives regulations			
5. Occupational Health and Safety Act, 2010	Occupational Health and Safety Institute (OSHI)	Secondary prevention of occupational injuries guided by focusing on medical examinations of workers to detecting reduced incidence of occupational injuries arising workplace exposures	<ol style="list-style-type: none"> <li>1. recording of incidence of occupational diseases.</li> <li>2. notification of occupational accidents and</li> <li>3. compilation of annual statistics</li> </ol>
4. Workers Compensation Act, No. 10 of 1999	Workers Compensation Fund Control Board (WCFCB)	Tertiary prevention of occupational injuries guided by focusing on improvements that reduce workers compensable injury rates at workplace exposures	<ol style="list-style-type: none"> <li>1. notification of incidence of compensable occupational diseases.</li> <li>2. notification of compensable occupational accidents</li> <li>3. investigation of occupational accidents</li> </ol>

Table 4.2: Zambian recording, reporting and notification institutions and mandating legislation

Institution	Ministry	Role	Legislation	
			Act	Additional information
OHSI	Health	Historically mining sector occupational health inspectorate, but new OSH act is for all sectors	<p><b>Occupational Health and Safety Act, 2010</b></p> <p>PART IV: Health and Safety at Workplaces - Section 16</p> <p>PART V: Enforcement –Section 27</p> <p>PART VI: Occupational health and safety services –Section 31.</p> <p>PART VII: General provision - Section 38</p>	<p>16 (2) (g) (iii) – Institute’s injury notification of WCFCB and reporting to health and safety representative</p> <p>27 (1) - <b>‘Authorised officers’</b> (that is, government workplace inspectors’) notification to OSHI of dangerous working conditions</p> <p>31 - <b>OHS service units’</b> providing returns and statistics to Institute’s being provided</p> <p>38 (2) - <b>Minister’s mandate to make OHSI regulations</b> for (g) health injury investigation (i) reporting of accidents (k &amp; l) recording health risks &amp; giving their returns</p>
MSD	Mines, Energy, and Water Development	mining sector labour inspectorate	<p><b>Mines and Minerals Development Act, No. 7 of 2008, CAP 323</b></p> <p>(PART IX: Safety, Health &amp; Environmental Protection Sections 115-117)andthe Mining Regulations of 1973</p> <p>PART XVI: ACCIDENTS REGULATIONS 1601-1604</p>	<p>1601 – <b>manager’s fatal or non-fatal accident notification</b> to labour inspectorate &amp; police (fatal accidents)</p> <p>1602 – <b>manager’s notification of death of injured person</b> after accident notification to labour inspectorate &amp; labour inspectorate <b>investigation of accidents</b></p> <p>1603 – <b>manager’s notification of dangerous occurrences</b> to labour inspectorate labour inspectorate <b>investigation dangerous occurrence</b></p> <p>1604 – <b>worker’s reporting of accident</b> to supervisor.</p>
		Explosives manufacturing and distribution inspectorate	<p><b>Explosives Act No. 10 of 1974</b></p> <p>The Explosives Regulations</p> <p>PART I: PRELIMINARY &amp; GENERAL Regulations 130-132, 137</p> <p>PART II: MANUFACTURE OF EXPOLOSIVES – APPENDIX 5 Regulations 282 to 286</p>	<p>282 – <b>manager’s factory procedures for reporting accidents</b></p> <p>283 – <b>worker’s reporting of accident</b> to supervisor</p> <p>130 &amp; 284 – <b>manager’s fatal or non-fatal accident notification</b> to labour inspectorate &amp; police (fatal accident)</p> <p>131 &amp; 285 – <b>manager’s notification of death of injured person</b> after accident notification to labour inspectorate &amp; labour inspectorate <b>investigation of accidents</b></p> <p>132&amp;286 –<b>manager’s notification of dangerous occurrences</b> to labour inspectorate labour inspectorate <b>investigation dangerous occurrence</b></p> <p>137 - <b>penalties</b></p>

Institution	Ministry	Role	Legislation	
			Act	Additional information
OSHSD	Information, Broadcasting Labour	Non-mining private sector labour inspectorate	<p><b>Factories Act, Chapter 441:</b> PART XI: NOTIFICATION AND INVESTIGATION OF ACCIDENTS, DANGEROUS OCCURRENCES AND INDUSTRIAL DISEASES</p> <p>Sections 76 to 79</p>	<p>76 – Occupier’s notification of fatal or non-fatal (3 days lost time) accidents &amp; employer’s notification of fatal accident to labour inspectorate</p> <p>77 – occupier’s notification of dangerous occurrences to labour inspectorate</p> <p>78- occupier’s and/or medical practitioner’s notification of occupational disease to inspectorate</p> <p>79 - Minister’s update/extension of schedule of dangerous occurrences and schedule of occupational diseases.</p>
WCFCB	Information, Broadcasting Labour	private sector (mining & non-mining) compensation of workers	<p><b>Workers’ Compensation Act, No. 10 of 1999</b> : Part VII (Sections 87 to 98) – Procedure for obtaining compensation</p>	<p>87 – accident or disease incidence notification given by or on behalf of worker to employer as soon as possible &amp; compensation claim (disabled or deceased workers) shall be lodged within a year accident, incidence of disease or death.</p> <p>88 – Employer’s accident or disease incidence notification to compensation authority</p> <p>89 – worker’s &amp; employer’s provision of additional information on accident or disease suffered.</p> <p>90 - penalties</p> <p>91 to 94 – provision of evidence</p> <p>95 – accident investigation</p>

Table 4.3: Table of summary of shortcomings of Zambian Acts of Parliament and their institutions on national recording and notification

Shortcoming in Act of Parliament for a recording and notification institution	Recording and notification institution			
	OSHSD	MSD	OHSI	WCFCB
1. Lacks formal stipulation to cover commuting accidents	Yes	Yes	Yes	Yes
2. Lacks stipulation of relevant electronic occupational databases that meet ILO recommendations for (a) recording of occupational incidences, occurrences and accidents (b) incidence and prevalence occupational diseases (c) compensable occupational accidents and diseases	Yes	Yes	Yes	Yes
3. Lacks stipulation of data collection & preparations of annual statistics of occupational accidents and occupational diseases that meets international standards per minimal level as provided by ILO recommendations	Yes	Yes	Yes	Yes

4. Lacks stipulation of periodic review of a national list of occupational diseases harmonized with ILO recommendation.	Yes	Yes	Yes	Yes
5. Little evidence of formal mechanisms of fostering internationally recognized professional OSH or graduate OSH training of OSH staff in public institutions, private sector or unions.	Yes	Yes	Yes	Yes

When the country comes up with an Occupational Safety and Health Policy, it is anticipated that the Occupational Health and Safety Act and the Factories Act have in their present form, a good opportunity of improving recording, notification investigation and provision of statistics of occupational accidents, diseases, dangerous occurrences and incidents because they specifically mandate the relevant Ministers to make regulations for each of these aspects of Occupational Safety and Health. Their two main shortcomings are not including commuting accidents and relating to only single of the several regulatory institutes, instead of calling for harmonization all relevant laws shown in Table 4.1

The OHS Act of 2010 in Part III stipulates provision of Health and Safety Committees that is to strengthen present mechanisms of recording and notification to the Occupational Health and Safety Institute on injured workers at their workplaces among other workplace risk control activities. However this progressive arrangement needs to be included in legislation of other regulatory institutions as well as being a tool of workers with support of well trained professionals of occupational safety and health who will effect comparative analysis and production of annual statistics that will enable workers to see the status of occupational injury in the Zambian economy.

## 5. LEGAL, INSTITUTIONAL AND ADMINISTRATIVE ARRANGEMENTS ON RECORDING, NOTIFICATION AND INVESTIGATION OF OCCUPATIONAL ACCIDENTS, OCCUPATIONAL DISEASES AND DANGEROUS OCCURRENCES, AND RELATED STATISTICS:-

### 5.1 AT NATIONAL LEVEL

#### 5.1.1 Legal and institutional and administrative arrangements

##### 5.1.1.1 Concepts and terminologies

Concepts of Factories Act, Mines and Minerals Act and the Explosives Act are used in a manner that is consistent with ILO instruments and tools.

The term *reporting* in ILO instruments and tools means communication about an accident, dangerous occurrence or incident/disease between a worker and an employer. In the Zambian mining regulations one meaning of the term concerns communication by the employer to the regulation authority about a dangerous occurrence in which there is no occupational injury while the other meaning of the term is the same as in the ILO instruments and tools.

In the ILO instruments and tools, *notification* is communication about an accident, dangerous occurrence, incident or occupational disease between the employer and the regulatory authority. In Zambian legislation notification is limited to communication between an employer and regulatory authority when there is an occupational injury because the resulting database seems to be weighed in favour of compensation instead of equally serving both needs of prevention and compensation of occupational injuries. Sometimes this situation seems to arise from the fact that different institutions that ought to be collaborating in these two goals actually have different requirements.

In the ILO instruments and tools, *recording* means maintaining information on accidents, diseases and commuting accidents, dangerous occurrences and incidents by the employer in a unified multipurpose database. This concept is not used in Zambian regulations.

In the ILO instruments and tools, *database of the competent authority* means a database of notified information on accidents, diseases and commuting accidents, dangerous occurrences communicated by the employer to the competent authority that is an inspectorate or workers' compensation authority. The analysis of the database of the competent authority provides the required *annual statistics* on occupational accidents, commuting accidents, occupational diseases etc. that is associated with recording and notification system. The statistical information emerging from this system is internationally comparable to other countries. This concept is not yet used in Zambian regulations where among all the principle OSH laws shown in Table 4.2, only the Occupational Health and Safety Act formally requires compilation and dissemination of the annual statistics.

##### 5.1.1.2 Laws Acts and Regulations

The Laws, Acts and Regulations requiring the establishment of notification system and designation of regulatory authorities are shown in Table 4.2 above. The additional Law that supports collective bargaining is the Industrial and Labour Relations Act, Chapter 269.

### 5.1.1.3 Coordination among competent authorities

*There is no law that requires competent authorities to coordinate recording and notification activities occurring in different institutions in a manner that harmonizes the system. One hopes this oversight will soon be rectified.*

### 5.1.1.4 Methodology and guidance for systematic activities

The provisions of the Zambia legal system on methodology and guidance for systematic collection of data, information and investigation of occupational accidents and diseases as well as dangerous occurrences and incidents, including information to be recorded and notified, the format of reporting and maintenance of records are not explicit.

### 5.1.1.5 Coverage of economic activities

In principle, existing laws and regulations when taken in totality are designed to cover all branches of economic activity throughout the country regardless of their status of employment including the self-employed. However, apart from lack of harmonization at both the national level, internationalmultilateral/professional recommendations need to be considered upgrade the current recording and notification system. For example there is need to use internationally accepted classification of economic activities (namely, the International Standard Industrial Classification of all Economic Activities – ISIC) and status of employment (namely; the International Classification of Status in Employment (ICSE)). At the national level, various ministries hosting OSH institutions and those supervising commerce/economic activities (Commerce and Finance) need work to together to come up with a robust system.

### 5.1.1.6 Schedule of occupational diseases

The existing law permits existence of two different prescribed lists of occupational diseases at two institutions (WCFCB and OSHSD) within the Ministry responsible for Labour as shown in Tables 2.3 and Table 2.4. Both of these lists are different from the ILO recommended list that is supposed to constitute the nations minimum list of occupational diseases. Further, the existing law does not stipulate regular up-dating of these lists of occupational diseases. This situation is contrary to adherence to ILO recommendations that requires a country to have one list of occupational diseases that is periodically upgraded. It is also to be noted that classification of accidents in all regulatory institutions does not yet adhere to ILO recommendations.

Further, as implied in tabulated short comings of the present recording and notification that competent authorities in Table 4.3, there is need to develop communication/training mechanisms that will ensure that occupational physicians/occupational health scientists, health services, insurance institutions, employers, and their representative organizations are informed of the prevailing list of occupational diseases and its periodic updates as they evolve.

### 5.1.1.7 Other laws and regulations on recording and notification

At present, the laws outlined in the report thus far and their regulations are the only ones that are explicit on various aspects of recording and notification of occupational accidents and occupational diseases. However, there is need that other Acts of parliament like CAP 260 of the Laws of Zambia, Act Number 35 of 1996 that ushered the Public Service Pensions Fund (PSPF), which is a funded benefits pension scheme government employees use and the Pension Scheme Regulation Act no. 28 of 1996 (as amended by Act no. 27 of 2005) and the Insurance Act No. 27 of 1997 (as amended by Act No. 26 of 2005) that created the PensionsInsurance Authority, are included in the national recording and notification system. This is because institutions under these laws deal with various aspects of occupationally injured workers that fall under the purview

of recording, notification, investigation, compensation, etc.

### 5.1.1.8 Mechanisms assisting and guiding employer and worker compliance

Zambian legislation is yet to develop mechanisms to assist and guide employers and workers in complying with harmonized recording, notification and investigation of occupational accidents to yield a national database that will support annual preparation of a national statistical report on recording and notification of occupational accidents and diseases compatible to international reports. Clearly, achieving this milestone requires us to rely on ILO instruments.

### 5.1.2 Inspection and enforcement systems

From the point of view of recording and notification the two Zambian legislation-supported labour inspectorates (primary prevention of occupational hazards), an occupational health inspectorate (secondary prevention) and the workers compensation institution (tertiary prevention) have already been identified in Table 2.1 and their scope of coverage has been outlined in section 2.1. Table 5.1 below shows the number of inspectors, workers that they cover, existence of a dynamic recording and notification database as well as existence of a system for dissemination of information supporting inspection services. Table 5.2 shows the distribution skills of labour inspectors (LI) or occupational health inspectors (OHI) at each institution.

**Table 5.1: Number of inspectors at each institution, workers they regularly cover and existence of a dynamic database and an inspectors' information service**

Institution	Total Inspectors	Workers Covered	Existence of	
			Dynamic Database	Inspectors information service
MSD	12 out of 31	58,672	Yes	No
OSHSD	13 out of 24	-	-	-
OHSB	12 out of 25	52,475	Yes	No
WCFCB	4 out of 8	334,859	Yes	Yes
<b>Total</b>	<b>41 out of 88</b>	<b>334,859</b>	<b>No</b>	<b>None across institutions</b>

Table 5.2: Distribution of skills of labour (occupational hygiene & occupational safety) and occupational health inspectors<sup>†</sup>.

Inspectors' Training Field	Highest Qualification	Institution			Total Inspectors
		MSD	OHSI	WCFCB	
Engineers (LI)	< Bachelor's degree	1	-		1
	Bachelors degree	5	-	2	7
	Occupational Health and Safety postgraduate diploma	-	-	1	1
	Engineering graduate degree	6	-		6
	Occupational Health and Safety graduate degree		-		
	<b>Total Inspectors</b>	<b>12</b>	<b>-</b>	<b>3</b>	<b>15</b>
Scientists (LI: Mathematicians, Computer Scientists, Natural Scientists)	< Bachelor's degree	-	1		1
	Bachelor's degree	-	-		
	Occupational Health and Safety postgraduate diploma	-	-		
	Science graduate degree	-	-		
	Occupational Health and Safety graduate degree	-	-		
	<b>Total Inspectors</b>	<b>-</b>	<b>1</b>		<b>1</b>
Occupational Hygienists (LI)	< Bachelor's degree	-	-		
	Bachelor's degree	-	1		1
	Occupational Health and Safety postgraduate diploma	-	-		
	Graduate degree	-	-		
	<b>Total Inspectors</b>	<b>-</b>	<b>1</b>		<b>1</b>
Health Scientists (OHI)	< Bachelor's degree	-	-		
	Bachelor's degree	-	2		2
	Health science graduate degree (medical doctor other than occupational physicians & other health scientists)	-	5		5
	Occupational Physician (medical doctor with at least Postgraduate Diploma in Occupational Health) or Epidemiologist (with at least MPH)	-	3		3
	<b>Total Inspectors</b>	<b>-</b>	<b>10</b>		<b>10</b>
Other Professionals (LI)	< Bachelor's degree	-			
	Bachelor's degree	-		1	1
	Occupational Health and Safety postgraduate diploma	-			
	Graduate degree	-			
	<b>Total Inspectors</b>	<b>-</b>		<b>1</b>	<b>1</b>
<b>Grand Total Inspectors</b>		<b>12</b>	<b>12</b>	<b>4</b>	<b>38<sup>‡</sup></b>

<sup>†</sup>Labour Inspectors (LI) limit workplace hazards while Occupational Health Inspectors (OHI) are a subgroup of labour inspectors that deal with health effects of exposure to noncompliant or injurious levels of workplace hazards

<sup>‡</sup>Sum includes inspectors from the OSHSD



### 5.1.2.1 Penalties

Penalties enshrined in Zambian legislation to support the recording and notification inspection system are of a general nature in that they are not specific to recording and notification.

### 5.1.2.2 Mechanisms for feedback from inspectors

National occupational safety and health legislation in Zambia is fragmented. This precludes inspectors' feedback mechanism. Thus improved feedback among inspectors will have to be enshrined as part of future harmonised legislation. The evidence of the lack of feedback follows in the next paragraph.

Inspectors employed by MSD and OHSI reside in one town, Kitwe, where from historical requirements of serving the Zambian copper mining industry the two institutions are situated in the same premises. When one looks at the workers that the two institutions report on in Tables 9.1 and 9.3 for the same mining industry, one expects the figures reported to be harmonized by a few additional columns stipulating or showing difference in service provision like OSHI not giving medical examinations to all miners or examining a lot of people who were not miners. One might attribute this lack of harmony to the fact that these two institutions belong to two different ministries but co-operation even among institutions within the same ministry, like OSHSD and WCFCB, is an issue as is apparent from their different schedules of occupational diseases in Tables 2.3 and Table 2.4 and from the fact that WCFCB covers commuting accidents while OSHSD does not.

### 5.1.3 Classification of recorded and notified information

The arrangements made by the competent authority/ies to promote a coherence system of classification of the specified kinds of information notified and kept as records at the enterprise level do not conform with recent versions adopted under the international classifications and the ILO Codes of practice with respect to classification of :-

1. economic activity of the employer, enterprise or establishment;
2. occupation
3. employment status
4. nature and bodily location of the injury, type of accident, agency related to the injury or the accident

Further, there is no legislation stipulating a classification system for physical, chemical and biological exposures and any other exposures in the working environment.

## 5.2 AT ENTERPRISE LEVEL

Zambian legislation clearly requires employers to support of compensation schemes for occupational injuries and occupational diseases but implementation of this legislation has an interface that needs significant upgrading with the system for the recording and notification of occupational accidents, occupational diseases, dangerous occurrences and incidents. A very small fraction of workers are effectively covered by the present legislation.

Various facets of the law (on medical examinations for physical fitness workers upon taking up employment, periodical medical examinations in mining industry as well as accident/dangerous occurrence, occupational disease reporting and notification) clearly require workers to cooperate in the course of their work with their employer to fulfil legal obligations placed upon them concerning recording

and notification.

## 6. ARRANGEMENTS FOR RECORDING

### 6.1 AT NATIONAL LEVEL

#### 6.1.1 Employers need to establish and maintain records

The law requires employers to establish and maintain records on occupational accidents, occupational diseases and dangerous occurrences but not incidents. However the law should be reviewed and harmonized to include the recent ILO recommendations on the following:

- (a) maintained records should include incidents so that hazards in each industry can be easily studied
- (b) whereas present law does not stipulate them at the moment, standard recording tools such as forms developed in consultation with employers and workers are to be developed and should include ILO conforming prescribed data and information to be recorded;
- (c) it is to be confirmed that *recorded* information at the workplace includes information to be *notified*;
- (d) Additional information required by law to be recorded by employers, though it is not required to be notified, should cover, as is the present mining law,
  - (i) all incidents where no immediate personal injury is recognized
  - (ii) specified categories of dangerous occurrences
  - (iii) commuting accidents, if they become applicable
  - (iv) all accidents that do not disable workers from performing work they are employed for

##### 6.1.1.1 Particulars of present law

The present law lacks harmony among local institutions as well as between local institutions and ILO in the content and format of reporting records kept by an employer.

The periods of time within which records are to be established is specified and period of time for which records are to be retained are not clearly specified. Confidentiality of records is stipulated. In the case of the mining industry, the form of cooperation provided for in recording procedures where two or more employers engage in activities simultaneously at one worksite is clearly enunciated. This should be extended to other sectors.



## 7. ARRANGEMENTS FOR NOTIFICATION

### 7.1 AT NATIONAL LEVEL

#### 7.1.1 Notification of occupational accidents and diseases

Table 7.1 below specifies legislation requiring notification of occupational accidents, occupational diseases, dangerous occurrences to the competent authority and shows the institutions to be notified. For the few industries that are covered by the system, coordination, co-operation and collaboration among key stakeholders is inadequate as evidenced by the **extremely low number of accidents** reported to OSHSD compared to that reported to WCFCB in areas where the two institutions cover the same workforce. What happens is that when a case of an occupational accident or a dangerous incident/occurrence occurs, an employer forthwith notifies the appropriate labour inspectorate. In the case of accident or incidence of an occupational disease, the employer also notifies the compensation institution within three days of the accident or receipt of disease certification. In case of fatal accidents, the employer undertakes notification of a third institution, namely the police. When dealing with an occupational disease case, the occupational health inspectorate certifies an employee's occupational disease for an employer. The employer, in turn, notifies the compensation institution. In either case, the compensation institution on being prompted for a compensation case confirms prior receipt of notification by the labour inspectorate or participation in a certification medical examination by the occupational health inspectorate before proceeding with compensation.

Table 7.1: Legislation on notification

Ministry	Legislation requiring notification	Notification Area	Institutions to be notified
MoMEWD	Mines and Minerals Act and Explosives Act	Accidents	MSD and WCFCB
		Dangerous occurrences and incidences	MSD
MoIBL	Factories Act	Accidents	OSHSD and WCFCB
		Dangerous occurrences and incidences	OSHSD
		Occupational diseases	OSHSD and WCFCB
	Workers compensation Act	Accidents	WCFCB and MSD or WCFCB and OSHSD
		Occupational diseases	WCFCB and OHSI

## 7.1.2 Notification information

### 7.1.2.1 Notification timing or prescribe time

Notification time is clearly specified in Zambian legislation as shown in Table 7.2 below.

Table 7.2: Summary of notification times of Zambian OSH legislation

Legislation requiring notification	Prescribed Time	Type of notification
Mines and Minerals Act	Notify immediately (completed Forms 55 and O to arrive within 21 days)	Fatal accident
	Notify immediately (completed Forms 55 and O to arrive within 21 days)	Non-fatal accident
	Notify immediately (written report to arrive within 24 hours)	Dangerous occurrence and incidents
	N/A	Occupational diseases
Occupational Health and Safety Act	N/A	Fatal accidents
	N/A	Non-fatal accident
	N/A	Dangerous occurrence or incident
	OHSI immediately provides employer & compensation institution certificate of incidence of occupational disease	Occupational disease
Factories Act	Notify immediately (Forms F/6 and F/10 to arrive within 21 days)	Fatal accident
	Notify immediately (Forms F/6 and F/10 to arrive within 21 days)	Non-fatal accident
	Notify immediately (written report to arrive within 24 hours)	Dangerous occurrence and incidents
	When disease is certified (written letter)	Occupational diseases
Workers compensation Act	Notify within 3 days(using relevant forms 26A, 28)	Fatal accident
	Notify within (using relevant forms 26A or 28)	Non-fatal accident
	N/A	Dangerous occurrence and incidents
	When disease is certified through the Occupational Health Safety Act/Workers Compensation for miners or the Factories Act/ Workers Compensation Act for non-miners (written letter) – (Relevant forms to follow)	Occupational diseases

### 7.1.2.2 Notification forms

Appendix X shows available notification forms referred to in Table 12 above. Contrary to ILO recommendations, it should be noted that Zambian OSH legislation only has standard forms for accidents associated with worker injuries that have a lost time of at least three days excluding the day of injury.

### 7.1.2.3 Responsibilities of at least two employers at worksite

The responsibility for notification rests with the manager of the facility where the accident occurs. The arrangements and procedures require that other employers/departments where the accident occurs are clearly required to cooperate with the manager to ensure notification is done.

### 7.1.2.4 Classification of the information

The classification of the information used is that of individual institutions' systems and need to be harmonized among the concerned institutions and between the concerned institutions and the ILO recommendations.

### 7.1.2.5 Details on injured person and nature of injuries

Information providing details on the injured person and the nature of injuries relates to individual institutions' systems and need to be harmonized with ILO recommendations.

### 7.1.2.6 Workplace/worksite, circumstances of accident or dangerous occurrence and in case of an occupational disease, the circumstances of health hazard.

Zambian legislation needs clarity in stipulating data describing circumstances of injurious occupational events (accidents, dangerous occurrences and occupational diseases). As apparent from Table 5.2 describing skills of inspectors at competent authorities, apart from all institutions' lack of familiarity to or interest to accommodate ILO recommendations, the situation is exacerbated by too few inspectors with appropriate graduate training in occupational safety, occupational hygiene and occupational health. This situation can be helped by having a national policy on occupational health and safety that will support the activities required by the national policy on recording and notification of occupational accidents and occupational diseases.

## 7.1.3 Analysis and statistics of notification data.

At the moment, competent authorities register notifications in a way that enables them to be analysed using Zambian institutional classification systems and the authorities compile appropriate statistics that are used in their ministries. However, if notification data were collected according to ILO recommendations, competent authorities would collect data using international classification systems and would use it to compile statistics that cannot only be used within the country but would also have international comparability.

## 7.2 AT ENTERPRISE LEVEL

The national laws and regulations require the employer in consultation with workers to set-up arrangements for notifying the component authority. It does not permit the employer to appoint an agent to do notification for it nor does it require an employer to designate a competent person among its employees to be responsible for the notification requirements. The person responsible for notification is the manager of the enterprise. This includes situations where there is more than one employer involved in simultaneous activities on a site.

## 7.3 NOTIFICATION OF OCCUPATIONAL ACCIDENTS, OCCUPATIONAL DISEASES AND DANGEROUS OCCURRENCES AND INCIDENTS:-

### 7.3.1 Fatal accidents and occupational diseases.

At the moment national laws and regulations require notification to the competent authority/ies or other responsible bodies immediately after reporting of an occupational accident or diseases causing loss of life. In case of a fatal accident, notification consists of three tasks, namely

- (i) immediate verbal notification to the police and the labour inspectorate
- (ii) written report to the labour inspectorate within 24 hours
- (iii) written notification within 3 days to the workers compensation institution
- (iv) completing standard forms to labour inspectorate (Form 55 or Form O) within 21 days of the accident

Notification of death of worker who does not immediately die of injuries received in an accident, also involves three tasks, namely,

- (i) immediate verbal notification to the police, the labour inspectorate
- (ii) written report to the labour inspectorate within 24 hours,
- (iii) written notification within 3 days to the workers compensation institution
- (iv) completing standard forms to labour inspectorate and compensation institution ( Form 55 or Form O) within 21 days of death of worker

Notification of death of worker who dies of an occupational disease involves immediate written communication of certification of disease to the employer and the workers compensation institution. The employer gives written notification of death to the workers compensation that is accompanied by diseases certification evidence within 3 days.

### 7.3.2 Non-fatal accidents, occupational diseases and dangerous occurrences.

In case of accidents involving three days lost time excluding the day of injury, notification consists of three tasks, namely

- (i) immediate verbal notification of the police, the labour inspectorate
- (ii) written report to the labour inspectorate and compensation institution within 24 hours,
- (iii) written report to the compensation institution within 3 days,
- (iv) a completed standard forms to labour inspectorate (like 55/O at MSD; forms F/6 and F/10 at OSHSD) within 21 days of the accident

Notification of dangerous occurrence involves two tasks, namely,

- (i) immediate verbal notification of the police and the labour inspectorate
- (ii) written report to the labour inspectorate within 24 hours,

Notification of incidence of an occupational disease in a worker involves immediate written communication of certification of disease to the employer and the workers compensation institution by certifying institution (typically OHSI) . The employer gives written notification of incidence of



disease to the workers compensation that is accompanied by diseases certification evidence within 3 days.

### **7.3.3 Notification tools.**

As shown in the appendix, occupational health reporting tools for occupational and commuting accidents, dangerous occurrences and incidences as well as occupational diseases need to be harmonized in respect of:-

- (i) reports to the competent authority/ies
- (ii) statistics reports

Further, the Public Service Pensions Fund (PSPF) Act of 1996 and the Pensions and Insurance Authority (PIA) Act of 1996 cover many workers who are not under WCFCB compensation at the moment. For instance, the former Act covers public service workers. Examination of annual reports of WCFCB in Tables 9.6 to 9.10 shows no statistics of workers under the PSPF Act. It is likely that future occupational injuries statistics from institutions under other Acts like PSPF and PIA need to be harmonized with statistics from WCFCB to ensure they are reflected in national recording and notification statistics.



## **8. EXTENSION OF RECORDING AND NOTIFICATION SYSTEMS TO SELF-EMPLOYED PERSONS**

### **8.1 AT NATIONAL LEVEL**

#### **8.1.1 Application of laws to self-employed persons.**

The components of occupational national all laws or regulations on reporting, recording and notification of occupational accidents, occupational diseases, dangerous occurrences and incidents also apply to self-employed persons if they operate in a formally registered institution. This is because self-employed persons are by law required to comply with relevant OSH legislation that the formal employer adheres to in its workplace.

#### **8.1.2 Legal requirements and procedures provided by competent authorities.**

Only the police and judiciary receive death, non-fatal occupational accident or an occupational disease report on self-employed person who is not contracted to a formal/big employer. This is because the occupational safety and health competent authorities do not yet have the capacity and mechanism to receive cases of death or a non-fatal occupational accident, occupational disease or dangerous occurrence for self-employed person who has taken work in another enterprise/or employer that is incapable of submitting the notification.

### **8.2 AT ENTERPRISE LEVEL**

#### **8.2.1 Application of laws to self-employed persons.**

The components of occupational national laws or regulations on reporting, recording and notification of occupational accidents, occupational diseases, dangerous occurrences and incidents also apply to self-employed persons if they operate in a formally registered institution. Coverage for registered self-employed persons who operate small institutions at the moment is untenable due to lack of capacity of the competent authorities. Recording and notification responsibilities of employers in the informal sector are not yet implemented in Zambia as apparent from Table 2.5 since coverage of self-employed individuals in the informal sector is an even much more intractable because there is need to enrol and train them in requirements of the recording and notification system.

#### **8.2.2 Legal requirements and procedures provided by competent authorities.**

Provided a self-employed individual operates in a registered entity, Zambian occupational safety and health legislation requires them to co-operate with the person in control of a workplace where the self-employed person is contracted to work, to enable notification.



## 9. STATISTICS OF OCCUPATIONAL ACCIDENTS, OCCUPATIONAL DISEASES, COMMUTING ACCIDENTS AND DANGEROUS OCCURRENCES

### 9.1 COMPILATION AND PUBLICATION

Apart from the Occupational Health and Safety Institute, Acts of Parliament and regulations of various competent authorities do not specifically require compilation of annual statistics on occupational accidents, occupational diseases and dangerous occurrences. These institutions compile in-house accident statistics for their annual reports. Tables 9.1 to 9.4 show the latest statistics for the various institutions during the past 5 years. Tables 9.1, 2 and 4 show that, though recorded and notified, regulatory authorities do not provide annual statistics of dangerous occurrences and incidences.

Table 9.1: MSD statistics of accidents for the Zambian mining industry

Year	Workers	Reportable accidents			Dangerous occurrences and incidences
		Non-fatal	Fatal	Subtotal	
2011	58,672	130	20	150	02
2010	56,054	175	17	192	08
2009	46,246	180	14	194	04
2008	65,311	269	21	290	-
2007	57,913	160	15	175	02

Table 9.2: OHSI statistics of occupational respiratory diseases

Year	Workers Covered		Pneumoconiosis				Pulmonary Tuberculosis			Total
	Class	Number	1 <sup>st</sup> Stage (incident)	Second Stage	Third Stage	Sub-total <sup>†</sup>	Incident	Not incident	Sub-total	
2011	Periodicals	52,485	26	4	2	(36)	103	1	104	140
	Retirees	1,700	18	4	3	25	9		9	34
2010	Periodicals	41,000	28	9	5	42	119	2	121	163
	Retirees	1,780	11	7	4	22	8		8	30
2009	Periodicals	35,102	13	6	2	21	105		105	126
	Retirees	1,531	6	4	2	12	5		5	19
2008	Periodicals	35,986	17	5	6	28	113		113	141
	Retirees	1,762	??	5	3		8		8	??
2007	Periodicals	32,132	13	9	3	25	181		181	206
	Retirees	1,706	1	6	2	9	6		6	15

<sup>†</sup>Sub-total in some pneumoconiosis years cannot be easily determined because cases are changing stages

Table 9.3: WCFCB statistics of accidents and occupational diseases in Zambia

Year	Actual Workers Covered	Occurrence of accidents and occupational diseases					Dangerous occurrences & incidences
		Unknown Degree	Fatal	Permanent Disablement	Temporary Disablement	Sub-total	
2011	278,556	26	72	659	148	905	N/A
2010	278,518	0	52	537	203	792	N/A
2009	246,025	0	110	722	218	1050	N/A
2008	227,802	284	37	429	232	982	N/A
2007	-	0	71	378	427	876	N/A

Below, in-house samples of annual statistics tables provided by various institutions **to which a column specifying the number of workers covered by each industry has been added by the investigator for reporting completeness**. Tables 9.4 shows a sample of the Occupational Safety and Health Services Department's report by industry while Tables 9.5 to 9.9 are for annual statistics reported to the Workers' Compensation Fund Control Board by (a) industry and (b) nature of injury.

**Table 9.4: Occupational Safety and Health Services Department sample of completed in-house annual statistics reporting form**

ANALYSIS OF ALL REPORTABLE ACCIDENTS<sup>1</sup> REPORTED TO ALL FACTORIES INSPECTORATE OFFICES DURING THE YEAR OF \_\_\_\_\_  
 \_\_\_\_\_ 1997 \_\_\_\_\_  
 (Figures in brackets denote fatal accidents)

Inspector _____		Power Driven machinery	Non-power machinery Hand tools	Transport	Struck by falling materials	Electricity	Persons Falling	Stepping on or striking against objects	Handling Goods	Explosion fires, molten metal	Other	Total
Date _____												
11. Bricks Pottery, Glass, Cement, etc.		3	2		1		1					7
12. Chemicals, Allied Industries		1 (1)										1 (1)
13. Clothing and Footwear								2	1			3
14. Construction		2		1			3					6
15. Electricity Station				1		1 (1)						2 (1)
16. Engineering &Electrical goods		1	2									3
17. Food, Drink and Tobacco		1					2 (2)		1			4 (2)
18. Laundries and dry cleaning, etc			1	1								2
19. Leather and Fur								1				1
20. Metal manufacture		1										1
21. Miscellaneous metal trades			2			1			2			5
22. Paper, Printing and Publishing					1		1	5				7
23. Rubber and Plastic moulding		1										1
24. Textiles including Ginneries				1							1	2
25. Timber, furniture, etc.		2				1		3				6
26. Vehicle, including repair			3									3
27. Other miscellaneous industries		1			3		1					5
GRAND TOTAL		13 (1)	10	4	5	3 (1)	8 (2)	11	4	0	1	59 (4)
PERCENTAGE		22.03%	16.95%	6.78%	8.47%	5.08%	13.56%	18.64%	6.78%	0.00%	1.69%	100%

<sup>1</sup>Note: Reportable factory and construction accidents are those which disable a person from performing his usual work for more than three days.

TABLE 9.5A: Workers' Compensation Fund Control Board accident and disease injury notification by industry for 2011

INDUSTRY CLASS	WORKERS	INJURY DEGREE UNKNOWN	FATAL INJURY	PERMANENT DISABLEMENT	TEMPORARY DISABLEMENT	GRAND TOTAL
AGRICULTURE & FORESTRY	36,329	1	6	54	16	77
BANKING, FINANCE & INSURANCE	13,923	0	1	6	2	9
BUILDING CONSTRUCTION	23,904	0	4	43	15	62
CHARITIES , RELIGION , POLITICAL	8,367	0	1	8	1	10
CHEMICAL INDUSTRIES	7,421	0	2	37	12	51
EDUCATIONAL SERVICES	13,052	1	3	11	0	15
ENTERTAINMENT	1,422	1	0	2	0	3
FOOD, DRINK & TOBACCO	16,915	0	3	57	16	76
IRON, STEEL INDUSTRIES ,ETC	23,447	0	10	62	26	98
LEATHER INDUSTRIES,ETC	374	0	0	1	0	1
LOCAL AUTHORITIES	2,993	0	3	5	1	9
MEDICAL SERVICES	3,239	1	2	1	0	4
MINING, QUARRYING INDUSTRIES	40,943	20	10	239	25	294
PERSONAL SERVICES , HOTELS, ETC	36,613	0	7	45	12	64
PROFESSIONAL SERVICES ,ETC	2,408	0	3	11	1	15
PUBLISHING, PRINTING PAPER	6,610	0	1	3	0	4
TEXTILE INDUSTRIES	3,240	0	0	10	3	13
TRADE & COMMERCE	23,888	1	1	12	5	19
TRANSPORT, ETC	737	1	10	28	7	46
GLASS, BRICK SITE & ASBESTOS	9,958	0	0	0	0	0
WOOD , FURNITURE INDUSTRIES	2,773	0	0	11	4	15
UNREGISTERED	-	0	5	13	2	20
<b>TOTAL</b>	<b>278,556</b>	<b>26</b>	<b>72</b>	<b>659</b>	<b>148</b>	<b>905</b>



TABLE 9.5B: Workers' Compensation Fund Control Board accidents and diseases notification by nature of injury for 2011

TYPE OF INJURY	INJURY DEGREE UNKNOWN	FATAL INJURY	PERMANENT DISABLEMENT	TEMPORARY DISABLEMENT	TOTAL
UNCLASSIFIED	0	0	0	0	0
AMPUTATION	0	0	110	8	118
BURNS	0	5	31	9	45
CONCUSSION	0	3	5	0	8
CONTUSIONS, ABRASIONS, CUTS	0	7	129	58	194
DISLOCATION	0	0	26	6	32
FRACTURE	0	3	126	16	145
OTHER AND UNSPECIFIED	26	51	223	49	349
OTHER TEARING OF INTERNAL ORGANS	0	3	4	0	7
SPRAIN	0	0	5	2	7
HERNIA	0	0	0	0	0
ASPHYXIATION	0	0	0	0	0
ELECTRICAL SHOCK	0	0	0	0	0
<b>TOTAL</b>	<b>26</b>	<b>72</b>	<b>659</b>	<b>148</b>	<b>905</b>

TABLE 9.6A: Workers' Compensation Fund Control Board accidents and diseases notification by industry for 2010

INDUSTRY CLASS	WORKERS	DEGREE UNKNOWN	FATAL INJURY	PERMANENT DISABLEMENT	TEMPORARY DISABLEMENT	GRAND TOTAL
AGRICULTURE & FORESTRY	38,616	0	3	53	23	79
BANKING, FINANCE & INSURANCE	17,836	0	0	6	0	6
BUILDING CONSTRUCTION	19,480	0	10	45	15	70
CHARITIES , RELIGION , POLITICAL	9,095	0	0	6	1	7
CHEMICAL INDUSTRIES	7,113	0	3	35	14	52
EDUCATIONAL SERVICES	12,864	0	1	6	3	10
ENTERTAINMENT	1,294	0	0	2	0	2
FOOD, DRINK & TOBACCO	23,186	0	1	51	13	65
IRON, STEEL INDUSTRIES ,ETC	23,364	0	2	53	19	74
LEATHER INDUSTRIES,ETC	420	0	0	0	1	1
LOCAL AUTHORITIES	2,936	0	0	2	4	6
MEDICAL SERVICES	3,117	0	0	0	0	0
MINING, QUARRYING INDUSTRIES	39,289	0	10	172	29	211
PERSONAL SERVICES , HOTELS, ETC	33,652	0	9	26	33	68
PROFESSIONAL SERVICES ,ETC	2,443	0	0	7	2	9
PUBLISHING, PRINTING PAPER	6,064	0	0	5	2	7
TEXTILE INDUSTRIES	3,491	0	1	13	8	22
TRADE & COMMERCE	20,688	0	1	20	7	28
TRANSPORT, ETC	817	0	6	13	10	29
GLASS, BRICK SITE & ASBESTOS	9,895	0	0	0	2	2

WOOD , FURNITURE INDUSTRIES	2,858	0	0	17	4	21
UNREGISTERED	-	0	5	5	13	23
<b>TOTAL</b>	<b>278,518</b>	<b>0</b>	<b>52</b>	<b>537</b>	<b>203</b>	<b>792</b>

**TABLE 9.6B: Workers' Compensation Fund Control Board accidents and diseases notification by nature of injury for 2010**

TYPE OF INJURY	INJURY DEGREE UNKNOWN	FATAL INJURY	PERMANENT DISABLEMENT	TEMPORARY DISABLEMENT	TOTAL
UNCLASSIFIED	0	2	0	0	2
AMPUTATION	0	0	117	11	128
BURNS	0	1	16	26	43
CONCUSSION	0	0	0	0	0
CONTUSIONS, ABRASIONS, CUTS	0	0	40	64	104
DISLOCATION	0	0	17	4	21
FRACTURE	0	1	170	36	207
OTHER AND UNSPECIFIED	0	47	177	62	286
OTHER TEARING OF INTERNAL ORGANS	0	1	0	0	1
SPRAIN	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>52</b>	<b>537</b>	<b>203</b>	<b>792</b>

TABLE 9.7A: Workers' Compensation Fund Control Board accidents and diseases notification by industry for 2009

DESCRIPTION	WORKERS	DEGREE UNKNOWN	FATAL	PERMANET	TEMPORARY	TOTAL
AGRICULTURE & FORESTRY	35,835	0	13	59	21	93
BANKING FINANCE & INSURANCE	10,768	0	0	3	0	3
BUILDING CONSTRUCTION	17,402	0	9	66	18	93
CHARITIES,RELIGIOUS, POLITICAL	8,284	0	3	6	3	12
CHEMICAL INDUSTRIES	6,728	0	2	30	25	57
EDUCATIONAL SERVICES	10,623	0	2	10	4	16
ENTERTAINMENT	1,220	0	0	1	0	1
FOOD,DRINK & TOBACCO	14,521	0	14	63	21	98
GLASS,BRICK SITE & ASBESTOS	22,333	0	0	1	0	1
IRON,STEEL INDUSTRIES,ETC	437	0	5	69	18	92
LEATHER INDUSTRIES, ETC	2,583	0	0	2	0	2
LOCAL AUTHORITIES	2,753	0	3	10	3	16
MEDICAL SERVICES	36,346	0	0	1	3	4
MINING, QUARRYING INDUSTRIES	31,414	0	23	245	42	310
PERSONAL SERVICES, HOTELS, ETC	2,050	0	16	29	24	69
PROFESSINAL SERVICES ETC	5,498	0	1	10	5	16
PUBLISHING,PRINTING PAPER	4,062	0	0	3	1	4
TEXTILE INDUSTRIES	19,841	0	1	16	4	21
TRADE & COMMERCE ETC	780	0	3	21	8	32
TRANSPORT ,ETC	9,763	0	11	21	8	40
WOOD, FURNITURE INDUSTRIES	2,784	0	4	31	8	43
UNREGISTERED	-	0	0	25	2	27
<b>TOTAL</b>	<b>246,025</b>	<b>0</b>	<b>110</b>	<b>722</b>	<b>218</b>	<b>1050</b>

TABLE 9.7B: Workers' Compensation Fund Control Board accidents and diseases notification by nature of injury for 2009

DESCRIPTION	INJURY DEGREE UNKNOWN	FATAL INJURY	PERMANENT	TEMPORARY	TOTAL
CONTUSIONS, ABRASIONS, CUTS	0	0	38	86	124
AMPUTATION	0	3	176	3	182
DISLOCATION	0	0	11	4	15
FRACTURE	0	0	248	29	277
SPRAIN	0	0	2	1	3
CONCUSSION	0	0	6	0	6
BURNS	0	0	28	23	51
ASPHYXIATION	0	0	0	0	0
HERNIA	0	0	0	0	0
OTHER TEARING OF INTERNAL ORGANS	0	1	2	0	3
ELECTRIC SHOCK	0	0	1	0	1
OTHER AND UNSPECIFIED	0	106	210	72	388
<b>TOTAL</b>	<b>0</b>	<b>110</b>	<b>722</b>	<b>218</b>	<b>1050</b>

TABLE 9.8A: Workers' Compensation Fund Control Board accidents and diseases notification by industry for 2008

INDUSTRY CLASS	WORKERS	INJURY DEGREE UNKNOWN	FATAL INJURY	PERMANENT DISABLEMENT	TEMPORARY DISABLEMENT	GRAND TOTAL
AGRICULTURE & FORESTRY	30,100	16	4	39	25	84
BANKING, FINANCE & INSURANCE	10,173	3	0	1	1	5
BUILDING CONSTRUCTION	14,057	16	7	24	17	64
CHARITIES , RELIGION , POLITICAL	7,197	1	0	4	1	6
CHEMICAL INDUSTRIES	10,930	8	0	24	26	58
EDUCATIONAL SERVICES	11,000	2	0	4	3	9
ENTERTAINMENT	1,097	0	0	0	0	0
FOOD, DRINK & TOBACCO	12,647	14	0	27	19	60
IRON, STEEL INDUSTRIES ,ETC	16,961	13	4	38	22	77
LEATHER INDUSTRIES,ETC	532	1	0	2	0	3
LOCAL AUTHORITIES	2,789	5	1	6	2	14
MEDICAL SERVICES	2,771	0	0	0	2	2
MINING, QUARRYING INDUSTRIES	34,332	161	7	178	31	377
PERSONAL SERVICES, HOTELS, ETC	28,744	18	7	15	36	76
PROFESSIONAL SERVICES ,ETC	2,004	1	0	2	9	12
PUBLISHING, PRINTING PAPER	9,246	0	1	5	2	8
TEXTILE INDUSTRIES	3,188	7	0	14	10	31
TRADE & COMMERCE	17,933	6	3	12	9	30
TRANSPORT, ETC	877	5	2	15	9	31
GLASS, BRICK SITE & ASBESTOS	8,480	0	0	1	2	3
WOOD , FURNITURE INDUSTRIES	2,744	4	1	10	1	16
UNREGISTERED	-	3	0	8	5	16
<b>TOTAL</b>	<b>227,802</b>	<b>284</b>	<b>37</b>	<b>429</b>	<b>232</b>	<b>982</b>

TABLE 9.8B: Workers' Compensation Fund Control Board accidents and diseases notification by nature of injury for 2008

TYPE OF INJURY	DEGREE UNKNOWN	FATAL INJURY	PERMANENT DISABLEMENT	TEMPORARY DISABLEMENT	TOTAL
UNCLASSIFIED	284	0	0	0	284
AMPUTATION	0	0	120	2	122
BURNS	0	0	8	18	26
CONCUSSION	0	0	0	0	0
CONTUSIONS, ABRASIONS, CUTS	0	0	14	112	126
DISLOCATION	0	0	5	9	14
FRACTURE	0	1	107	44	152
OTHER AND UNSPECIFIED	0	36	170	44	250
OTHER TEARING OF INTERNAL ORGANS	0	0	2	0	2
SPRAIN	0	0	3	3	6
<b>TOTAL</b>	<b>284</b>	<b>37</b>	<b>429</b>	<b>232</b>	<b>982</b>

TABLE 9.9A: Workers' Compensation Fund Control Board accidents and diseases notification by industry for 2007

INDUSTRY CLASS	WORKERS	INJURY DEGREE UNKNOWN	FATAL INJURY	PERMANENT DISABLEMENT	TEMPORARY DISABLEMENT	GRAND TOTAL
AGRICULTURE & FORESTRY		0	8	54	36	98
BANKING, FINANCE & INSURANCE		0	1	3	3	7
BUILDING CONSTRUCTION		0	8	31	25	64
CHARITIES , RELIGION , POLITICAL		0	2	7	6	15
CHEMICAL INDUSTRIES		0	4	22	27	53
EDUCATIONAL SERVICES		0	0	6	4	10
ENTERTAINMENT		0	0	0	0	0
FOOD, DRINK & TOBACCO		0	4	36	22	62
IRON, STEEL INDUSTRIES ,ETC		0	5	31	39	75
LEATHER INDUSTRIES,ETC		0	0	1	0	1
LOCAL AUTHORITIES		0	0	2	3	5
MEDICAL SERVICES		0	0	0	0	0
MINING, QUARRYING INDUSTRIES		0	10	88	96	194
PERSONAL SERVICES , HOTELS, ETC		0	14	18	58	90
PROFESSIONAL SERVICES ,ETC		0	0	1	5	6
PUBLISHING, PRINTING PAPER		0	0	0	2	2
TEXTILE INDUSTRIES		0	1	10	61	72
TRADE & COMMERCE		0	4	7	10	21
TRANSPORT, ETC		0	7	29	17	53
GLASS, BRICK SITE & ASBESTOS		0	0	4	5	9



WOOD , FURNITURE INDUSTRIES		0	1	13	2	16
UNREGISTERED		0	2	15	6	23
<b>TOTAL</b>		<b>0</b>	<b>71</b>	<b>378</b>	<b>427</b>	<b>876</b>

**TABLE 9.9B: Workers' Compensation Fund Control Board accidents and diseases notification by nature of injury for 2007**

TYPE OF INJURY	INJURY DEGREE UNKNOWN	FATAL INJURY	PERMANENT DISABLEMENT	TEMPORARY DISABLEMENT	TOTAL
UNCLASSIFIED	0	0	0	0	0
AMPUTATION	0	0	88	23	111
BURNS	0	1	5	32	38
CONCUSSION	0	0	2	0	2
CONTUSIONS, ABRASIONS, CUTS	0	9	83	267	359
DISLOCATION	0	0	10	9	19
FRACTURE	0	3	98	25	126
OTHER AND UNSPECIFIED	0	57	87	59	203
OTHER TEARING OF INTERNAL ORGANS	0	0	3	4	7
SPRAIN	0	0	1	4	5
HERNIA	0	1	1	4	6
ASPHYXIATION	0	0	0	0	0
ELECTRICAL SHOCK	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>71</b>	<b>378</b>	<b>427</b>	<b>876</b>

### 9.1.1 Observations on data compiled by the ministry responsible for labour

Table 2.5 gives the estimate of workers covered by WCFCB estimated using the Labour Force Survey and the mining industry labour returns data while data in Table 9.3 shows that the average estimate is 5.59% (range: 4.94 – 6.04%) for the period 2007-2010 when the Labour Force Survey and WCFCB labour coverage returns. The two are remarkably close.

When Table 9.3 and Table 9.4 are compared, one senses that worker coverage of OSHSB for fatalities of both occupational accidents and occupational diseases is lower. This could be due to the fact that data reported to the two institutions is on different groups of workers covered over slightly different periods and covered for different purposes.

In Section 1, ILO data show that occupational diseases fatalities in 2003 were 5.45 more than for occupational accidents, that is, there were 1.95 million occupational disease fatalities and 358,000 occupational accident fatalities. Examination of the WCFCB data for the period 2007 to 2011, which is the “most comprehensive Zambian occupational fatalities database” for the period, shows that no occupational diseases fatalities were specified in Tables 9.5 to 9.9. However, consultation with WCFCB staff revealed that occupational diseases fatalities data is embedded in the category “other and unspecified deaths” of Tables 9.5B, 9.6B, 9.7B, 9.8B and 9.9B. If one was to assume the worst case scenario of occupational diseases fatalities by taking all fatalities in this category to be due to occupational diseases, the average fraction of occupational diseases is only 0.3 (range: 0.23 to 0.37). Thus, Zambian data reports more fatalities for occupational accidents than for occupational diseases. Some explanations for this situation are that:

- (a) the infrastructure for monitoring fatalities of occupational accidents is better than that for occupational diseases since causal attribution is easier
- (b) there is better monitoring of occupational accidents fostered by politicians who are augmented in this activity by public media advocacy of occupational fatalities and
- (c) occupational diseases of long latency like pneumoconiosis death of workers in the mining industry occurs after they retire or “have been retired” and are not captured by the present recording and notification system.

## 9.2 CLASSIFICATIONS

In view of the fact that the country is yet to harmonise its recording and notification activities with those in the ILO Code of Practice for recording and notification of occupational accidents and diseases, reported statistics of occupational accidents, occupational diseases and dangerous occurrences in the country are not classified in accordance with the ILO Code of Practice.

## **10. INVESTIGATION OF OCCUPATIONAL ACCIDENTS, OCCUPATIONAL DISEASES, COMMUTING ACCIDENTS, DANGEROUS OCCURRENCES AND INCIDENTS**

All Zambian OSH laws stipulate investigation of actual occupational and situations of potential injury (that is accidents, dangerous occurrences and incidents as well as occupational diseases). However, situations that need occupational accident investigations that require easier causal attribution at various competent authorities are better covered than those for occupational diseases need rather complicated elucidation of causal attribution due to lack of occupational hygiene and occupational medicine expertise in the country. This fact later of expertise is corroborated by information in Tables 5.2



## 11. SOCIAL SECURITY, INSURANCE SCHEMES AND COMPENSATION SERVICES

Zambia has a national workers' compensation system that is separate from its national social security system. These two systems are administered by government agencies under the Ministry of Labour. The agencies are called the Workers' Compensation Fund Control Board (WCFCB) and the National Pension Scheme Authority (NAPSA), respectively. The workers' compensation system deals with disability (by injury or disease) or premature death resulting from employment while the social security system does not deal with an manner occupational injury compensation, that is, its limited to dealing with issues such as non-occupational disability/death, retirement and pregnancy<sup>17</sup>.

Both agencies are responsible for adjudication, administration and are insurers. While insurance premiums of the workers' compensation systems (termed assessments) are paid by employers, those for the social security system are paid by both employers and employees.

As explained earlier, the Zambian workers' compensation system is part of the system for recording and notification of occupational accidents, dangerous occurrences and occupational diseases but other social security systems like the National Pension Scheme Authority (NAPSA), the two public sector pension schemes (Public Service Pensions Fund - PSPF and Local Authorities Superannuation Fund - LASF) and private sector pension schemes that include insurance schemes under the Pension Scheme Regulation Act of 1996 are not. The role of the workers' compensation board is limited to compensating injured workers. It secures its occupational injury related medical examination services through its appointed health institutions or medical practitioners and it does not exercise occupational health and safety regulatory functions although it has a lot of interest in occupational health and safety prevention activities. OSH departments of independent institutions operate independent prevention programmes.

Contribution to Zambian workers' compensation system is compulsory to a specified list of major industries such as mining, manufacturing and construction but excludes the public sector. The excluded public sector workers, that is, the public and military (defence and police) service employees are covered by an alternative workers' compensation system termed an employers' liability system administered by the government itself.

As the workers' compensation system insurer, WCFCB receives injury (both occupational accident and occupational disease) notification by employers and/or claimants. Where necessary, the claims are corroborated with additional information through investigations, from claimants (employers/workers), medical examiners and/or occupational health and safety regulatory authorities. It should be noted that at the moment, the workers' compensation only collects accidents (disabling/fatal) and incidence of occupational diseases but not data on dangerous incidences and occurrences.

If employers, medical examiners as well as occupational health and safety regulatory authorities reported/provided occupational accidents, dangerous occurrences and occupational diseases data in a common electronic database overseen by the workers' compensation board, and WCFCB were mandated to, it could easily serve as the competent authority for recording and notification for the private sector. This because WCFCB would have all three types of occupational injury prevention data that a harmonised recording and notification institutions needs to access, namely, workplace hazards monitoring data (accidents, occurrences and incidences), workers' health monitoring data (occupational diseases) and workers' compensation data. Two more incremental phases have to be met before one the existing regulatory institutes like WCFCB, as suggested above, becomes the country's competent authority for recording and notification. The first and easier one would require that the government creates and avails it with its annual recording and notification database of the public sector workers under the Public Service Pensions Act and the Local Authorities Superannuation Fund Act for purposes of statistical reporting. The second and more challenging phase would require expansion of WCFCB activities to include hitherto uncovered workers like those in informal employment, agriculture, etc.



## 12. SITUATION ANALYSIS OF THE NATIONAL RECORDING AND NOTIFICATION SYSTEM

Table 12.1: SWOT analysis of recording and notification system in Zambia

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• Availability of legislative framework</li> <li>• Availability of regulations on recording notification</li> <li>• Availability on institutional framework</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of harmonized list of occupational diseases among OSH institutions</li> <li>• Shortage of trained personnel</li> <li>• Lack of national OSH policy with a section on recording and notification</li> <li>• Lack of coordination among OSH institutions</li> <li>• limited coverage of formal sector workforce</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>• Availability of some regional donor funded OSH training programmes</li> <li>• Expression of concerns about the paucity of OSH/labour statistics by stakeholders</li> <li>• Rising pressure for companies to demonstrate corporate social responsibility</li> </ul>	<ul style="list-style-type: none"> <li>• Low awareness levels about the poor status of the national recording and notification system</li> <li>• Large informal sector outside the purview of the national recording and notification system</li> <li>• Underreporting of accidents and occupational diseases</li> <li>• Lack of national labour statistics for occupational accidents and occupational diseases</li> </ul>





## 13. CONCLUSION

This report shows the gaps in Zambian legislation and its designated competent authorities for national recording and notification of occupational accidents and occupational diseases. These legislation gaps engender unhealthy worksites.

The report reveals that there are 4,610,000 workers that ought to be covered by the national system of recording and notification. It also shows that only the mining sector with about 1.3% or nearly 60,000 workers is effectively covered by the present national recording and notification system comprised of three levels of workers' occupational injury protection institutions, namely, primary (the Mine Safety Department – MSD and the Occupational Safety and Health Services Department – OSHSD), secondary (Occupational Health and Safety Institute – OHSI) and tertiary (Workers Compensation Fund Control Board - WCFCB) levels.

A look at the composition and sizes of the workforce of institutions that support the national recording and notification system reveals gaps that decry the country's underutilisation of the sciences of Safety Engineering and Industrial Hygiene using methods available in the Medical, Technical and Statistical Sciences.

In an article entitled “History of Factory and Mine Hygiene”, Telesky<sup>18</sup> observed that “***the better the governmental regulations and the more efficiently they are enforced, the greater has been the actual progress in eliminating accidents and diseases***”. In urging stakeholders to deal with our requirements for national recording and notification of occupational accidents and diseases, this report concludes with remarks from Telesky's last paragraph of the article cited above which in part says that “***laws and regulations, thoroughly worked out, and enforced by well trained inspectors, are indispensable to the practice of industrial hygiene. With these as a basis, it is important to have the cooperation of associations of experts, trade unions, scientists and physicians***”.



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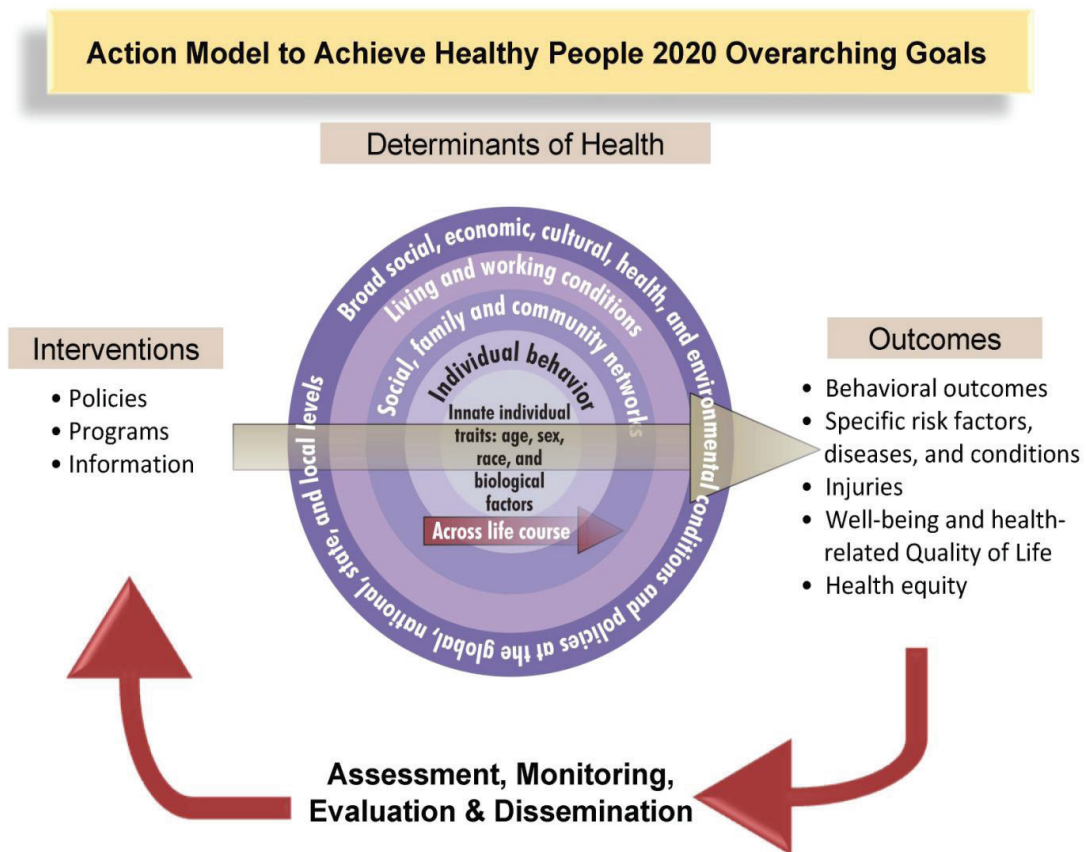


## 15. RECOMMENDATIONS

It is recommended that the nation implements the “National study on recording and notification of occupational accidents and occupational diseases in Zambia” to initiate incremental reduction of highlighted legislative gaps that lead to unsafe and unhealthy worksites indicated by

- paucity of labour statistics and marginal coverage of the national workforce,
- deficiency of adequately trained occupational safety and health professionals as well as labour statisticians and
- lack of recording and notification activities harmonised with ILO recommendations at inspectorates and competent authorities.

Figure 4: Ecological model of determinants of health from Healthy People 2020<sup>19</sup>.



These recommendations are based on the obvious fact that unhealthy worksites that remain unsupported by a good recording and notification system that is indispensable to effective prevention of occupational accidents and occupational diseases cannot be associated with healthy communities, families and homes<sup>20</sup>. Such poorly checked unhealthy worksites depict lack of robust and efficient systems of health care, economic production and social justice. As clearly shown in Figure 4, a nation that avoids or fails to initiate and sustain activities that measurably and progressively promote safe and healthy worksites, in simple terms, accommodates and facilitates unsafe and unhealthy behaviour on a daily basis in requiring its nationals to engage in work.



## 16. GLOSSARY

In this document, the following terms have the following meanings assigned to them:

**Active monitoring:** The on-going activities which check that hazard identification, risk assessment and the appropriate preventive and protective measures, as well as the arrangements to implement the occupational safety and health (OSH) management system, conform to defined criteria.

**Competent authority:** A minister, government department or other public authority with the power to issue regulations, orders or other instructions having the force of law. Under national laws or regulations, competent authorities may be appointed with responsibilities for specific activities, such as for the implementation of national policy and procedures for the protection of workers.

**Competent person:** A person with suitable training, and sufficient knowledge, experience and skill, for the performance of the specific work.

**Contractor:** A person or an enterprise providing services to an employer at the workplace in accordance with national laws and regulations, or with agreed specifications, terms and conditions. For the purpose of this document, contractors include principal contractors, subcontractors and labour supply agents.

**Dangerous occurrence:** Readily identifiable event, as defined under national laws and regulations, with potential to cause injury or disease to people at work or the general public.

**Employer:** Any physical or legal person that employs one or more workers.

**Hazard:** The inherent potential to cause physical or psychological harm to the health of people.

**Hazard identification:** The systematic process of identifying hazards in the workplace. See Chapter 4 for a description of the process that should be considered.

**Health:** A state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

**Incident:** A dangerous occurrence arising out of or in the course of work where no personal injury is caused.

**Labour inspector:** See labour inspectorate (below).

**Labour inspectorate:** The body established by national legislation to secure the enforcement of the legal provisions relating to the conditions of work and the protection of workers while engaged in their work. The term also encompasses specialist OSH inspectorate and likewise the term —labour inspectorll includes OSH inspectors, OSH officers and similar designations

**Notification:** Procedure specified in national laws and regulations which establishes the ways in which:

- (a) the employer submits information concerning occupational accidents, dangerous occurrences or incidents; or
- (b) the employer, the insurance institution or others directly concerned submit information concerning occupational diseases; as appropriate and as prescribed by the competent authority.

**Occupational accident:** An unexpected occurrence, including acts of violence, arising out of or in the course of work which results in a fatal or non-fatal occupational injury.

**Occupational disease:** Disease known, under prescribed conditions, to arise out of exposure to

substances or dangerous conditions in processes, trades or occupations, including but not limited to those specified in the List of Occupational Diseases Recommendation, 2002 (No. 194).

**Occupational health services:** Services entrusted with essentially preventive functions and responsible for advising the employer, the workers and their representatives in the facilities on:

- (a) the requirements for establishing and maintaining a safe and healthy working environment which will facilitate optimal physical and mental health in relation to work;
- (b) the adaptation of work to the capabilities of the workers in the light of their state of physical and mental health.

**OSH:** Occupational safety and health.

**Reactive monitoring:** The process of identifying gaps or failures in prevention control measures, including OSH management systems, that arise from accidents, injuries, diseases, ill health and incidents, and correcting such deficiencies.

**Recording:** A procedure, specified in national laws and regulations, for ensuring that the employer maintains information on:

- (a) occupational accidents and diseases;
- (b) dangerous occurrences and incidents.

**Reporting:** A procedure, specified by the employer, in accordance with national laws and regulations and with the practice of the enterprise, for the submission by workers to their immediate supervisor, the competent person, or any other specified person or body, of information on:

- (a) any occupational accident or injury to health which arises in the course of or in connection with work;
- (b) suspected cases of occupational diseases;
- (c) dangerous occurrences and incidents.

**Social security:** The protection that a society provides to individuals and households to ensure access to health care and to guarantee income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner.

**Surveillance of the working environment:** A generic term which includes the identification and evaluation of environmental factors that may affect workers' health. It covers assessments of sanitary and occupational hygiene conditions, factors in the organization of work that may pose risks to the health of workers, collective and PPE, exposure of workers to hazardous agents, and control systems designed to eliminate and reduce them. From the standpoint of workers' health, the surveillance of the working environment may focus on, but not be limited to, ergonomics, accident and disease prevention, occupational hygiene in the workplace, work organization, and psychosocial factors in the workplace.

**Tripartism:** The interaction of government, employers and workers (through their representatives) as equal and independent partners to seek solutions to issues of common concern.

**Welfare:** Statutory procedure or social effort designed to promote the basic physical and material well-being of people in need.

**Worker:** Any person who performs work, either regularly or temporarily, for an employer.

**Workers' health surveillance:** A generic term which covers procedures and investigations to assess workers' health in order to detect and identify any abnormality. The results of surveillance should be used to protect and promote the health of the individual, collective health at the workplace, and the health of the exposed working population. Health assessment procedures may include, but are not



limited to, medical examinations, biological monitoring, radiological examinations, questionnaires or a review of health records.

**Workplace:** Area where workers need to be, or to go, on the instruction of an employer to carry out their work. A workplace need not be a fixed location.

**Work-related injury:** Death or any personal injury resulting from an occupational accident.

**Work-related injuries, ill health and diseases:** Negative impacts on health arising from exposure to chemical, biological, physical and organizational factors at work.

**Worksite:** Physical area where workers need to be or to go due to their work which is under the control of an employer.



## 17. APPENDIX A: REPORTING FORMS OF VARIOUS COMPETENT AUTHORITIES

A1. Mine Safety Department (MSD) accident reporting forms signed to them:

Table A1: Summary of MSD reporting forms.

Form Number	Form Title	Annex number
55	Accident reporting form (Mines & Minerals Act)	A1.1
	In-house MSD accident report format form	A1.2
O	Accident reporting form (Explosives Act)	A1.3
	Sample of MSD monthly accident return (in-house form)	A1.4

**A2.1: OSHSD accident reporting Labour FormNo. F/6**

Labour Form F/6  
Stocked by Factories Inspector  
6m-PL948 1- 72

REPUBLIC OF ZAMBIA  
THE FACTORIES ACT. 1965  
(Section 76 and 77)

Factories (Prescribed Particulars and Forms) Regulations, 1967  
(Regulations 15 and 16)

District: \_\_\_\_\_

Accident No.  
or D. O. No: \_\_\_\_\_

**PRESCRIBED FORM OF WRITTEN NOTICE OF ACCIDENT OR  
DANGEROUS OCCURRENCE IN FACTORY**

NOTE - For accidents occurring on building operations or work of engineering construction use labour Form/10

---

**1. Occupier or Employer**

- (a) Name of Occupier of premises: \_\_\_\_\_  
(b) Actual employer of injured person if other than above:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**2. Premises**

Situation and postal address of works where accident or dangerous occurrence happened

\_\_\_\_\_

\_\_\_\_\_

**3. Industry**

Nature of Industry : \_\_\_\_\_

**4. Exact Place**

Exact place in the works where the accident or dangerous occurrence happened:

\_\_\_\_\_

**5. Injured Person**

- (a) Injured person's full name: \_\_\_\_\_  
(b) National Registration Card Number: \_\_\_\_\_  
(c) Address: \_\_\_\_\_  
(d) Age: \_\_\_\_\_ (e) Sex: \_\_\_\_\_ (f) Occupation: \_\_\_\_\_

**6. Accident or Dangerous Occurrence Details**

- (a) Date: \_\_\_\_\_ (b) Time: \_\_\_\_\_  
(c) Full details of how accident or dangerous occurrence happened and what person was doing at the time. If a fall of a person, material, etc, state height of fall (if necessary continue overleaf)
- \_\_\_\_\_
- \_\_\_\_\_

- 
- 
- 
- (d) If due to machinery, state: \_\_\_\_\_
- (i) Name and type of machine and name of part causing accident: \_\_\_\_\_
- 
- (ii) Whether in motion by mechanical power at the time: \_\_\_\_\_
- (iii) If caused by crane or other lifting machine, specify type: \_\_\_\_\_
- 

**7. Nature and extent of Injuries**

Details (e.g. fractured left leg, scalded right arm followed by sepsis, etc.):

---



---



---

**8. Result of accident**

- (a) Did accident result in death? \_\_\_\_\_
- (b) If not fatal, was injured person disabled for more than three days<sup>1</sup> from earning full wages at the work at which he was employed?  
: \_\_\_\_\_

9. Has accident (or dangerous occurrence) been entered in the General Register? \_\_\_\_\_

Signature of Occupier, Employer or Agent: \_\_\_\_\_

Date: \_\_\_\_\_

---

<sup>1</sup>NOTE: Even if injured person has been paid full wages while off work or while on a higher job than his usual work he has not earned those full wages and the accident should be reported on the fourth day after the its occurrence.

**DANGEROUS OCCURRENCES**

The following occurrences are scheduled for the purpose of section seventy-seven of the Factories Act, 1965.

1. Bursting of a revolving vessel, wheel, grind stone or grinding wheel moved by mechanical power.
  2. Collapse or failure of a crane, derrick, winch, hoist, or appliance used in raising or lowering persons, goods, material, plant or any part thereof, or the overturning of a crane.
  3. Explosion or fire due to ignition of dust, gas or vapour.
-

4. Electrical short circuit or failure or electrical machinery, attended by explosion or fire, or any damage to an underground electrical system, caused by excavation or otherwise.
5. Explosion or fire affecting any room in which persons are employed and causing suspension of ordinary work.
6. Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gasses (including air) or any liquid or solid resulting from the compression of gas.
7. Explosion from a steam boiler or steam receiver.

This form should be returned to the Inspector of Factories at P.O. Box 32166, Lusaka; Tel 235894, Copperbelt to P.O. Box 71573, Ndola or P.O. Box 20257, Kitwe.

**A2.2: OSHSD accident reporting Labour Form No. F/10**

REPUBLIC OF ZAMBIA  
The Factories Act, 1965  
CONSTRUCTION (SAFETY AND HEALTH) REGULATION, 1967

Labour Form F/10  
(1967 Edition)  
Stocked by Factories Inspector  
For Official Use

NOTICE OF INDUSTRIAL ACCIDENT OR DANGEROUS OCCURRENCE ON  
A BUILDING OPERATION OR WORKS OF ENGINEERING  
CONSTRUCTION

District:.....  
Industry:.....  
Date of receipt

**1. Employer or Contractor**

(a) Person, company, or firm undertaking the construction work:

Causation No.

Name: .....

Registered Office: .....

or Address:.....

Trade:.....

Accident or D. O. No:

(b) Actual employer of injured person if other than above:

Name:.....

Address:.....

Trade:.....

**2. Site**

Site where accident or dangerous occurrence happened:

(a) Address of site:.....

(b) Exact place on site: .....

**3. Nature of work**

(a) BUILDING OPERATION (*tick items which apply*)

(i) Construction

(v) Commercial or Public Building

(ii) Maintenance

(vi) Block of flats

(iii) Demolition

(vii) Dwelling House

(iv) Industrial Building

(viii) Other

(b) WORK OF ENGINEERING CONSTRUCTION (Specify type, e.g., sewerage trench) .....

**4. Injured Person**

(a) Injured person's full names :.....

(b) Occupation: ..... (c) Home District: .....

(d) National Registration No.:..... (e) Sex: ..... (f) Age: .....

(g) Date and hour of accident or dangerous occurrence: .....

(h) Hour at which person started work on day of accident: .....

**5. Accident or Dangerous Occurrence details**

- (a) FULL DETAILS OF HOW ACCIDENT HAPPENED (*if necessary continue overleaf*)  
 (If fall of person or materials, plant, etc., state height of fall).....
- (b) State exactly what injured person was doing at the time.....  
 .....  
 .....  
 .....
- (c) If due to machinery, state –
  - (i) Name of machine and part causing accident .....
  - (ii) Whether in motion by mechanical power at the time .....

**6. Accident or Dangerous Occurrence details**

Details (e.g., broken right leg, scalded right arm followed by sepsis, etc.).....  
 .....

**7. Result of Accident**

- (a) Was accident fatal?.....
- (b) If not fatal, how many days was injured person disabled from *\*earning* full wages at the work at which he was usually employed?.....  
*\*NB – Even if injured person had been paid full wages while off work, or while working on a lighter job than his usual work, he has not earned these full wages and the accident should be reported on the fourth day after its occurrence. If the injured person is still away from work on the fourth day after the accident the answer to (b) above should be: ‘still away on the 4<sup>th</sup> day’.*

Signature of Contractor, Employer or Agent ..... Date: .....

NOTES:

1. This form should be returned to the *Inspector of Factories, P.O. Box 2186, Lusaka*, or for the Copperbelt, to the *Inspector of Factories, P.O. Box 71573, Ndola*. (Labour Form F/6 should be used if the accident occurred in a factory).

2. The Factories Act defines ‘building operations’ as the construction, structural alteration, repair or maintenance of a building, including repainting, redecoration and external cleaning of the structure, the demolition of a building, and the preparation for, and laying the foundations of an intended building, but does not include any operation which is a ‘work of engineering construction’ within the meaning of the Act.

3. This definition of ‘building operation’ under the Factories Act does not include buildings used or intended to be used for the housing of plant, machinery, explosives or mining equipment on the premises of a mine as defined in the Mining Act or on mining property in connection with any such mine or on a site adjacent to such mine or mining property.

“Work of Engineering Construction” means the construction of any road, railway line or siding, and the construction, repair, repointing and repainting, or demolition of any dock, harbour, tunnel, bridge, viaduct, water works, reservoir, pipe line, aquaduct, sewer, sewage works or gas-holder, except where carried on upon a mining location as defined in the Mining Act, or upon mining property in connection with any such location or on a site adjacent to such location where the works defined above are works used



or intended to be used for purposes directly connected with mining operations. It also includes the construction, etc, of all or any of the following:

- (a) any steel or reinforced concrete structure other than a building;
- (b) any airfield;
- (c) any lake defence works or river works; and
- (d) any other civil or constructional engineering works of a similar nature to any of the foregoing works.

#### DANGEROUS OCCURRENCES

The following occurrences are scheduled for the purposes of section *seventy-seven* of the Factories Act, 1965.

1. Bursting of a revolving vessel, wheel, grindstone or grinding wheel moved by mechanical power.
2. Collapse or failure of a crane, derrick, winch, hoist, or other appliance used in raising or lowering persons, goods, material, plant or any part thereof, or the overturning of a crane.
3. Explosion or fire due to ignition of dust, gas or vapour.
4. Electrical short circuit or failure of electrical machinery, attended by explosion or fire, or any damage to an underground electrical system caused by excavation or otherwise.
5. Explosion or fire affecting any room in which persons are employed and causing suspension of ordinary work.
6. Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.
7. Explosion from a steam boiler or steam receiver.

**A3. Workers Compensation Fund Control Board (WCFCB) accident and occupational disease reporting/claim forms**

**Table A3: Summary of WCFCB reporting and claim forms.**

<b>Form Number</b>	<b>Form Title</b>	<b>Annex number</b>
26A	Assessment of disablement	A3.1
30	Workers compensation beneficiary	A3.2
40A	Surviving spouse's certificate	A3.3
72A	Life certificate	A3.4

**A3.1: WCFCB Assessment of Disablement Claim Form No. 26A**



FORM 26A

**WORKERS' COMPENSATION FUND CONTROL BOARD**

P.O. BOX 71534 NDOLA

E-mail: [compensation@workers.com.zm](mailto:compensation@workers.com.zm) Phone: 02-610481/8 Fax: 02-610487

**ASSESSMENT OF DISABLEMENT CLAIM No.:** .....

We the undersigned have this day examined: NAME OF WORKER: .....

NRC No.:..... Occupation: .....

At the time of accident Worker's monthly earnings amounted to: K..... We find that Worker is disabled by reason of (**description of disablement and functional loss**).

.....  
 .....

We have been advised that worker will be discharged / retained in his / her previous employment / offered alternative employment at the same / reduced rate of earnings (**delete what is not applicable**).

**We are of the opinion that:**

- (i) By reason of this disablement the only types of work he/she may do is: ..... and the earnings which worker could obtain at the above mentioned occupations are: K .....
- (ii) Worker's chances of getting work in the occupations specified above are: **GOOD / FAIR / BAD / NIL**

We are of the opinion that worker's disablement amounts to ..... (%) percent (.....)

MEDICAL OFFICER: NAMES:..... Signed: ..... Date: .....

SBM / BM : NAMES:..... Signed: ..... Date: .....

HOSPITAL / Place:.....

Official Stamp

**NOTE:** Where the assessment includes loss of teeth the Examining Medical Officer should show the number of teeth lost due to the accident in respect of which he is being assessed.

UPPER	8	7	6	5	4	3	2	1	1	2	3	4	5	6	7	8
LOWER	8	7	6	5	4	3	2	1	1	2	3	4	5	6	7	8

**FOR OFFICIAL USE ONLY**

Assessment Approved by the Workers' Compensation Commissioner

Signed: ..... Date: .....

**IMPORTANT NOTE:** This Form MUST be submitted together with FORM 32

Stamp

**A3.2: WCFCB Workers Compensation Beneficiary- Form No. 30**

FORM 30



**WORKERS' COMPENSATION FUND CONTROL BOARD**

P.O. BOX 71534 NDOLA

E-mail: [compensation@workers.com.zm](mailto:compensation@workers.com.zm) Phone: 02-610481/8 Fax: 02-610487

**WORKERS COMPENSATION BENEFICIARY**

Claim No. .... Pension No:.....  
 Pensioner/\*Surviving Spouse/Guardians: .....  
 NRC No.:..... Date of Birth.....  
 District: ..... Chief:..... Village:.....  
 Name of Deceased Worker\*:.....  
 Name of Worker's Employer: .....  
 Where Pension is to be Drawn: .....  
 Account Number: ..... Bank Name: .....  
 Branch (Name): .....  
 Residential Address:.....  
 Tel/Cell: ..... E-mail: .....

**Worker's Spouses**

Names	Date of Birth
1. ....	.....
2. ....	.....
3. ....	.....

**Children**

Names	Sex	Date of Birth
1. ....	.....	.....
2. ....	.....	.....
3. ....	.....	.....
4. ....	.....	.....
5. ....	.....	.....
6. ....	.....	.....
7. ....	.....	.....
8. ....	.....	.....

Specimen Thumb-Prints of <b>Pensioner/Surviving Spouse/Guardian</b> (To be taken in every case)	<b>LEFT</b>	<b>RIGHT</b>
-------------------------------------------------------------------------------------------------------	-------------	--------------

<b>SPOUSES</b>		
1. NAME.....		
2. NAME.....		
3. NAME.....		
<b>CHILDREN</b>		
1. NAME.....		
2. NAME.....		
3. NAME.....		
4. NAME.....		
5. NAME.....		
6. NAME.....		
7. NAME.....		
8. NAME.....		

SIGNATURE: .....

Date:.....

**A3.3: WCFCB Surviving Spouse’s Certificate- Form No. 40A**



**WORKERS’ COMPENSATION FUND CONTROL BOARD**

P.O. BOX 71534 NDOLA

E-mail: [compensation@workers.com.zm](mailto:compensation@workers.com.zm) Phone: 02-610481/8 Fax: 02-610487

**SURVIVING SPOUSE’S CERTIFICATE**

**FORM 40A**

**(NOTE: To be read over and explained to surviving spouse and witness before completion of form).**

I .....NRC No. ....certify that I am the surviving spouse to the deceased .....whom I married on ..... under .....law and custom of the community to which I belong and, to the best of my knowledge and belief there is no other surviving spouse. Should any other person prove to the satisfaction of the Commissioner that he / she was also married to the deceased at the time of the accident, I agree to my pension being reduced accordingly and to any other payments being recovered from my future pension payments and allowances.

I declare that in the event of my re-marriage I will inform the nearest Worker’s Compensation Office / Postmaster. I **have / have not** remarried since the death of my spouse.

Date of Remarriage (If Remarried): .....  
Name of New Spouse: ..... NRC No. ....  
Address of Contact: .....  
Signature of New Spouse: ..... Date: .....  
Signature of Surviving Spouse: ..... Date: .....

---

**WITNESS:** Name of Witness:.....  
NRC No. .... CELL PHONE: .....  
Relationship to Deceased: .....  
Signature: ..... Date: .....

---

*I ..... NRC No: .....certify that I/interpreter ..... has / have read and fully explained the above contents to the said spouse ..... and the witness ..... and that to the best of my knowledge and belief they fully understood the contents before affixing their signature and thumb prints.*

**Certify officer’s:** Names ..... Signature .....  
**POSITION** ..... **DATE:** .....

**A3.4: WCFCB Life Certificate - Form No. 72A**

**FORM 72A**



**WORKERS' COMPENSATION FUND CONTROL BOARD**  
**P.O BOX 71534 NDOLA**

Email: [compensation@workers.com.zm](mailto:compensation@workers.com.zm) Phone: 02-610481/8 / Fax: 02-610487

In any future correspondence on this subject,

please quote: .....

**LIFE CERTIFICATE**

**(NOTE: To be read over and explained to beneficiary before completing of form)**

This certificate must be completed and witnessed and returned to this office. Failure to comply with this requirement will lead to suspension of your pension and/or your allowances.

**1. I (Names of beneficiary) .....**

**NRC No ..... do SOLEMNLY AND SINCERELY DECLARE that:**

**(a) I am the person entitled to an award in terms of the Workers Compensation Act**

**(b) I have/have not remarried since the death of my spouse. My new spouse's**

**name is ..... Date of remarriage: .....**

**(c) The children named below are still alive and in my custody and are unmarried.**

<b>Child's Name</b>	<b>Date of Birth</b>	<b>Attending School (name of School)</b>	<b>Course at School</b>

**2. PRESENT CONTACT DETAILS**

Residential Address: .....  
Postal Address: .....  
Tel/ Cell: ..... Email: .....

**3. VILLAGE DETAILS:**

Village: ..... Chief: .....  
District: ..... Beneficiary's Signature: .....

.....

**4. ATTESTATION**

*(This part is to be completed by Commissioner for Oaths, Advocate, Chief, Minister of Religion, Police Officer, Housing Officer, Bank Manager, School Headmaster, any other prominent Citizen acquainted with the beneficiary or any authorized officer in terms of Section 18 (1) of the Workers Compensation Act).*

I .....NRC ..... certify that I/interpreter .....have/has read and fully explained the above contents to the said beneficiary ..... and that to the best of my knowledge and belief he/she fully understood the contents before affixing his/her signature and thumbprints, and that to the best of my knowledge and belief, the information given is correct.

Occupation: .....

Address: .....

Official  
Stamp

Signature: .....

Date: .....



**A4: Occupational Health Management Board (OHMB)<sup>1</sup> occupational disease reporting forms**

**Table A4: Summary of OHMB occupational diseases reporting forms or certificates for injured miners and retired miners (or benefits) often given in triplicate to employee, employer and the Worker’s Compensation Control Fund Control Board.**

<b>Disease</b>	<b>Worker Category</b>	<b>Reporting Form No.</b>	<b>Certificate Type</b>	<b>Description of certificate</b>	<b>Annex number</b>
Pulmonary TB	Periodical	27	B9a	Suspect	<b>A4.3</b>
		26	B9	First Time (incidence)	<b>A4.4</b>
		30	B12	Prevalence	<b>A4.6</b>
	Retiree	34	B16	Discharge & Suspect	<b>A4.9</b>
Silicosis	Periodical	24	B7	1 <sup>st</sup> stage	<b>A4.1</b>
		25	B8	2 <sup>nd</sup> stage	<b>A4.2</b>
		31	B13	3 <sup>rd</sup> / final stage	<b>A4.7</b>
	Retiree	29	B11	incidence	<b>A4.5</b>
		33	B15	Final stage	<b>A4.8</b>
	Deceased	35	B17	Post-mortem	<b>A4.10</b>

---

<sup>1</sup>In the new OHS Act of 2010, the Occupational Health Management Board (OHMB) will become the Occupational Health and Safety Board (OHSB) whose implementing institution will be the Occupational Health and Safety Institute (OHSI). Current disease certificates still indicate OHMB instead of OHSI designation.

**A4.1: OHMB occupational disease reporting form 24, B7 certificate**

**OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU<sup>2</sup>**  
**OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD**  
P. O. Box 20205 Kitwe

**FORM 24 B7**

**CONFIDENTIAL**

**MB Number:** \_\_\_\_\_

**Mine Number:** \_\_\_\_\_

**Report Date:** \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

(Periodical: Section 38)

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

- (1) A Republic of Zambia PERIODICAL CERTIFICATE valid to \_\_\_\_\_  
Has been sent to the Mine Secretary of \_\_\_\_\_
- (2)
  - Pneumoconiosis is present in the first stage.
  - Tuberculosis is present.
- (3) The date of this certification is \_\_\_\_\_
- (4) Previous certificates if any:
  - Pneumoconiosis in the first stage
- (5) A copy of this report has been sent to:  
The Secretary, Workers' Compensation Board.
- (6) \*The original of this report has been sent to the Mine Secretary of  
\_\_\_\_\_

.....  
Secretary of the Bureau

NOTE: If word "Restricted" is stamped on the face of this report, it implies that the Certificate referred to above was issued under special provisions of the Workers Compensation Act and that such Certificate is valid only for the occupation(s) of:

\_\_\_\_\_

At the following Mine(s): \_\_\_\_\_

---

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary.

<sup>2</sup>In the OHS Act of 2010, the Occupational Health, Safety and Research Bureau will become the Occupational Health and Safety Institute (OHSI).

**A4.2: OHMB occupational disease reporting form 25, B8 certificate**

OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe

FORM 25 **B8**

CONFIDENTIAL

MB Number: \_\_\_\_\_

Mine Number: \_\_\_\_\_

Report Date: \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

(Periodical: Section 38)

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

- (1) A Republic of Zambia PERIODICAL CERTIFICATE valid to \_\_\_\_\_  
Has been sent to the Mine Secretary of \_\_\_\_\_
- (2)
  - Pneumoconiosis is present in the Second Stage.
  - Tuberculosis is present.
- (3) The date of this certification is \_\_\_\_\_

---

- (4) Previous certificates if any:
  - Pneumoconiosis in the first stage \_\_\_\_\_
  - Pneumoconiosis in the second stage \_\_\_\_\_
- (5) A copy of this report has been sent to:  
The Secretary, Workmen Compensation Board.
- (6) \*The original of this report has been sent to the Mine Secretary of  
\_\_\_\_\_

.....  
Secretary of the Bureau

NOTE: If word "Restricted" is stamped on the face of this report, it implies that the Certificate referred to above was issued under special provisions of the Workers Compensation Act and that such Certificate is valid only for the occupation(s) of:

\_\_\_\_\_  
At the following Mine(s): \_\_\_\_\_

---

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary.

**A4.3: OHMB occupational disease reporting form 26, B9 certificate**

**OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe**

FORM 26 **B9**

CONFIDENTIAL

**MB Number:** \_\_\_\_\_

**Mine Number:** \_\_\_\_\_

Report Date: \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

(Periodical: Section 38)

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

- (1) For reasons stated in paragraph (2) NO CERTIFICATE can be issued
- (2)
  - Tuberculosis is present.
  - Pneumoconiosis is present in the first/second/third stage.
- (3) The date of this certification is \_\_\_\_\_
- (4) This certificate immediately and finally cancels any existing certificate in respect of the person name above authorizing him to work or to be employed as a 'miner' in Zambia and the law requires that he forthwith cease to be so employed.
- (5) Previous certificates if any:
  - Pneumoconiosis in the first stage \_\_\_\_\_
  - Pneumoconiosis in the second stage \_\_\_\_\_
  - Pneumoconiosis in the third stage \_\_\_\_\_
- (6) A copy of this report has been sent to:
  - The Secretary, Workers' Compensation Board
  - The Examinee
- (7) \*The original of this report has been sent to the Mine Secretary of \_\_\_\_\_

.....  
Secretary of the Bureau

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary if previously employed as a miner in scheduled mines.

**A4.4: OHMB occupational disease reporting form 27, B9a certificate**

OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe

FORM 27 **B9a**

CONFIDENTIAL

**MB Number:** \_\_\_\_\_

**Mine Number:** \_\_\_\_\_

Report Date: \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

(Periodical: Section 38 (1) (c))

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

(1)

- Pneumoconiosis is present in the first/second stage
- Tuberculosis is present.

(2) Despite the absence of tuberculosis and of pneumoconiosis in third stage NO CERTIFICATE can be issued for the reason stated in paragraph (3).

(3) The Bureau is of the opinion that the fitness for work as a miner of the person reported on has been seriously impaired by old age/disease. (Section 38 (1) (c) of the Workers' Compensation Act)

(4) Previous certificates if any:

- Pneumoconiosis in the first stage \_\_\_\_\_
- Pneumoconiosis in the second stage \_\_\_\_\_

(5) A copy of this report has been sent to:  
The Examinee

(6) \*The original of this report has been sent to the Mine Secretary of

\_\_\_\_\_

.....  
Secretary of the Bureau

---

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary.

**A4.5: OHMB occupational disease reporting form 29, B11 certificate**

OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe

FORM 29 **B11**

**MB Number:** \_\_\_\_\_

CONFIDENTIAL

**Mine Number:** \_\_\_\_\_

Report Date: \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

(Benefits: Section 42)

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

- (1)
  - Pneumoconiosis is present in the first/second/third stage.
  - Tuberculosis is present.
- (2) The date of this certification is \_\_\_\_\_
- (3) Previous certificates if any:
  - Pneumoconiosis in the first stage \_\_\_\_\_
  - Pneumoconiosis in the second stage \_\_\_\_\_
  - Pneumoconiosis in the third stage \_\_\_\_\_
- (4) Unless directed by the Director of the Medical Bureau to present himself for re-examination at some earlier date, the above named person is not eligible to be re-examined at the Bureau sooner than one year from the date of the examination now reported on (Section 42(d)) of the Workers' Compensation Act
- (5) A copy of this report has been sent to:  
The Examinee
- (6) \*The original of this report has been sent to the Mine Secretary of  
\_\_\_\_\_

.....  
Secretary of the Bureau

---

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary.

**A4.6: OHMB occupational disease reporting form 30, B12 certificate**

OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe

FORM 30 **B12**

**MB Number:** \_\_\_\_\_

CONFIDENTIAL

**Mine Number:** \_\_\_\_\_

**Report Date:** \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

(Benefits: Section 42)

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

(1)

- Tuberculosis is present.
- Pneumoconiosis is absent.

(2) The date of this certification is \_\_\_\_\_

(3) Previous certificates if any:

- Pneumoconiosis in the first stage \_\_\_\_\_
- Pneumoconiosis in the second stage \_\_\_\_\_
- Pneumoconiosis in the third stage \_\_\_\_\_

(4) Unless directed by the Director of the Medical Bureau to present himself for re-examination at some earlier date, the above named person is not eligible to be re-examined at the Bureau sooner than one year from the date of the examination now reported on (Section 42(d)) of the Workers' Compensation Act

(5) A copy of this report has been sent to:  
The Examinee

(6) \*The original of this report has been sent to the Mine Secretary of  
\_\_\_\_\_

.....  
Secretary of the Bureau

---

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary if previously employed as miner in scheduled mines.





**A4.7: OHMB occupational disease reporting form 31, B13 certificate**

OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe

FORM 31 **B13**

**MB Number:** \_\_\_\_\_

CONFIDENTIAL

**Mine Number:** \_\_\_\_\_

**Report Date:** \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

(Benefits: Section 48)

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

(1)

Tuberculosis is present.

Pneumoconiosis is absent.

(2) The date of this certification is \_\_\_\_\_

(3) Previous certificates if any:

Tuberculosis present \_\_\_\_\_

Pneumoconiosis present \_\_\_\_\_

(4) Unless directed by the Director of the Medical Bureau to present himself for re-examination at some earlier date, the above named person is not eligible to be re-examined at the Bureau sooner than one year from the date of the examination now reported on (Section 42(d)) of the Workers' Compensation Act

(5) A copy of this report has been sent to:

The Examinee.

(6) \*The original of this report has been sent to the Mine Secretary of

\_\_\_\_\_

.....

Secretary of the Bureau

---

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary if previously employed as miner in scheduled mines.

**A4.8: OHMB occupational disease reporting form 33, B15 certificate**

OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe

FORM33 **B15**

**MB Number:** \_\_\_\_\_

CONFIDENTIAL

**Mine Number:** \_\_\_\_\_

Report Date: \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

**(Discharge: Section 39; Suspect: Section 41; or Additional: Section 43)**

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

(1)

- Tuberculosis is absent.
- Pneumoconiosis is present first/second stage.

(2) The date of this certification is \_\_\_\_\_

(3) Previous certificates if any:

- Pneumoconiosis in the first stage \_\_\_\_\_
- Pneumoconiosis in the second stage \_\_\_\_\_

(4) A copy of this report has been sent to:

The Examinee

The Commissioner, Workers' Compensation Fund Control Board.

(5) \*The original of this report has been sent to the Mine Secretary of

\_\_\_\_\_

.....

Secretary of the Bureau

---

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary.

**A4.9: OHMB occupational disease reporting form 34, B16 certificate**

OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe

FORM 34 **B16**

MB Number: \_\_\_\_\_

CONFIDENTIAL

Mine Number: \_\_\_\_\_

Report Date: \_\_\_\_\_

**REPORT ON MEDICAL EXAMINATION**

(Discharge: Section 39; Suspect: Section 41; or Additional: Section 43)

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the examination on the above date, I am directed to report as follows:

(1)

- Tuberculosis is present.
- Pneumoconiosis is present first/second/third stage.

(2) The date of this certification is \_\_\_\_\_

(3) This certificate immediately and finally cancels any existing certificate in respect of the person named above authorizing him to work or to be employed as a "miner" in Zambia and the law requires that he forthwith cease to be so employed.

(4) Previous certificates if any:

- Pneumoconiosis in the first stage \_\_\_\_\_
- Pneumoconiosis in the second stage \_\_\_\_\_

(5) A copy of this report has been sent to:

The Commissioner, Workers' Compensation Fund Control Board.

The Examinee

(6) \*The original of this report has been sent to the Mine Secretary of

\_\_\_\_\_

.....  
**Secretary of the Bureau**

\*To examinee if not presented for examination by the employer or prospective employer with copy to Mine Secretary if previously employed as a miner in scheduled mines.

**A4.10: OHMB occupational disease reporting form 35, B17 certificate**

OCCUPATIONAL HEALTH, SAFETY AND RESEARCH BUREAU  
OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT BOARD  
P. O. Box 20205 Kitwe

FORM 35 **B17**

**MB Number:** \_\_\_\_\_

CONFIDENTIAL

**Mine Number:** \_\_\_\_\_

**Report Date:** \_\_\_\_\_

**REPORT ON A POST-MORTEM EXAMINATION**  
**(Section 49 and Section 50)**

Name of person report on \_\_\_\_\_

Date of Examination \_\_\_\_\_

With reference to the post-mortem examination performed on the above date, I am directed to report as follows:

(1)

Tuberculosis is present.

Pneumoconiosis is present first/second/third stage.

Death was due to Tuberculosis/Pneumoconiosis

Death was not due to pneumoconiosis but pneumoconiosis was a contributory or predisposing factor.

Death was not due to pneumoconiosis and pneumoconiosis was neither a contributory nor a predisposing factor.

The date of this certification is \_\_\_\_\_ i.e. the date of the post-mortem examination.

(2) In the case of the deceased person now reported on, certification of the presence of compensable disease during life was made as follows:

Pneumoconiosis in the first stage on \_\_\_\_\_

Pneumoconiosis in the second stage on \_\_\_\_\_

Pneumoconiosis in the third stage on \_\_\_\_\_

Pneumoconiosis with tuberculosis on \_\_\_\_\_

Tuberculosis without pneumoconiosis on \_\_\_\_\_

(3) A copy of this report has been sent to:

\*Commissioner, Workers' Compensation Fund Control Board.

Next-of-kin.

(4) †The original of this report has been sent to the Mine Secretary of

\_\_\_\_\_

.....  
Secretary of the Bureau

\*Delete this line if no compensable disease was found.

†To Next-of-kin if examination not arranged by the employer with copy to Mine Secretary.

**APPENDIX B: QUESTIONNAIRE TO STAKEHOLDERS ON NATIONAL STUDY  
ON RECORDING AND NOTIFICATION OF OCCUPATIONAL ACCIDENTS AND  
DISEASES IN ZAMBIA**

**NATIONAL STUDY ON THE RECORDING AND  
NOTIFICATION OF OCCUPATIONAL ACCIDENTS AND  
DISEASES IN ZAMBIA**

**By Patrick Hayumbu MSc, MPH, CChem MRSC  
8/20/2012**

This document proposes that Zambian Occupational Health stakeholders implement a national study on recording and notification system of occupational accidents and diseases in Zambia

Questionnaire for National Study on the Recording and Notification of Occupational Accidents and Diseases in Zambia

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## QUESTIONNAIRE FOR NATIONAL STUDY ON THE RECORDING AND NOTIFICATION OF OCCUPATIONAL ACCIDENTS AND DISEASES IN ZAMBIA

### INTRODUCTION

The purpose of this questionnaire is to collect information about recording and notification of occupational accidents and diseases in Zambia. Your answers will help us figure out how to improve the quality of statistical data on occupational accidents and diseases of Zambian workers. Good quality statistical data is vital for designing efficacious interventions mitigating occupational accidents and diseases. If there is a question that you do not want to answer, please let me know and we can skip it. All your responses are going to be summarized and reviewed during a workshop of stakeholder institutions.

### A. IDENTIFICATION

<b>A1. Date:</b>	
<b>A2. Institution/Company:</b>	
<b>A3. Name of respondent:</b>	
<b>A4. Position of respondent:</b>	
<b>A5. Address of respondent:</b>	
<b>A6. Additional respondent contact data:</b>	E-mail: _____  Mobile: _____  Phone: _____  Fax: _____

### B. SCOPE OF COVERAGE AND DEFINITIONS

In the sections that follow starting with this one, I am going to ask you questions about the national recording and notification system in Zambia. I will be much obliged to get any written information you have to supplement your answers. Kindly mark each response to a particular question with the number of the question you are answering.

#### B.1 National system for recording and notification

<b>B7. Indicate the category of your institution?</b>	o <sub>1</sub> OSH Regulatory Institution  o <sub>2</sub> Worker's Compensation Institution  o <sub>3</sub> Union                      o <sub>4</sub> Enterprise  o <sub>5</sub> Other              Specify _____
-------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p><b>B8.</b> Would you say there is a national system of recording and notification of occupational accidents and diseases in Zambia?</p>	<p>o<sub>1</sub> Yes o<sub>2</sub> No o<sub>8</sub> I Don't know [RESPONDENT: If <b>NOT YES</b> go to C14.]</p>
<p><b>B9.</b> Indicate the economic activities the system covers by listing them (e.g., mining, quarrying, construction, transport, etc)</p>	<p>1. 2. [RESPONDENT: If more list items, use back of this page]</p>
<p><b>B10.</b> Indicate the workers the system covers by listing them.</p>	<p>1. 2. [RESPONDENT: If more list items, use back of this page]</p>
<p><b>B11.</b> Indicate the types of occupational accidents, diseases and events covered by the system</p>	<p>1. 2. [RESPONDENT: If more list items, use back of this page]</p>

**B.2 National Definitions**

<p><b>B12.</b> Can you provide national definitions on occupational accidents and diseases covered under B11.</p>	<p>o<sub>1</sub> Yes o<sub>2</sub> No [RESPONDENT: If <b>YES</b>, please write your definitions at the back or provide or cite any written material you have.]</p>
<p><b>B13.</b> Do you have any available definitions on the workers covered in B10?</p>	<p>o<sub>1</sub> Yes o<sub>2</sub> No [RESPONDENT: If <b>YES</b>, please write your definitions at the back or provide or cite any written material you have.]</p>

**C. POLICY AND MECHANISMS ON RECORDING, NOTIFICATION AND INVESTIGATION OF OCCUPATIONAL ACCIDENTS, DISEASES AND DANGEROUS OCCURRENCES AND RELATED STATISTICS**

**C.1 Policy and mechanisms on recording, notification and investigation**

<p><b>C14.</b> Provide names of the designated national authority or body or the authorities or bodies for specified tasks associated with occupational <b>accidents</b> and <b>dangerous occurrences</b></p>	<p>1. _____ [Data collection] 2. _____ [Database maintenance] 3. _____ [Data analysis or statistics] 4. _____ [Investigation]</p>
<p><b>C15.</b> Provide names of the designated national authority or body or the authorities or bodies for specified tasks associated with occupational <b>diseases</b></p>	<p>1. _____ [Data collection] 2. _____ [Database maintenance] 3. _____ [Data analysis or statistics] 4. _____ [Investigation]</p>

<p><b>C16.</b> Is there a national policy on recording and notification and investigation of occupational accidents, occupational diseases and dangerous occurrences and related statistics?</p>	<p><input type="checkbox"/><sub>1</sub> Yes      <input type="checkbox"/><sub>2</sub> No      <input type="checkbox"/><sub>8</sub> I Don't know</p> <p>[RESPONDENT: If YES, please attach or write the policy statement at the back of this page.]</p>
<p><b>C17.</b> Please specify legislation providing the legal mandate(s) for a national recording and notification and investigation of occupational accidents, occupational dangerous occurrences and related statistics?</p>	<p>1. _____ [Data collection]</p> <p>2. _____ [Database maintenance]</p> <p>3. _____ [Data analysis or statistics]</p> <p>4. _____ [Investigation]</p>
<p><b>C18.</b> Please specify legislation providing the legal mandate(s) for a national recording and notification and investigation of occupational accidents, occupational diseases and related statistics</p>	<p>1. _____ [Data collection]</p> <p>2. _____ [Database maintenance]</p> <p>3. _____ [Data analysis or statistics]</p> <p>4. _____ [Investigation]</p>
<p><b>C19.</b> Is there any mechanism set in place for operating and maintaining the system including a process/system to ensure the application of a uniform procedure at workplaces, physicians and health facilities among others?</p>	<p><input type="checkbox"/><sub>1</sub> Yes      <input type="checkbox"/><sub>2</sub> No      <input type="checkbox"/><sub>8</sub> I Don't know</p> <p>[RESPONDENT: If YES, please provide (by attaching a written or writing an) outline of this mechanism at the back of this page.]</p>
<p><b>C20.</b> Please specify number of staff and other resources supporting the system.</p>	<p>1. _____ [Number of Staff]</p> <p>2. _____ [Other Resources]</p> <p>[RESPONDENT: For 2, use back of page if necessary]</p>
<p><b>C21.</b> Is there any form of delegation by the competent authority or authorities of any respective functions and responsibilities to other public institutions, employers and workers organisations or to other organisations?</p>	<p><input type="checkbox"/><sub>1</sub> Yes      <input type="checkbox"/><sub>2</sub> No      <input type="checkbox"/><sub>8</sub> I Don't know</p> <p>[RESPONDENT: If YES, please provide (by attaching a written or writing an) outline of the delegation at the back of this page]</p>
<p><b>C22.</b> Are there any arrangements in place for national coordination between any authorities or bodies with responsibility to collect and maintain a database on occupational accidents, occupational diseases and dangerous occurrences, and related statistics?</p>	<p><input type="checkbox"/><sub>1</sub> Yes      <input type="checkbox"/><sub>2</sub> No      <input type="checkbox"/><sub>8</sub> I Don't know</p> <p>[RESPONDENT: If YES, please provide (by attaching a written or writing an) outline of the delegation at the back of this page]</p>

<p><b>C23.</b> Provide information on the existence if any of established principles and procedures for the implementation of the recording, notification and investigation of occupational accidents, occupational diseases and dangerous occurrences, and related statistics</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>C24.</b> Provide information of the past (that is in the previous five years) and current national activities aimed at improving the recording, notification and investigation of occupational accidents, occupational diseases and dangerous occurrences, and related statistics</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>C25.</b> Provide information on arrangements made for the progressive provision of information to workers and their representatives on the implementation of the recording and notification system</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>C26.</b> Provide information on arrangements made for the periodic review of the system</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>C27.</b> Provide information on arrangements made for the system in place for the comparative analysis and production of annual national statistics</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>

**D. LEGAL AND INSTITUTIONAL AND ADMINISTRATIVE ARRANGEMENTS ON RECORDING, NOTIFICATION AND INVESTIGATION OF OCCUPATIONAL ACCIDENTS, OCCUPATIONAL DISEASES AND DANGEROUS OCCURRENCES, AND RELATED STATISTICS**

**D.1 At national level**

***D.1.1 Legal and institutional and administrative arrangements***

<p><b>D28.</b> Provide information on the concepts and terminologies adopted at national level concerning recording and notification of occupational accidents, occupational diseases, dangerous occurrences and incidents; and note their compatibility with ILO instruments, tools and other agreed international agreements in this respect that are aimed at promoting the harmonization of methodologies and the comparability of OSH statistics.</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline <b>OR SAMPLE FORMS</b> to the back of this page]</p>
<p><b>D29.</b> Provide information on Laws, Acts or Regulations requiring the establishment of a notification system and existence of other tools supporting the operation of the system such as collective bargaining agreements</p>	<p>1. _____ [Laws]</p> <p>2. _____ [ACTS]</p> <p>3. _____ [REGULATIONS]</p> <p>[RESPONDENT: If necessary, please provide additional information by attaching a written outline to the back of this page]</p>
<p><b>D30.</b> Provide information on designation of national competent authority/ies by law for the coordination of the system</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><i>Provide information on existing provisions by law on methodology and guidance for systematic collection of data, information and investigation of occupational accidents and diseases as well as dangerous occurrences and incidents; including the information to be recorded and notified, the format of reporting and maintenance of records in particular:-</i></p>	
<p><b>D31.</b> the content and format of records</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>D32.</b> the concept and terminologies applied and their consistence with the ILO CoP and other information in place to promote the harmonisation of methodologies and the compatibility of statistics at national and international levels</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>D33.</b> the period within which the records are kept and to be retained</p>	<p>_____</p> <p>[Period]</p> <p>[RESPONDENT: If necessary, please provide additional information by attaching a written outline to the back of this page]</p>

<p><b>D34.</b>the confidentiality of records in particular, the medical data, and support for the same in practice</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>D35.</b>the requirements by law for establishment and maintenance of enterprise reporting system including instances where more than one employer engage in activities simultaneously</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>D36.</b>Coverage by the laws and regulations of all workers in all branches of economic activity throughout the country regardless of their status in employment</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>D37.</b> Is there a schedule of prescribed list of occupational diseases that is regularly updated?</p>	<p><input type="checkbox"/><sub>1</sub> Yes      <input type="checkbox"/><sub>2</sub> No <input type="checkbox"/><sub>8</sub> I Don't know</p> <p>[RESPONDENT: If <b>NOT YES</b> go to 39]</p>
<p><b>D38.</b> If list is available, note consistency or deviation from the ILO's list and or its conformity with the compensation scheme</p>	<p>[RESPONDENT: Please provide required list by attaching to the back of this page. You need not comment.]</p>
<p><b>D39.</b>Provide information on action taken by the competent authority/ies to ensure physicians, health services, insurance institutions, employers &amp; workers, and their representative organizations are well informed of the prevailing proscribed list of occupational diseases.</p>	<p>[RESPONDENT: Please provide required information by attaching to the back of this page]</p>
<p><b>D40.</b>Provide information on other laws and regulations covering aspects related to the recording and notification of occupational accidents and diseases issued under other public institutions</p>	<p>1. _____ [ACTS]</p> <p>2. _____ [REGULATIONS]</p> <p>[RESPONDENT: If necessary, provide additional information by attaching a written outline to the back of this page]</p>
<p><i>Provide information on mechanisms in place to assist and guide employers and workers in complying with any existing regulations on recording, notification and investigation of occupational accidents, occupational diseases and dangerous occurrences, including:-</i></p>	
<p><b>D41.</b>Guiding arrangements made by the competent authority/ies to enhance employers' compliance with the legal requirements on recording and notification of occupational accidents, occupational diseases, dangerous occurrences and incidents;</p>	<p>[RESPONDENT: Please provide required information by attaching to the back of this page]</p>
<p><b>D42.</b>Mechanisms applied at workplace level to assist workers to comply with the law and</p>	<p>[RESPONDENT: Please provide required information by</p>

to report to supervisors any situations which may present danger or risk;	attaching to the back of this page]
<b>D43.</b> Mechanisms for dealing with injuries that are work-related occurring outside the regular workplace	[RESPONDENT: Please provide required information by attaching to the back of this page]

***D.1.2 In respect of inspection and enforcement systems***

<i>Describe any inspectorate or inspection system backed by national legislation that has a significant role in the application of national system for recording, notification and investigation of occupational accidents, occupational diseases and dangerous occurrences including:-</i>	
<b>D44.</b> The scope of coverage (health sector, transport, construction, mines, technical plant and equipment, etc.);	[RESPONDENT: Please provide required information by attaching it to the back of this page]
<b>D45.</b> The level of human resources (number of inspectors) and distribution of skills, existence of a dynamic database and system for dissemination of information including in support of inspection services	[RESPONDENT: Please provide required information by attaching it to the back of this page]
<b>D46.</b> Any other pertinent information, if available, on the inspection support to the recording and notification system including annual prosecutions in this respect, and types and levels of penalties etc	[RESPONDENT: Please provide required information by attaching it to the back of this page]
<b>D47.</b> Existing mechanisms for feedback on the system from the inspectors and its impact	[RESPONDENT: Please provide required information by attaching it to the back of this page]

***D.1.3 Classification of information to be recorded and notified***

<i>Provide information on the arrangements made by the competent authority/ies to promote a coherent system of classification of the specified kinds of information notified and kept as records at the enterprise level including their conformity with the most recent versions adopted under the international classifications and the CoP such as:-</i>	
<b>D48.</b> Economic activity of the employer, enterprise or establishment;	[RESPONDENT: Please provide required information by attaching it to the back of this page]
<b>D49.</b> Occupation	[RESPONDENT: Please provide required information by attaching it to the back of this page]
<b>D50.</b> Employment status	[RESPONDENT: Please provide required information by attaching it to the back of this page]
<b>D51.</b> Nature and bodily location of the injury, type of accident, agency related to the	[RESPONDENT: Please provide required information by

injury or the accident	attaching it to the back of this page]
<b>D52.</b> Provide information on the existence of a classification system for physical, chemical and biological exposures and nay other exposures in the working environment	[RESPONDENT: Please provide required information by attaching it to the back of this page]

### D.2 At enterprise level

<b>D53.</b> Provide information on the arrangements legally required of employers and their implementation in support of compensation schemes for occupational injuries and occupational diseases and their interface with the system for the recording and notification of occupational accidents, occupational diseases, dangerous occurrences and incidents.	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>D54.</b> State the legal mechanisms put in place for workers to cooperate in the course of their work, with the employer in the fulfilment of the legal obligations placed upon them	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]

## E. ARRANGEMENTS FOR RECORDING

### E.1 At national level

<b>E55.</b> Provide information on legal requirements for employers to establish and maintain records on occupational accidents, occupational diseases and dangerous occurrences and incidents	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>E56.</b> Provide information on availability of standard tools such as forms developed in consultation with employers and workers that include prescribed data and information to be recorded;	[RESPONDENT: Please provide required <b>SAMPLE FORMS</b> by attaching them to the back of this page]
<b>E57.</b> Confirm that the information required to be recorded at the level of the workplace	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]

includes the information to be notified;	
<i>Provide additional information required by law to be recorded by employers though it is not required to be notified covering:-</i>	
<b>E58.</b> All incidents where no immediate personal injury is recognized;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>E59.</b> Specified categories of dangerous occurrences;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>E60.</b> Commuting accidents, if applicable.	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<i>Provide details as to whether the national laws specify in particular:-</i>	
<b>E61.</b> The content and format of such records;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>E62.</b> The period of time within which records are to be established;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>E63.</b> The period of time for which records are to be retained;.	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>E64.</b> Respect for confidentiality	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>E65.</b> The form of cooperation provided for in recording procedures where two or more employers engage in activities simultaneously at one worksite.	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]



**F. ARRANGEMENTS FOR NOTIFICATION**

**F.1 At national level**

<i>Notification of occupational accidents and diseases</i>	
<b>F66.</b> Provide information on the legal requirements and procedures set by the competent authority for the notification of occupational accidents, occupational diseases, dangerous occurrences and commuting accidents, as appropriate and	[RESPONDENT: Please provide required <b>SAMPLE FORMS</b> by attaching them to the back of this page]
<b>F67.</b> List the institutions specified by laws to be notified and provide information on the existing mechanisms established to ensure coordination, cooperation and collaboration among the key stakeholders such as compensation schemes and the respective responsibilities in the implementation of the notification process;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<i>Provide information on data required by law to be notified to the competent authority and other bodies (including as appropriate the compensation/insurance schemes, statistics bodies, etc) noting if covered:-</i>	
<b>F68.</b> The timing/prescribed time of the notification by employer/other for various requirements of notifications;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>F69.</b> availability of a prescribed standardized form for notification;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>F70.</b> The responsibilities, appropriate arrangements and procedures enabling employers to cooperate in the notification procedure where two or more enterprises engage in activities simultaneously at one workplace;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>F71.</b> System used for classification of the information;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>F72.</b> if applicable, the details on the injured person and the nature of injuries;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>F73.</b> the workplace/worksites, the circumstances of the accident or the dangerous occurrence and, in the case of an occupational disease, the circumstances of the exposure to health hazards.	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>F74.</b> Provide further details that are in place for the notification of occupational diseases as a practice whether in law or not;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>F75.</b> Does the competent authority register notifications in such a way as to enable them to be analysed using the international or regional classification systems and to be used	RESPONDENT: Please provide required information by attaching a written outline to the back of this page]

for compiling appropriate statistics? If so state the classification system in place.	
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**F.2 At enterprise level**

<b>F76.</b> Provide information on whether the national laws and regulations require the employer in consultation with workers to set-up arrangements for notifying the component authority or appoint agent including designating a competent person to be responsible for the notification requirements including arrangements for where there is more than one employer involved in simultaneous activities on site;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
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**F.3 Notification of occupational accidents, diseases, dangerous occurrences & incidents**

<i>Provide information as to whether the national laws and regulations require the notification to the competent authority/ies or other responsible bodies-</i>	
<b>F78.</b> Immediately after reporting of an occupational accident or diseases causing loss of life;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>F79.</b> the prescribed time for notification of other occupational accidents and diseases, dangerous occurrences and incidents;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<i>State and avail tools such as forms used for such notifications mentioned above noting any significant deviations from the notification formats provided under the CoP and append the notifications forms to the report including where available those for:-</i>	
<b>F80.</b> Reports to the competent authority/ies	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page & <b>SAMPLE FORMS</b> ]
<b>F81.</b> A compensation scheme report or to other the insurance institutions;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page & <b>SAMPLE FORMS</b> ]
<b>F82.</b> Report to the statistics-producing body;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page & <b>SAMPLE FORMS</b> ]

**G. EXTENSION OF RECORDING AND NOTIFICATION SYSTEMS TO SELF-EMPLOYED PERSONS**

**G.1 At national level**

<b>G83.</b> State whether national laws or regulations on the reporting, recording and notification of occupational accidents, occupational diseases, dangerous occurrences and incidents also apply to self-employed persons,	[RESPONDENT: Please provide required <b>SAMPLE FORMS</b> by attaching them to the back of this page]
<b>G84.</b> Outline legal requirements and procedures provided for by the competent authority/ies for notification in the case of death or a non-fatal occupational accident, occupational disease or dangerous occurrence rendering the self-employed person incapable of	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]

submitting the notification,	
<b>G85.</b> In the case where the self-employed has taken work in another enterprise/or employer	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]

**G.2 At enterprise level**

<b>G86.</b> Provide information any existing national legal requirements binding any person in control of an establishment/workplace to make arrangements for the reporting, recording and notification of occupational accidents, occupational diseases, dangerous occurrences and incidents or other reportable accidents which can be applied to self-employed persons; and	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>G87.</b> State any legal requirements placed on the self-employed to cooperate with the person in control of a workplace where he or she is contracted to work, to enable notification;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]

**H. STATISTICS OF OCCUPATIONAL ACCIDENTS, OCCUPATIONAL DISEASES, COMMUTING ACCIDENTS AND DANGEROUS OCCURRENCES**

**H.1 Compilation and publication**

<b>H88.</b> Provide information as to whether the competent authority/ies is require by national laws or practice to compile annual statistics on the basis of received notifications of occupational accidents, occupational diseases, and dangerous occurrences solely based on their database;	[RESPONDENT: Please provide required information by attaching it to the back of this page]
<b>H89.</b> If other returns are used for additional information in compiling the statistics, note the sources and their primary objective of maintaining such data;	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>H90.</b> Provide information on the conformity of the compiled statistics with the guidance provided by the ILO CoP or other relevant international bodies taking into account the concepts, definitions and methodology used in the collection, compilation and publication of such statistics, including, any arrangement in place for the computation of frequency rates, incidence rates and severity rates, where appropriate in respect of major divisions of economic activities, occupations, age groups and sex etc.	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]

<p><b>H91.</b>Provide statistics on annual occupational accidents, diseases, and dangerous occurrences for the last five years (total and per sector of economic activity) if available. Provide also, if possible, an estimation of under-reporting as % range, with a description of the calculation methodology used.</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
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**H.2 Classifications**

<p><i>Provide information whether the statistics of occupational accidents, occupational diseases and dangerous occurrences is classified in accordance with the ILO CoP for recording and notification of occupational accidents and diseases and in particular under the branch of economic activity and, as far as possible, according to:-</i></p>	
<p><b>H92.</b>the significant characteristics of workers, such as status in employment, sex, age or age group; and</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>H93.</b>significant characteristics of the enterprise</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>

**I. INVESTIGATION OF OCCUPATIONAL ACCIDENTS, OCCUPATIONAL DISEASES, COMMUTING ACCIDENTS, DANGEROUS OCCURRENCES AND INCIDENTS**

**I.1 Investigations**

<p><i>Provide information as to whether the national OSH laws or regulations require the competent authority/ies to establish adequate arrangements and appropriate systems of investigation of occupational accidents, occupational diseases and dangerous occurrences, including</i></p>	
<p><b>I94.</b>Arrangements made by the competent authority/ies to carry out investigations noting any delegated powers by law or responsibilities;</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>I95.</b>If the competent authority hold inquiries and publishes reports on those inquiries, into cases of occupational accidents, occupational diseases, dangerous occurrences and incidents which appear to reflect serious situations in terms of actual or potential risk to workers or the public</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>I96.</b>Responsibilities placed on employers to carry out investigations at enterprise level and to cooperate in the investigations</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>
<p><b>I96.</b>Information on the application of the results of the investigations by the competent authority/ies and employers especially in support of policy guidance and prevention programmes</p>	<p>[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]</p>

**J. SOCIAL SECURITY, INSURANCE SCHEMES AND COMPENSATION SERVICES**

**J.1 Social security**

<b>J97.</b> Describe any existing compensation, social security or insurance schemes covering occupational injuries and diseases	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>J98.</b> Include extent of coverage and the agencies or bodies responsible for the administration of such schemes	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>J99.</b> Indicate linkages to or involvement in the collection, analysis and reporting of statistics of occupational accidents and diseases	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]
<b>J100.</b> Indicate if the compensation bodies provide resources for the implementation of prevention programmes including any financial support	[RESPONDENT: Please provide required information by attaching a written outline to the back of this page]

Signature of RESPONDENT \_\_\_\_\_

Date: \_\_\_\_\_

**THANKS YOU FOR COMPLETING THIS QUESTIONNAIRE!!**

**[INTERVIEWER: Indicate quality of interview      <sub>1</sub> reliable      <sub>2</sub> unreliable]**

Signature of INTERVIEWER \_\_\_\_\_

Date: \_\_\_\_\_

## NOTES

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