

A REVIEW OF OCCUPATIONAL SAFETY AND HEALTH REGULATIONS IN OMAN

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INTRODUCTION

The poor occupational safety and health (OS&H) results in an economic burden of 4% of the total world Gross Domestic Product (GDP). The effective OS&H regulations and its implementation are one of the main factors to achieve an improved safety performance. Different industries are rapidly growing in Oman, for instance, it is expected that the construction industry value in Oman will reach to 6.88 Billion Omani Rial which was 2.26 Billion Omani Rial in 2016. Similarly, the construction GDP will reach to 15.4% of the total GDP by 2026 (BMI, 2018). There have been evidences which reflect that cost related to OS&H is rapidly increasing in Oman. Statistics published by Public Authority of Social Insurance in Oman which register Omani citizens shown that the expenditures related to OS&H rose from 1 Million OMR in 2012 to 2.9 Million OMR. Although the number of active insureds also increased in this period from 172066 in 2012 to 227193 in 2016 which represent a growth of 32%; however the increase in OS&H expenditures in the same period was 200%. Ministry of Manpower Oman, which is mandated for the implementation current OS&H regulations, data reveals that a total of 1328 inspections were made in the year 2016. A total of 569 warning notices were issued to the companies which were found not complying with the regulations, which is comparatively more than the 2015 where the total number of warning notices stood at 555. The total cases which were referred to the court of law in 2016 were 6, while in 2015 there was only one case which was referred to the Court of law (MoM, 2015, MoM, 2016). One of the possible reasons for this might be a lack of awareness of current OS&H regulations and its effective implementation in Oman.

METHODOLOGY

Since the 1970s, Oman has been witnessing steady progress in the political and socioeconomic fields. To understand the progression of OS&H regulations in Oman, a systematic review method was employed. A comparative study of Oman's OS&H regulations with OSHA (USA) and HSE (UK) is made to define the areas for improvement. Oman Labor law, Sultanate Decree No. 40/1977; Occupational diseases and accident compensation law, Ministerial Decree No. 19/1982; Occupational Health and Industrial Safety Precautions, and Ministerial Decree No. 286/2008; Regulation of Occupational Safety and Health were in the main focus in this article (RD, 35/2003; SD, 40/1977; MD, 19/1982; MD, 286/2008).

RESULTS AND DISCUSSION

It has been observed that OS&H has been in the main focus of the Omani government since 1970. Different regulations have been introduced to tackle the OS&H status effectively in different industries. For instance, articles 27, 40, 41, 87, 88, 89, 90, 98 and 99 of the Ministry of Manpower Labor Law stress both the workers and employer to abide the health and safety regulation mentioned in these articles (RD, 35/2003). Since its membership with International Labor Organization (ILO) in 1994, Oman has ratified four out of the eight core Conventions, namely the: i. Forced Labour Convention, (C-29, 1930); ii. Abolition of Forced Labour Convention, (C-105, 1957); iii. Minimum Age Convention, (C-138, 1973); iv. Worst Forms of Child Labour Convention, (C-182, 1999). Oman still has to rectify the ILO some of the OS&H conventions including;

a. Occupational Safety and Health Convention, (C-155. 1981); b. Occupational Health Services Convention, (C-161. 1985); c. Promotional Framework for Occupational Safety and Health Convention, (C-187, 2006).

The current OS&H Regulation applies to all establishments which are subject to the Labour Law. Its provisions are covered by 4 Chapters and 43 Articles (MD, 286/2008). There are also area where the current regulations may need amendments for instance, in chapter 2 “general provision” under article 10, the OS&H programmes are only required for employers who have 10 or more than 10 employees. Similarly, under article 11, only the employer who employs fifty or more workers shall assign a qualified supervisor to handle the OS&H tasks. This means that if there are 9 employees in an establishment, they don't need to have OS&H programme. Similarly, if there are 49 employees in a company, the company doesn't need to have a qualified OS&H supervisor.

CONCLUSIONS

Different agreement and memorandum of understanding between ILO and Oman shows that Oman is committed to the implementation of the National Programme for work, which aims to build Oman's labour market, and provide decent work. (TOM, 2017). The National Programme for Work is to be implemented from 2017 to 2019, and the ILO will help develop it in the Sultanate. There is an opportunity for Oman to identify the areas in current regulation which need to be revised and if necessary, separate regulation for construction can be introduced to effectively manage OS&H in the construction industry. Apart from this, many countries used to have an analysis of their OS&H regulations and its enforcement to evaluate their performance. It has been practiced in countries which exhibit good OS&H performance that such regulations are revised from time to time. For instance, in the UK, the Construction, Design and Management Regulations (CDM) were first introduced in 1995, revised in 2007 and then in 2015 (CDM, 2015). Similarly, in the USA and UK there have been separate regulations which are applicable only to the construction industry (OSHA, 3252-05N 2005; HSE, 2018).

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