



A comparative analysis between contractors' and inspectors' perceptions of the department of labour occupational health and safety inspectorate relative to South African construction

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ABSTRACT

A doctoral study was conducted with the aim of investigating the effectiveness and performance of the Department of Labour (DoL) Occupational Health and Safety (OH&S) Inspectorate in South Africa. Information was sought and obtained from various respondents including building and civil contractors, OH&S consultants, project managers, DoL inspectors, and designers by means of a questionnaire survey. The salient findings of the study elucidate that the DoL OH&S Inspectorate is not perceived as effective in terms of OH&S or as a means of assuring compliance according to contractors in South Africa.

This paper presents a comparative analysis of the perceptions of the contractors and the Department of Labour (DoL) inspectors in terms of the performance of the DoL OH&S Inspectorate. Mean scores, mean rankings, *t*-values and *p*-values enabled the perceptions of the two stakeholder groups to be analysed. Analysis of the contractors' mean responses ($\bar{x}_{\text{contractors}}$) and the inspectors' mean responses ($\bar{x}_{\text{inspectors}}$) revealed that six of the ten performance aspects had statistically significantly different mean scores, highlighting the contractors' perceptions as statistically significantly different to the inspectors' perceptions. This paper provides a discussion of the performance aspects relative to the DoL Inspectorate's responsibility of assuring OH&S, and benchmarks the current gap in perceptions between inspectors and contractors in South Africa.

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1. Introduction

According to Hinze (2006) "Health and Safety is no accident". Immense planning, persistent following of standards and specifications, and a dedicated cultural orientation are required to ensure optimum OH&S. The most important need of the hour is to increase OH&S efforts across a broad front, and build up a new organizational culture for OH&S (Coble et al., 1999). In attempting to substantiate the above statement, the aim of the study was to investigate the effectiveness and performance of the DoL OH&S Inspectorate in South Africa. In order to reach this goal, it was necessary to analyse the performance of the DoL Inspectorate within the South African context and to compare it with international OH&S norms and the performance of inspectorates in other countries. A further goal was to examine and compare the current OH&S

model being applied and to develop a normative model to improve the OH&S effectiveness of the DoL Inspectorate.

In order to address the research problem, as well as the sub-problems, a comprehensive survey of international literature was conducted by means of data collected from articles, journal and conference papers, and reports. The empirical findings, obtained by means of questionnaire surveys largely contributed towards solving the identified problems and sub-problems, and also in identifying the shortcomings of the DoL Inspectorate. From a global perspective, the literature and the empirical findings indicate that the OH&S predicament in South Africa is not unique, but similar, and that it compares favourably with that of other countries.

General international statistics and historical perspectives indicate that OH&S has always been problematic (Hinze, 2006). Furthermore, when comparisons are made between the construction industry and other industrial sectors, it is clear that the construction industry generates a disproportionate number of injuries. When examining the nature of construction, the work is often performed under the most arduous and extreme climatic conditions. The terrain is generally not favourable to the safe movement of people, materials, and machines. According to Davies and Tomasin

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(1996) in factories there is normally a controlled environment, with little change in working procedures and equipment for long periods and the labour force usually remains fairly constant. In comparison, the working environment in construction is constantly changing, sites exist for a relatively short period of time, and the activities and related hazards and risks change daily, which means that OH&S vigilance and awareness is critical.

The management of OH&S in the construction industry, wherever it might take place in the world, is never easy and straightforward and requires leadership and sound construction management. The accident record is never going to be as low as for example, manufacturing or the service industries, but there are clear moral, ethical and economic arguments that involve both the visualising of construction projects and the realisation of them to exercise what effort can reduce risks to workers, members of the public, and to the built environment (Anderson, 2000). The uniqueness of the industry is highlighted by various authors such as Griffith and Hinze (2000) and Hinze (2006) when motivating commitment to OH&S. Over the years the construction industry has consistently been among those industries with high injury and fatality rates (DoL, 2000). According to Hermanus (1999) it is indisputable that South Africa needs to overhaul its OH&S system. The evidence is unequivocal. Inconsistencies in policy, law and approach as well as organisational discontinuities represent formidable obstacles to developing a consistent approach to OH&S in South Africa. Currently there is no DoL OH&S Inspectorate model *per se*. The supposed functions of the DoL Inspectorate are primarily to enforce legislation by conducting inspections and investigation. From the findings of this study, it is evident that these functions are not being conducted effectively.

Within the context of the United Kingdom, according to Anderson (2010) in 2000, the Health and Safety Commission (HSC) produced a strategy document entitled *Revitalising Health and Safety*. One of the many welcome points was No. 34, which stated: The government and the health and safety commission will act to ensure that professional such as architects and engineers as well as OH&S inspectors receive adequate OH&S education. Furthermore according to Anderson (2010) another example is to be found in the OH&S Act 2004 of the state of Victoria (Australia) (GoV, 2004). Section 7(1) (g) states that the enforcement authority is given the function to promote education and training. In general, the provision of adequate educational input on construction OH&S matters to the accredited construction professional's undergraduate courses is fragmented, uneven and rarely fully satisfactory in meeting the needs of industry.

2. Review of the literature

This study focuses on one of the recommendations of a completed Master's study evaluating OH&S programmes in selected contractors against a normative OH&S model, namely, that the DoL was not carrying out their duties effectively (Geminiani, 1998). According to Strydom (2002) the South African construction industry in 2001 was regarded by the South African DoL as one of the worst performers in OH&S in terms of injuries and fatalities and was placed sixth in comparison with industries such as fishing, transport, forestry, textiles, and mining ahead of it. Over the years the construction industry has consistently been among those industries with high injury and fatality rates (DoL, 2000). According to Labour Minister Mdladlana (DoL, 1999) the DoL has repeatedly warned that the rate of workplace fatalities and injuries are unacceptably high. Mdladlana further mentioned that in 1996, the country had lost an estimated R17bn or 3.5% of gross domestic product as a result of work related accidents.

2.1. OH&S Inspectorate statistics

Kavanagh (2002) defines an inspection as "to look at closely" or "to examine officially". St John Holt (2001) categorically states that inspections should be based on a positive approach, seeking to establish what is good and well done, as well as what is not. Too often the inspection process has a negative implication associated with fault finding. The following statistics explicate some of the inspections conducted by the South African DoL OH&S Inspectorate.

Szana (2007) reports on and highlights consolidated statistics for March 2007, and from recent 'blitz' inspections:

- 923 construction sites were visited;
- 1273 employers were visited – principal and other contractors;
- 604 employers were compliant (47.4%);
- 669 employers were non-compliant (52.6%), and;
- 962 notices were served: 41 improvement (4.3%), 766 contravention (80.0%), and 155 (16.0%) prohibition.

According to Szana (2007) during national 'blitz' inspections conducted in April 2007:

- 374 inspectors inspected 1909 workplaces;
- 975 where compliant (51.0%);
- 815 were non-compliant (42.6%);
- 1455 notices were issued: 255 improvement (17.5%), 1028 contravention (70.6%), and 172 prohibition (11.8%).

According to the DoL cited by the Construction Industry Development Board (cidb) (2009) during national 'blitz' inspections conducted in August:

- 441 inspectors visited 1415 workplaces;
- 759 were compliant (47.5%) and 829 were non-compliant (52.5%), and;
- 1388 notices were served: 86 improvement (6.2%), 1015 contravention (73.1%), and 287 prohibition (20.7%).

2.2. OH&S management

In their review, various authors (Hinze, 2006; Rowlinson, 1997; Levitt and Samelson, 1993) argue that OH&S is a corporate responsibility, which demands the skills of OH&S managers and that those responsible for OH&S within the workplace must provide input to all operations. Attention to OH&S in the construction industry has increased dramatically over the past decades. Hinze (2006) states that the time for OH&S awareness has arrived and that OH&S is no luxury, it is a necessity. According to Smallwood (2000), OH&S education is important for both management and workers as incidents and accidents occur downstream of culture, management system, and exposure. However, culture and management system in turn, are both influenced by OH&S education and that a lack of education can in turn have an effect on behaviour. Hinze (2006) further states that the OH&S culture on a project is solid when OH&S is foremost in the minds of all project and organisation personnel, beginning at worker level and proceeding all the way to top management. An OH&S culture should be based on the conviction that no worker should ever be placed in a situation in which an injury has a high probability of occurring. Furthermore, findings from the doctoral study (as mentioned in the abstract) conducted examined the attitude of management and indicated that a mere 51% of workers perceived their management to be serious about OH&S. A further finding indicates that 74% of the workforce was under the impression that the only reason management cared, is because they are compelled to by the OH&S Act. The workers also want management to be directly involved in everyday issues. A to-

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