

**THE EXTENT OF COMPLIANCE WITH OCCUPATIONAL SAFETY AND
HEALTH REGULATIONS AT MANUFACTURING COMPANIES IN
MOMBASA COUNTY**

BY

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DECLARATION

This research project is my original work and has not been presented for award of any degree in any other university.

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This research project has been submitted for examination with my approval as University Supervisor.

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DEDICATION

To my parents Mr. & Mrs. Gatithi, my brothers Hillary and Stephen & Sister Janet for their great support.

ABSTRACT

Occupational safety and health continues to be one of the most critical but highly criticized issues within the discipline of human resource management. Occupational safety key indicators to an organization's culture and commitment that ensure a safe workplace include, maintaining safe equipment, providing adequate staffing level and fostering safe work practices. The purpose of the study was to investigate the extent of compliance with the safety and health regulations by manufacturing companies in Mombasa County. It further determined the measures organizations have put in place at their workplaces to comply with the occupational safety and health regulations. The study was based on a population of 29 manufacturing companies in Mombasa County. The study was a population survey design and primary data was collected using questionnaires. The data was analyzed using descriptive and factor analysis. The elements used to determine the extent of compliance with occupational safety and health regulations at workplaces were categorized into 6 factors. The factors were company safety management regulations, OSH department regulations, safety measures regulations, hygiene regulations, Health management regulations and employee Education and awareness regulations. The study revealed that 100 percent of the respondents were generally aware of the existence of the occupational safety and health Act, 2007. Over 69.9 percent of the respondents were of the view that administration and enforcement of the Occupational Safety and Health Act, 2007, was effective. Overall, the extent of compliance with Occupational Safety and Health regulations at workplaces stands at 71.7 percent. Organizations still have an outstanding 28.30 percent level of no-compliance which they need to work on in order to minimize the consequences of non-compliance.

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CHAPTER ONE: INTRODUCTION

1.1 Background of the study

According to Geller (1994) an unsafe workplace contributes to work-related injuries that often result in physical, emotional and financial difficulties for preoperative employees. Occupational injuries resulting from an unsafe workplace impact the health care organization by increased costs and a reduced ability to provide services. Occupational hazards in the workplace have been identified as a major contributor to employees leaving the organization or contribution to a shortage in workforce. Accidents not only cause workers significant harm to body and mind, but also result in substantial damages to business organization resources and operations. He argues that the key factors to determine the effectiveness of safety measures are the workers and behaviors, namely the work safety and personal safety awareness which are closely related.

Statistics indicate that at least 250 millions occupational accidents occur every year world wide of which 335,000 are fatal. In the year 2011 a total of 1747 cases of accidents were reported in Mombasa region. Out of these 34 were fatal and 1713 were non-fatal. Most fatal accidents occurred in the transport sector and involved heavy commercial drivers and their loaders. Other economic sectors with high fatalities included construction, security and manufacturing industry (DOSH annual report, 2010/2011). Injuries and deaths are not just a problem in traditionally dangerous industries such as mining and construction. Even commercial organizations have hazards such as slippery floors, noise, sharp objects among others. Office work is also susceptible to other health and safety problems including repetitive trauma injuries related to computer use, respiratory

illnesses stemming from indoor air quality and high levels of stress, which are associated with a variety of factors including task design (Dessler, 2008).

Occupational health and safety is a cross-disciplinary area concerned with protecting the safety, health and welfare of people engaged in work or employment. The goal of all occupational health and safety programs is to foster safe work environment. As a secondary effect it may also protect co-workers, family members, employers, customers, suppliers, nearby communities and other members of the public who are impacted by the work place environment. Occupational health and safety encompasses the social, mental and physical well-being of workers, that is, the “whole person” (Nyambu, 2011).

According to Armstrong (2006), achievement of the highest standards of safety and health at a workplace is important because the elimination or at least minimization of safety and health hazards and risks is the moral, economic as well as the legal responsibility of employers. From a moral perspective, managers undertake accident prevention measures on purely humanitarian grounds, that is, to minimize the pain and suffering of the injured worker and his family members are often exposed to as a result of the accident. Secondly, they do so for legal reasons owing to the existence of laws covering occupational safety and health. Finally, there are economic reasons for being safety conscious since the costs to the organization however minor the accident may be are very high.

1.1.1 Occupational safety

Occupation is anything that is connected with a person’s job or profession. Safety is a state of being safe and protected from danger or harm. Occupational safety constitutes

giving attention to physical and emotional security of employees, as a requirement by law to provide working conditions that do not impair employee's health and the employer's recognition for costs associated with sick leave, disability payments, and replacement of employees and workers compensation (Armstrong, 2006). Occupational safety key indicators to an organization's culture and commitment that ensure a safe workplace include, maintaining safe equipment, providing adequate staffing level and fostering safe work practices (Clarke, 2002).

Geller (1994) argues that the key factors to determine the effectiveness of safety measures are the workers and behaviors, namely the work safety and personal safety awareness which are closely related. An unsafe workplace contributes to work-related injuries that often result in physical, emotional and financial difficulties for preoperative employees. Occupational injuries resulting from an unsafe workplace impact the health care organization by increased costs and a reduced ability to provide services. Occupational hazards in the workplace have been identified as a major contributor to employees leaving the organization or contribution to a shortage in workforce. Accidents not only cause workers significant harm to body and mind, but also result in substantial damages to business organization resources and operations.

1.1.2 Occupational health

The World Health Organization (WHO) has defined health, as a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity. As this definition shows health is a very broad and wide concept which includes work related injuries and diseases, such as industrial deafness, dermatitis, occupational overuse injuries, asbestosis and occupational cancers. It could also include

more general health problems like heart disease, high blood pressure and stress where the work environment and procedures could be shown to be contributing factors. An occupational illness is any abnormal condition or disorder caused by exposure to environmental factors associated with employment. This includes acute and chronic illnesses caused by inhalation, absorption, ingestion or direct contact with toxic substances or harmful agents (Dessler, 2008).

Occupational health practice is a broad concept and includes occupational health services (OHS). It involves activities for the protection and promotion of workers' health and for the improvement of working conditions and environment carried out by occupational health and safety professionals as well as other specialists both within the enterprise and without, as well as workers' and employers' representatives and the competent authorities (ILO, 1999). Occupational health should aim at the promotion and maintenance of the highest degree of physical, mental and social wellbeing in all occupations; the prevention amongst workers of departures from health caused by their working conditions; the protection of workers in their employment from risks resulting from factors adverse to health; the placing and maintenance of the worker in an occupational environment adapted to its physiological and psychological equipment and, to summarize: the adaptation of work to man and of each man to his job (Armstrong, 2006).

Globalization of economies, fragmentation of enterprise structures, introduction of new technologies and new working methods and new types of work organizations, growing transfer of jobs between the countries, growing mobility of people, fragmentation of employment contracts, short-term employment, ageing of the workforce in many

countries, constriction of public budgets and the declining role of Government governance set new challenges for the organization and provision of OHS (ILO, 1999).

1.1.3 Compliance with Occupational Safety and Health Regulations

Compliance means conformity to or acting according to certain accepted standards. The framing of the safety and health regulations under regulatory package does not stem from theory, but from technological, social and cultural level of the country (Castella, 2002). This is to make compliance with any regulation achievable in any enterprise to which it applies. Safety and health concerns everyone in an establishment, although the main responsibility lies with management in general and individual managers in particular (Armstrong, 2006).

The mandate to enforce compliance of the provisions of OSH Act at workplaces is vested upon the Director of Occupational Safety and Health Services (DOSHS). The Act at section 26 provides for appointment of occupational safety and health officers to assist the Director in enforcing compliance with occupational safety and health regulations. For this purpose section 32(1) of the Act empowers an occupational safety and health officer to enter, inspect and examine, by day or by night, a workplace and every part thereof, which he has reasonable cause to believe that explosive, highly inflammable or any other hazardous materials are stored or used.

According to OSH Act 2007 section 6 every occupier shall ensure the safety, health and welfare at work of all persons working in his workplace. Without prejudice to the generality of an occupier's duty under subsection (1), the duty of the occupier includes the provision and maintenance of plant and systems and procedures of work that are safe

and without risks to health. Every occupier shall carry out appropriate risk assessments in relation to the safety and health of persons employed and, on the basis of these results, adopt preventive and protective measures to ensure that under all conditions of their intended use, all chemicals, machinery, equipment, tools and process under the control of the occupier are safe and without risk to health and comply with the requirements of safety and health provisions in this Act. An occupier who fails to comply with a duty imposed on him under this section commits an offence and shall on conviction be liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding six months or to both.

Organisations must develop an appropriate human resource response that will enable their organisations to not only be prepared for any eventuality but also instill a safe culture. It is important for organisations to have a safety policy in place that clearly states the organisation's safety concerns and how it intends to deal with them and implement the same. The employer has certain obligations to undertake and incorporate in the workplace to minimize chances of accidents and diseases occurring (Armstrong, 2006). The regulations from the OSHA 2007 demand Employers to register their premises with the Director of Occupational Health and Safety. OSHA requires employers to carry out a risk assessment of the workplace after which preventive and control measures are supposed to be implemented as per the findings of the said assessment. A safety and health audit should be conducted after every twelve months by an external auditor approved and certified by the Director of Occupational Health and Safety.

Every employer is required to ensure the safety, health and welfare of all persons working in his/her workplace by hiring qualified personnel: An employer should employ people who have the relevant education and qualifications required to competently do their jobs. This will reduce the probability of the occurrence of accidents and disasters in the workplace. Employers are supposed to provide plant, equipment and processes of sound design and manufacture so as not compromise employees' safety when in use. Employers are also supposed to have sound maintenance procedures in place so as to reduce the level of risk to employees and the general public.

The employer in collaboration with the developers, manufacturers and suppliers of equipment, is under obligation to provide adequate and relevant information on plants, equipment, processes and materials to avert unsafe use, handling, storage and transportation that may cause accidents and disasters. Employers should take reasonable, practical and proven procedures to efficiently dispose of any wastes from his/her workplace that are likely to cause injury to health, pollution of the general environment and inconvenience the general public (OSHA 2007).

According to the legal notice No. 31 of 2004 it is mandatory for employers with more than 20 employees to form occupational safety and Health committees to manage affairs of safety. The regulations also require the employers to report to the Director, incidences of accidents, dangerous occurrences and any known occupational diseases suffered by employees in the course of their employment. The abstract of the safety and health Act, rules and notices should be displayed in a prominent position at the work place. A general register of the employees, approved plans of the workplace and investigation incidents of accidents and occupational diseases in their workplaces must be kept at all times.

Factory employees must ensure that there are no leaks of steam, water, or oil. They should also ensure that there are no blocked aisles make sure that fire prevention and control equipment such as extinguishers, hose sprinkler heads, and fire doors are in working order. Workers are also supposed to check that equipment is not running hot or overheating. In the event of equipments failure or malfunction, they are supposed to report such incidences to the management or in the last resort, to the labour ministry's Directorate of Occupational Safety and Health Services places an obligation on the occupier of a workplace to plan and arrange the production process to ensure that a workplace is clean, not crowded well lit and ventilated and that there is proper drainage and adequate provision for sanitary conveniences. (Institute of Human Resource Management 2011).

1.1.4 Manufacturing Companies in Mombasa County

Manufacturing companies use chemical substances and by-products are formed in various stages of the production process. Some of the chemical compounds used in the manufacturing process and the by-products formed are hazardous to the employees and the environment. Exposure to such products may cause accidents which may result into injuries, death or diseases. Manufacturers are therefore required to identify chemical hazards so that employees and downstream users can be informed about these hazards as required by the Occupational Safety and Health Administration's (OSHA) Hazard Communication standard. Hazard determination is the critically important first stage in the process of establishing an effective hazard communication program.

OSHA's Hazard Communication standard (HCS) is designed to protect against chemical source illnesses and injuries by ensuring that employers and employees are provided with sufficient information to anticipate, recognize, evaluate and control chemical hazards and take appropriate protective measures. This information is provided through material safety data sheets, labels, and employee training. In order for material safety data sheets, labels, and training to be effective, the hazard information they convey must be complete and accurate. Thus, it is critically important to obtain comprehensive and correct information about the hazards associated with particular chemicals.

A study by Makori et al (2012) on manufacturing firms in Western province revealed that variables such as work conditions such as temperatures, fire, noise, workspace, staircases, floors and drinking water negatively affected employees' work and ultimately organisational performance. It was noted that fire, noise along with temperatures in some firms exposed workers to untold sufferings. The risks involved while working in such workplace environment caused firms to incur huge losses in treating and compensating workers affected by the hazards.

Employees in manufacturing firms are generally exposed to hazardous substances and conditions on a daily basis. Management should ensure a proper health and safety system to safeguard against occupational health and safety hazards. The layout should enhance workflow and create comfort in the production area, there should be adequate fire-fighting equipment, lighting, first aid kits, frequent medical checkups and cleanliness and creating awareness are just but a few of the variables that should be in place to safeguard against occupational safety and health of employees (Dessler, 2008).

According to the OSH Act 2007, section 44 provides that before any person occupies or uses any premises as a work place, he shall apply for the registration of the premises by sending to the Director a written notice containing the particulars set out in the fourth schedule. Prior to registration of firms and other work places the directorate of occupational safety and health have provided a work place self - assessment form which covers all areas within the work places such as type of the building, description of work place, floors, water closet, urinals, showers, toilets, hand wash basins, raw materials used, end products, list of likely hazards at the work place, precautions put in place to control the hazards, list of personal protective equipment provided to workers, ventilation, fire precaution, first aid box, drinking water for employees, medical examinations on workers, availability of occupational safety and health policy as well as a functional occupational safety and health committee (DOSHS registration form 21B 2011).

This study will focus on the manufacturing companies in Mombasa County. The registered work places in Mombasa are 900 ranging from manufacturing companies, transport, construction, security, banking, warehousing, Hotel and restaurants, fuel stations, publishing and printing among others. The number of manufacturing companies in the County is 29, which operate in different industries.

1.2 Research Problem

According to Armstrong (2009) health and safety policies and programmes are concerned with protecting employees and other people affected by what the company produces and does-against the hazards arising from their employment or their links with the company. When the Occupational Safety and Health Act 2007 was enacted by the Government, it sought to among other things, ensure that employees work in safe environments.

Employers must also therefore ensure the safety of their workers by taking the necessary steps. Compliance with Occupational safety and health standards is taken for granted, but that is often the starting point for safety. When occupational safety and health laws are abided by, this will yield productivity, employees' satisfaction and achievement of goals. The cost of industrial accidents and other work related illnesses, injuries and deaths is quite substantial and could be avoided if both employers and employees exercised due diligence at all times.

Despite the fact that the government of Kenya has put in place legislations to safeguard safety and health of workers, the number of accidents in organisations have continued to increase. There is seriousness of health and safety at work places as illustrated by governments in most countries making it a policy issue particularly in Africa. According to DOSH annual report (2010) a total of 1,747 cases of accidents were reported in Mombasa region. Out of these 34 were fatal and 1713 were non-fatal. 24% of the total number of accidents was reported in the manufacturing sector. However it was noted that the number of accidents reported at DOSH were only cases that sought compensation and therefore the cases could be more than what had been reported.

A study carried out in Nairobi by Ayub (2010) on extent of compliance with occupational safety and health regulations at work places revealed that 90 percent of the respondents were aware of the existence of the occupational safety and health Act 2007. Overall the extent of compliance with occupational safety and health regulation at work places stood at 64.49 percent. Organizations still had an outstanding 35.51 percent level of non-compliance. The study revealed that inspection and examination of workplaces by

occupational and health safety officers was at the level of 52.2 percent which is low and could be perhaps one of the factors responsible for lack of full compliance.

Makori et al (2012) in their study, the observation checklist revealed that work procedures were not followed by most employees. Most of the employees were working on machines which were not safeguarded therefore endangering their lives. A large number of them had protective clothing like boots; overalls and helmet provided but only a small number were wearing them. Some claimed that there was no need for such items. It seemed as if there were no rules in the firms as far as personal protective equipment was concerned.

A similar study carried out by Mutemi (2008) revealed that most chemical manufacturing firms had put in place programmes to ensure health and safety but accidents still occurred anyhow. The respondents identified fire, explosions and inflammables as the major. The 25 respondents from various manufacturing companies in Nairobi region indicated that 42% injuries occurred mostly at night, 23% in the morning and 35% in the afternoon. The researcher recommended further research to be carried out in other parts of the country to establish the extent of compliance with occupational safety and health regulations. The researcher's extensive review of literature did not find any study on the extent of compliance with occupational safety and health regulations in Mombasa County. This study therefore sought to establish how safety and health officers or managers in manufacturing companies in Mombasa County monitor compliance with occupational safety and health regulations. This study answered the question: to what extent have the manufacturing companies in Mombasa County complied with occupational safety and health regulations?

1.3 Objective of the study

To determine the extent of compliance with occupational safety and health regulations at manufacturing firms in Mombasa.

1.4 Value of the study

Academically the research findings of the study may be used as a reference for future research work by academicians who may wish to undertake further research on the topic of occupational safety and health at work places.

The study will enable various companies in Mombasa region and other parts of the country to know the requirements of compliance with occupational safety and health regulations at work places and prompt the non-compliant companies to take necessary measure to comply. It will also guide organizations in coming up with programs and policies in ensuring a healthy and safe work environment which will motivate employees and minimize costs associated with non-compliance.

The study will be of great importance to DOSH in enforcing compliance and coming up with new measures to ensure that all registered work place adhere to OSH regulations.

CHAPTER TWO: LITERATURE REVIEW

2.0 Introduction

This chapter focused on the theory of occupational safety and health and compliance with the DOSH regulations. The chapter sought to review the concept of occupational health and safety, safety programmes and measures, and the roles of stakeholders in ensuring compliance with the DOSH regulations to ensure safety and health at workplaces.

2.1 Occupational Safety

Occupational safety constitutes giving attention to physical and emotional security of employees, as a requirement by law to provide working conditions that do not impair employee's health and the employer's recognition for costs associated with sick leave, disability payments, and replacement of employees and workers compensation (Armstrong, 2006). Foot and Hook (2008) define safety as absence from danger and avoidance of injury. A hazard means anything that may result in injury or harm to the health of a person. In providing an environment where employees are not exposed to hazards, employers must consider health as well as safety. Injuries could result from the traditional range of physical safety issues such as falls, strains, being hit by objects and electric shock to the non-traditional emerging risks. Risk refers to chances of the hazard actually resulting in harm being done to someone. Once an employer has identified a potential hazard then they have to estimate the chances or risk of someone being harmed by it. This is achieved through risk assessments and inspections. Occupational safety key indicators to an organization's culture and commitment that ensure a safe workplace

include, maintaining safe equipment, providing adequate staffing level and fostering safe work practices (Clarke, 2002).

Occupational injuries resulting from an unsafe workplace impact the health care organization by increased costs and a reduced ability to provide services. Occupational hazards in the workplace have been identified as a major contributor to employees leaving the organization or contribution to a shortage in workforce. Accidents not only cause workers significant harm to body and mind, but also result in substantial damages to business organization resources and operations. Safety programs deal with prevention of accidents and minimizing the resulting loss and damage to persons and property (Dessler, 2008).

2.2 Occupational Health

The World Health Organization has defined health, as a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity. Since the consequences of occupational hazards may not become apparent for many years it is important to identify the potential dangers early before they result into incurable diseases. Occupational health programs deal with the prevention of ill-health arising from working conditions. They consist of two elements: Occupational medicine which is concerned with the diagnosis and prevention of health hazards at work and dealing with any ill-health or stress that has occurred in spite of preventive actions; occupational hygiene which is engaged in the measurement and control of environmental hazards.

Occupational health should aim at the promotion and maintenance of the highest degree of physical, mental and social wellbeing in all occupations; the prevention amongst

workers of departures from health caused by their working conditions; the protection of workers in their employment from risks resulting from factors adverse to health; the placing and maintenance of the worker in an occupational environment adapted to its physiological and psychological equipment and, to summarize: the adaptation of work to man and of each man to his job (Armstrong, 2006).

To ensure a healthy working environment there must be monitoring at the workplace. This involves systematic surveillance of the factors in the environment and working practices which may affect workers' health including sanitary conditions, canteens and housing where these facilities are provided by the employer. Different types of surveillance address various aspects of work and health. Some activities focus primarily on the health of workers themselves while others explore the various factors in the work environment that may have negative impacts on health. Workers' health surveillance entails procedures for the assessment of the workers' health by means of detection and identification of any abnormalities such procedures may include biological monitoring, medical examinations, questionnaires, radiological examinations, and review of workers' health records among others (ILO, 1999).

High cost of absenteeism is a strong financial reason for taking measures to promote and improve health. Many employers have provided health screening services and membership of private health insurance schemes for their managers and some are extending this provision to the workforce as a whole. Among the measures that have been tried are: A healthy diet with a wide choice of healthy foods on the menu at work, Membership of a health club or purchase of multi-gym exercise equipment for employees to use to get fitter, help smokers quit with support, stress management programmes,

policies and education programs on HIV/AIDS and policies and education on drug and substance abuse (Foot & Hook, 2008).

According to Armstrong (2006), achievement of the highest standards of safety and health at a workplace is important because the elimination or at least minimization of safety and health hazards and risks is the moral, economic as well as the legal responsibility of employers. From a moral perspective, managers undertake accident prevention measures on purely humanitarian grounds, that is, to minimize the pain and suffering of the injured worker and his family members are often exposed to as a result of the accident. Secondly, they do so for legal reasons owing to the existence of laws covering occupational safety and health. Finally, there are economic reasons for being safety conscious since the costs to the organization however minor the accident may be are very high.

2.3 Compliance with Occupational Safety and Health Regulations

Compliance means conformity to or acting according to certain accepted standards. The framing of the safety and health regulations under regulatory package does not stem from theory, but from technological, social and cultural level of the country (Castella, 2002). This is to make compliance with any regulation achievable in any enterprise to which it applies. Safety and health concerns everyone in an establishment, although the main responsibility lies with management in general and individual managers in particular (Armstrong, 2006). People in an organization are supposed to perform specific roles regarding occupational safety and health.

It is not enough for employers to just be concerned about preventing accidents in order to comply with legislation but the encouragement of increased involvement of all and placing the duty on managers that they must introduce safety management systems. Implementing these systems and monitoring the effectiveness of these systems is of paramount importance. There is need to create a culture in which health and safety are seen to be important to the organization. The safety policy statement will contribute to this if it is effectively written, known about and acted upon. The legal requirements must be complied with and risk assessments carried out as well as gathering information about health and safety and carrying out a cost-benefit analysis. If there is to be a culture of health and safety awareness, there also need to be campaigns, publicity and involvement of top management, individuals and teams. There need to be regular communications and discussion of health and safety and the contributions that improvements will make to the organization's overall effectiveness so that all members of the organization realize that health and safety are important to the way it operates (Foot & Hook, 2008).

The regulations from the OSHA 2007 demand Employers to register their premises with the Director of Occupational Health and Safety. OSHA requires employers to carry out a risk assessment of the workplace after which preventive and control measures are supposed to be implemented as per the findings of the said assessment. A safety and health audit should be conducted after every twelve months by an external auditor approved and certified by the Director of Occupational Health and Safety. Every employer is required to ensure the safety, health and welfare of all persons working in his/her workplace by hiring qualified personnel. An employer should employ people who have the relevant education and qualifications required to competently do their jobs. This

will reduce the probability of the occurrence of accidents and disasters in the workplace. Employers are supposed to provide plant, equipment and processes of sound design and manufacture so as not compromise employees' safety when in use. Adequate ventilation, lighting, well-marked emergency exits, toilets both for male and female, waste disposal facilities, wholesome drinking water as well as ensuring high standards of cleaning at workplaces and availability of firefighting equipment and first aid kits are of paramount importance at any workplace. Employers are also supposed to have sound maintenance procedures in place so as to reduce the level of risk to employees and the general public.

Employees should be aware of what constitutes safe working practices as they affect them and their fellow workers. While the management has the duty to communicate and train individuals, employees have a duty to take account of what they have heard and learnt in the ways that carry their work. Health and safety representatives deal with health and safety issues in their areas and are members of safety and health committees. Safety committees advise on health and safety policies and procedures, help in conducting risk assessments and safety audits and make suggestions on improving health and safety performance (Armstrong, 2006).

The Occupational Safety and Health Act 2007 aims at securing the safety, health and welfare of workers and the protection of persons other than the workers against risks to safety and health arising out of, or in connection with, the activities of persons at work.

The Occupational Safety and Health Act 2007 sets objectives to promote and improve occupational safety and health standards. In the occupational safety and health discourse, environmental matters arise in two scenarios: the working environment; and the impact of the industrial activities on the natural environment. The constitution in Article 69 (1) (g)

enjoins the state to eliminate processes and activities that are likely to endanger the environment. Article 69 (1) (g) is therefore in tandem with the Environmental Management and Coordination Act and the Occupational Safety and Health Act which require workplaces in Kenya nowadays to come up with the necessary institutional frameworks for environmental and occupational health and safety management. The law here is geared towards improving the quality of the working environment and also escaping liabilities in the event of injuries and occupational diseases. Attaining occupational health and safety at the workplace will require the government as well as the other social partners to attach as much importance to the health of workers as to the environment in which they work.

There have been complaints that the undertakings introduced by the Occupational Safety and Health Act have been loaded upon employers and as such there need to be collaboration between the employers and the government to come to a favorable compromise. The argument is that the compulsory annual safety and health audits, risk assessments and the requirement for a health and safety statement by all employers will drive out the small investors who will not be able to comply for lack of capacity as the Act requires (Kariuki, 2007).

2.4 Management Responsibilities

It is not enough for employers to just be concerned about preventing accidents in order to comply with legislation but the encouragement of increased involvement of all and placing the duty on managers that they must introduce safety management systems. Implementing these systems and monitoring the effectiveness of these systems is of paramount importance. Health and safety policies and programs are concerned with

protecting employees and other people affected by what the company produces or does, against the hazards arising from their employment or their links with the company (Foot & Hook, 2008).

Accident prevention boils down to two basic activities: Reducing unsafe conditions and reducing unsafe acts. Reducing unsafe acts is always an employer first line of defense in accident prevention. Safety engineers should design jobs so as to remove or reduce hazards. In addition supervisors and managers play a role in reducing unsafe conditions by use of check lists or the self-inspection checklists to help identify and remove potential hazards. Sometimes the solution for eliminating unsafe condition is obvious and sometimes it is more subtle. For instance slips and falls are often the result of debris or a slippery floor. Relatively obvious remedies for problems like these include slip reducing floor coatings, floor mats, better lighting and a system to quickly block off slips. Personal safety gear can also reduce the problems associated with unsafe conditions. For example slip resistant footwear with grooved soles, cut resistant gloves to reduce the hazards of working with sharp objects (Cascio, 2003).

Getting employees to wear personal protective equipment can be a famously difficult chore. Wearability is important in addition to providing reliable protection and durability, protective gear should fit properly, be easy to care for and repair, be flexible and light weight, provide comfort and reduce heat stress, have rugged construction, be relatively easy to put on and take off and be easy to clean, dispose off and recycle. Including employees in planning the safety program, reinforcing appropriate behaviors and addressing comfort issues contribute to employees' willingness to use the head gear (Armstrong, 2006).

Furthermore, the OSHA 2007 places an obligation on the occupier of a workplace to plan and arrange the production process to ensure that a workplace is clean, not crowded well lit and ventilated and that there is proper drainage and adequate provision for sanitary conveniences. To prevent accidents from recurring, organizations must make provision for general safety precautions. These include regulating or closely monitoring the use and storage of flammable substances in the workplace, provision of safety ladders and fire escapes, as well as provision of fire prevention and protection equipment on site. Emergency preparedness and evacuation procedures should also be in place (Institute of Human Resource Management, 2011).

2.4.1 Employees Responsibilities

While the employer is expected to ensure a safe workplace, it is the responsibility of employees to protect themselves by observing the safety procedures and practices, including wearing of protective gear like helmets, earmuffs, goggles, and gloves where necessary. Failure to observe the requirements of the Act may result in heavy penalties on both the employee and the employer. Part thirteen provides for offences, penalties and legal proceedings for both parties. One could be fined to the tune of Kshs. 300,000 or imprisonment of not more than three months or both (DOSH Act, 2007).

It is the responsibility of the workers to read, understand and obey the safety instructions as far as safety is concerned. According to OSHA 2007 factory employees must ensure that there are no leaks of steam, water, or oil. They should also ensure that there are no blocked aisles. The employees must make sure that fire prevention and control equipment such as extinguishers, hose sprinkler heads, and fire doors are in working order. Workers are also supposed to check that equipment is not running hot or overheating. In the event

of equipments failure or malfunction, they are supposed to report such incidences to the management or in the last resort, to the labour ministry's Directorate of Occupational Safety and Health Service. It is important that employees be trained in occupational safety and health issues.

Employees through their unions must cooperate with health and safety committees or worker health and safety representative, in designing and implementing safety management systems in the organisations. Employees are expected to perform work in a safe manner. They should not engage in horseplay or work while impaired by alcohol, drugs or other causes. The workers also have a right to refuse work if they believe it would create an undue hazard to the health and safety of themselves or another person. All the unsafe conditions and accidents should be reported to the supervisor or employer immediately for necessary action to be taken. It is the responsibility of the employees to be aware of their rights with regard to health and safety conditions by ensuring that they receive proper health and safety information, training and instruction from their employer and other experts. They are required to exercise any right or carry out health and safety responsibilities without fear of discrimination from the employer (Institute of Human resource management, 2011).

2.5 Health and safety practices at workplaces

According to Dessler (2008) there are three basic causes of accidents; chance occurrences, unsafe conditions and employee unsafe acts. Unsafe conditions are the main causes of accidents. Kariuki (2007) carried out a research on realization of occupational safety and health as a fundamental human right in Kenya and established that lack of

proper enforcement mechanisms, capacity challenges, emerging production techniques creating new risks as some of the main obstacles to the effective implementation of the law on occupational safety and health in Kenya as a fundamental human right.

Makori et al (2012) carried out a study on the influence of occupational health and safety programmes (OHSP) on performance of manufacturing firms in Western province Kenya and established that OHSP were not efficient in the studied firms, thus, affecting organizational performance of these firms in terms of sales, profitability, production, order delivery, reputation, target achievement, product quality and production costs. They recommended that management of firms must put in place policies and structures for improving occupational health and safety.

Close and continuous attention to health and safety is important because ill-health and injuries inflicted by the systems of work or working conditions cause suffering and loss to individuals and their dependants. In addition accidents and absences through ill-health or injuries result in losses and damage to the organisation. Written health and safety policies are required to demonstrate that top management is concerned about protection of the organisation's employees from hazards at work and to indicate how this protection will be provided. The general policy statement should be a declaration of the intention of the employer to safeguard the health and safety of employees (Armstrong 2006).

Risk assessments are concerned with the identification of hazards and the analysis of the risks attached to them. Risk estimates are concerned with looking for hazards and estimating the level of risk associated with them. The purpose of risk assessment is to initiate preventive action. They enable control measures to be devised on the basis of

understanding of the relative importance of the risks. Health and safety audits on the other hand provide a much more expansive review of all aspects of health and safety policies, procedures and practices programmes. Safety audits can be carried out by safety advisors and/or specialists but the more managers, employees and trade union representatives are involved the better. Audits are often carried out under the auspices of a health and safety committee with its members taking part in conducting them. Managers and individual members of these departments can also be held responsible for conducting audits within their departments (Dessler, 2008).

CHAPTER THREE: RESEARCH METHODOLOGY

3.0 Introduction

This chapter focused on the research design that was used in the study, the target population, sample size, method that was used to collect data and how the data was analyzed.

3.1 Research Design

The study used a descriptive research design and the research was conducted through a census survey research to determine the extent to which manufacturing companies in Mombasa County have adhered to occupational safety and health regulations. This design was appropriate because it enabled the researcher to get more details from a large number of subjects in order to determine the current level of compliance with occupational health and safety regulations.

3.2 Target Population

The population of the study consisted of all the 25 manufacturing companies in Mombasa County and the register was obtained from Directorate of Occupational Safety and Health services in Mombasa. The respondents were Occupational Safety and Health Officer/Manager in each manufacturing company. The target population was all the 29 manufacturing companies in Mombasa County.

3.3 Data collection

This study used both primary data and secondary data. A structured questionnaire containing both open and closed questions was used to collect the data (Appendix I). The questionnaire consisted of three sections A, B and C. Section A captured data on the

profile of the organization. Section B contained questions that were used to measure the level of awareness of the regulations. Section C contained questions that were used to measure the extent of compliance with the regulations of the occupational safety and health regulations. The respondents were Occupational Safety and Health Officer/Manager in each manufacturing company. The questionnaire was administered through 'drop and pick later method'.

3.4 Data Analysis

The data was analyzed using descriptive statistics and factor analysis and presented using frequencies, mean scores, standard deviations, percentages and tables.

CHAPTER FOUR: DATA ANALYSIS, RESULTS AND DISCUSSION

4.0 Introduction

This chapter contains the results of the study, findings about the demographics of the study participants, preliminary analyses of the data, and the statistical analysis used to establish the extent of compliance with occupational safety and health regulations at manufacturing companies in Mombasa County.

4.1 Data capture and response rate

The study involved collecting primary data by the use of a questionnaire which was administered through drop and 'pick later method'. The researcher targeted occupational safety and health officers drawn from the twenty nine manufacturing companies in Mombasa County. Out of these, twenty five were able to participate in the study by filling questionnaires. This constituted 86% percentage response of the target population which was considered adequate for the study.

4.2 Demographic Profiles of company and the Respondents

The demographic profiles of the respondents that include; age of the company, size of the company, company ownership and length of service of the occupational safety and health officer, were analyzed to determine the general classification of the respondents. The results of the analysis are described in tables and diagrams.

4.2.1 Years of Existence

The study sought to know the number of years the companies existed. This sought to establish if safety and health issues are entrenched in companies that have existed for long.

Years of existence	No. of Companies	Percent
Less than 10 years	2	8.0
11-20 years	11	44.0
Over 20 years	11	44.0
Total	25	100.0

Table 4.1 : Years of Existence

From table 4.2 only 8% of the companies have been in existence for less than 10 years, 44% have been in existence between 11 years and 20 years while 44% of the companies have been in existence for over 20 years.

This can therefore be concluded that most companies have been in existence for 10 years and above and thus safety and health regulations have been entrenched in the companies.

4.2.2 Years of Service

The respondents were asked to indicate the period they had worked for the company so as to establish the level of awareness of the safety and health regulations at work place.

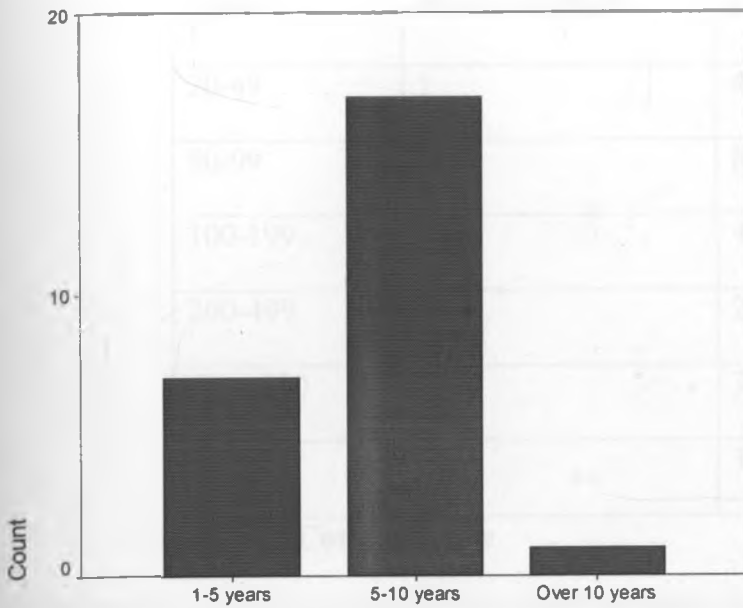


Figure 4. 1 Years of service

The results revealed in figure 4.1 that only 4% had worked for the firm for over 10 years. The majority, who constituted 68%, had worked for the company between 5 to 10 years. This therefore shows that the majority respondents have worked for longer periods and thus they were aware of safety and health regulations.

4.2.3 Companies Size

The respondents were asked to indicate the approximate range of the number of employees that the company has employed. This assisted in establishing the number of employees in manufacturing companies in Mombasa County.

Years	No of companies	Percent
20-49	1	4.0
50-99	2	8.0
100-199	10	40.0
200-499	5	20.0
Over 500	7	28.0
Total	25	100.0

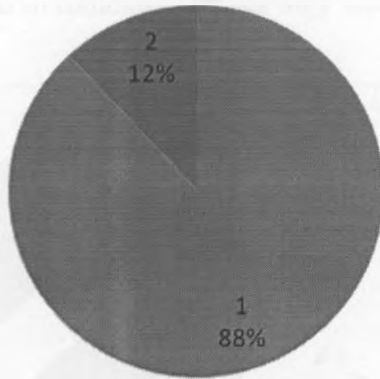
Table 4. 2 Company Size

From the results, it was noted that 28% of the companies had over 500 employees, 20% had between 200 and 499 employees and 40% of the companies had between 100 and 199 employees. Only one company had less than 50 employees. All manufacturing companies in Mombasa County have 20 and above employees thus the need for safety and health regulations at workplaces put in place.

4.2.4 Companies ownership

The respondents were asked to indicate the ownership of the company to establish if they were private or public companies. This was to ascertain the levels of compliance in private and public companies.

Company ownership



Key 1- Private 2- Public

Figure 4. 2 Company ownership

The research findings indicated that 88% of the manufacturing companies that participated in this study were private companies and 12% were parastatals owned by the Kenyan government. Therefore it can be concluded that the majority of the manufacturing companies in Mombasa County are private companies.

4.3 Level of awareness of the occupational safety and health regulations

In this section the researcher sought to establish whether safety and health officers of given companies were aware of the existence of the Occupational Safety and Health Act, 2007, safety regulations and the provisions thereof. Further, the researcher was also out to establish the effectiveness in the administration and enforcement of the Act and whether the companies' employees were aware of their roles in ensuring safety and health at their workplaces.

4.3.1 Availability of a copy of Occupational Safety and Health Act, 2007

To establish the level of awareness of the occupational safety and health regulations, the respondents were asked to indicate whether they were familiar with the OSH Act (2007).

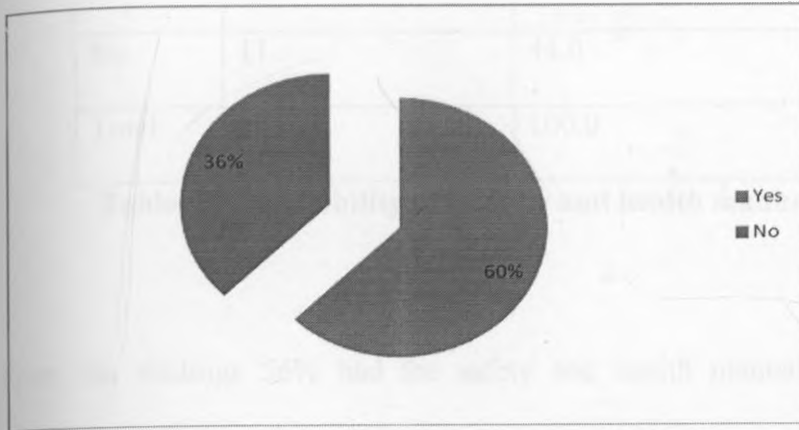


Figure 4. 3 Availability of OSH Act, 2007

All respondents indicated that they were aware of the Act. However 60% of the respondents had a copy of the OSH Act.

From the findings all respondents are aware of the OSH Act and majority had a copy of the OSH act in their companies.

4.3.2 Availability of safety and health manual in the company

The respondents were also required to indicate availability of safety and health manual.

This was to establish if there were measures put in place to ensure implementation of safety and health manual in the companies studied.

	No. of Companies	Percent
Yes	14	56.0
No	11	44.0
Total	25	100.0

Table 4. 3 Availability of a safety and health manual in the company

From the findings 56% had the safety and health manual in their companies. The availability of the Act and safety manual at the workplace implies that managers/supervisors were not only aware of the regulations that are contained therein, but they also have a basis for putting measures in place to facilitate compliance.

4.3.3 Effectiveness in the administration of the OSH regulations

To determine how well the company safety and health officers were conversant with the OSH Act and how effective the company administered safety and health department, the respondents were required to respond to predetermined variables based on a five point likert scale. The points range between strongly agree (5) and strongly disagree (1). The scores of strongly agree/agree have been taken to present factors which had a mean score of 3.5 to 5.0. The scores of neutral have been taken to represent factors with a mean score of 2.5 to 3.4 and the score of disagree/strongly disagree have been taken to represent factors which had a mean score of 0 to 2.4. The results were analyzed using descriptive statistics and presented as shown in the table below.

Factors	Mean	Std.Deviation
The company has a copy of the Occupational Safety and Health Act 2007 at the workplace	3.76	0.72
The Occupational safety and health Act gives adequate provisions regarding the safety and health of employees at the workplace	4.04	.54
The company is committed to the occupational safety and health of its employees.	3.56	.92
I know the area occupational safety and health officer	3.24	.66
The company's safety and health policy is well stipulated and communicated to all employees.	3.68	.78
Employees are aware of their right to a decent and conducive work environment	3.49	1.12
Employees understand the company's health and safety policies	3.68	0.78
Employees are aware of the existing regulations on health and safety	3.76	.72
Employees are aware of safety measures in case of any accident	3.12	1.13
Employees have been trained in fire fighting and first aid skills	3.86	.87
Employees are aware of their responsibilities in ensuring a safety and health at their work place.	3.64	.76
There is adequate level of awareness on industrial waste management	3.65	0.75
Employees are satisfied with the compensation scheme currently in operation.	2.76	1.09
Employees are involved in the development and implementation of safety and health programs	3.56	.82
Working environment is considered safe by our employees and visitors or customers.	3.56	.82
Average mean	3.490667	

Table 4. 4 Descriptive Statistics

The respondents rated adequacy of occupational safety and health Act and training of employees on fire fighting and first aid with a mean of 4.04 and 3.80 respectively. This

implies that a majority of the respondents agreed with the regulations in the safety and health Act. Availability of a copy of occupational safety and health Act, 2007 and company's commitment to occupational safety and health and safe working environment were rated with a mean score of 3.76. The respondents agreed that employees understand company's safety and health policies (3.68), and that it is well stipulated and communicated to all employees (3.68). The level of awareness on waste management had a mean score of 3.65, awareness of employee responsibilities in ensuring safety and health at workplaces (3.64). Involvement in development and implementation of safety and health programs, company commitment to OSH of its employees and safe work environment were rated at 3.56. Employees' awareness of their right to decent and conducive work environment was rated at 3.49.

However the respondents were not sure of employee's awareness on safety measures in case of accident (3.12), familiarization with OSH officer (3.24). Finally employees were not sure if they were satisfied with the company's compensation scheme (2.76).

The average mean on effectiveness in administration of OSH regulations was found to be at of 3.491.

From the findings it can be concluded that the respondents indicated that they had a copy of the OSH Act and that the provisions of the Act were adequate in managing safety and health matters at workplaces. The study also revealed that manufacturing companies in Mombasa County have safety and health policy well stipulated and communicated and therefore the employees are aware of existing regulations on health and safety. This implies that there is commitment to management of occupational safety and health at workplaces.

The companies are also committed to training employees on firefighting and first aid skills and involving them in development and implementation of OSH programs. Generally the working environment in manufacturing companies in Mombasa County is considered to be safe.

However the respondents were not sure that employees were satisfied with the compensation scheme in operation. Although the respondent agreed that employees had been trained on safety and health matters, there was still uncertainty on employees' response in case of any accidents. It was also clear that the respondents were not familiar with the area occupational safety and health officer.

Overly, the respondents were satisfied with the company administration of the safety and health regulations.

4.3.4 Number of accidents reported

The respondents were asked to indicate the number of accidents that were reported in the year 2011/2012. This was to establish if accidents were occurring in the manufacturing companies and at what rate.

No. of accidents	No. of Companies	Percent
2	2	8.0
3	2	8.0
4	2	8.0
5	2	8.0
6	1	4.0
7	1	4.0
8	1	4.0
9	1	4.0
10	3	12.0
12	1	4.0
13	3	12.0
15	1	4.0
16	1	4.0
17	1	4.0
18	1	4.0
22	2	8.0
Total 167	25	100.0

Table 4. 5 Number of accidents reported

Out of the 25 respondents only one did not respond to the question. In total 167 accidents were reported in 24 manufacturing companies. According to DOSH report 2010/2011 a total of 183 accidents was reported from the manufacturing companies.

This therefore can be concluded that all companies had reported an accident with some reporting as low as 2 and as high as 22. This means that all companies have some lesson to learn in terms of compliance with OSH regulations.

4.3.4.1 Number of deaths reported

To determine the number of accidents that resulted into death, the respondents were required to give the number of deaths reported.

Accidents	Frequency	Percent	Cumulative Percent
No deaths reported	24	96.0	96.0
Deaths reported	1	4.0	100.0
Total	25	100.0	

Table 4. 6 Number of deaths reported

Notably from table 4.6, only 4% occupational accidents that were reported resulted into death. These shows the companies have put in place measure to eliminate fatal accidents.

4.3.4.2 Number of permanent injuries reported

The respondents were asked to indicate the number of permanent injuries that were reported.

Types of injuries	No. of Companies	Percent
Non-permanent injuries	21	84.0
Permanent injuries	4	16.0
Total	25	100.0

Table 4. 7 Number of permanent injuries reported

In table 4.7 out of the 167 accidents reported, 16% had permanent injuries while 84% did not result into permanent injuries.

This can therefore be concluded that the manufacturing companies have put in place safety and health measures to reduce the number of permanent injuries but more needs to be done to bring down the number of non-permanent injuries.

4.4 Compliance with occupational safety and health regulations

The respondents were asked to rate their companies on the basis of the extent to which the companies have complied with the OSH regulations.

4.4.1 Descriptive Statistics on compliance with occupational safety and health regulations

The respondents rated the predetermined regulations on a 5 point likert scale. The rating range was between very high extent (5) and very low extent (1). The scores of very high extent/high extent have been taken to present factors which had a mean score of 3.5 to 5.0. The scores of moderate extent have been taken to represent factors with a mean score of 2.5 to 3.4 and scores of low extent/very low have been taken to represent factors which had a mean score of 0 to 2.4. The results were analyzed using descriptive statistics and tabulated as shown below:

Variable	Mean	Std. Deviation
The company has a well managed OSH department	4.60	.77
The policy is well written and communicated to the employees.	3.24	.83
The safety and health department receives the necessary support from management in terms of resources.	3.36	.95
There is an effective safety and health committee	4.20	1.04
The area occupational safety and health officers ensure enforcement of the safety	2.96	.93

regulations at the workplace		
Inspections and assessments are not carried out as often as they should be.	3.84	.90
The recommendations made after inspections are usually implemented fully	3.08	.57
The department has a well maintained record of work related injuries, deaths and diseases.	4.36	1.08
The company carries out frequent training for its employees on safety and health matters.	3.08	.76
Protective equipment are provided for all employees	4.80	.72
The floors are kept clean and dry to reduce chances of falls and slips	3.88	.54
There is adequate ventilation in the office	3.80	.87
There is adequate lighting in the production area (if any)	3.76	.97
In case of emergency there are clearly marked fire exits	3.72	.89
There is adequate fire- fighting equipment in place	3.60	.91
There are adequate first aid kits and medical services	3.60	.91
There are enough toilet facilities separate for males and females	3.60	.76
Employees are satisfied with the standard of cleanliness in the washrooms	3.28	.94
The waste disposal equipment are adequate	3.36	.76
The neighboring community is comfortable with the disposal of wastes from the company.	2.68	1.44
There is a continuous review of accident prevention measures	2.84	1.07
Our firm conducts medical check- up for employees regularly	3.40	1.12
The firm has an AIDS awareness programs	3.56	.82
There are directional signs to guide movement of people	3.56	.82
There is enough clean drinking water for all employees	3.56	.92
Health hazards are very many	3.32	.75

Employees always ask for sick off days	3.32	.90
The employees have read, understood and obey instructions on safety and health	4.20	.82
Employees report all accidents and incidences	3.56	.77
Employees report any areas or equipment requiring repairs and maintenance	3.60	.76
Employees cooperate with occupational safety and health committee	3.24	.60
Employees do not work when under the influence of beer, drugs or other causes	3.76	.72
Employees are aware of their rights in regard to safety and health through information, training and instructions given by their employer or other experts	3.74	.82
Average	3.5896	0.857931

Table 4. 8 Descriptive statistics on the level of compliance

Notably from table 4.8 the respondents rated the following factors highly; that the employees are provided with protective equipment (4.80), company has a well-managed OSH department (4.60), effective safety and health committee (4.20), employees have read, understand and obey safety and health instructions (4.20), floors are kept clean and dry to reduce falls and slips (3.88), adequate ventilation (3.80) and lighting with mean of 3.76.

However the respondents indicated low moderate compliance with the following regulations; companies conduct medical check-ups regularly (3.40), safety and health department receive support (3.36), adequacy of waste disposal (3.36), employees cooperate with OSH committee and policy is well written and communicated to employees (3.24), the policy is well written and communicated to employees (3.24), recommendations are fully implemented (3.0), the area occupational safety and health officers enforced safety and health regulations (2.96), there is continuous review of

accident prevention measures (2.84), that the neighboring community was comfortable with the company's disposal of wastes (2.68).

The average mean obtained was 3.58828 which translate to 71.7% compliance with OSH regulations.

From the research findings it can be concluded that manufacturing companies in Mombasa County have well managed OSH departments even with moderate support from management. The companies have ensured that employees are provided with personal protective equipment, the floors are kept clean and dry to reduce falls and slips and there is adequate ventilation and lighting.

It is also evident that the companies took health matters of employees seriously by conducting medical checkups although to a moderate extent therefore employees asked for sick-offs less often. The company disposal of wastes is moderately managed thus the neighboring community is not adversely affected by wastes from the company. There is moderate level of compliance with the standards of cleanliness in the washrooms.

In general, it is evident that there is high level of compliance with occupational safety and health regulations in manufacturing companies in Mombasa County.

4.4.2 Factor analysis

The respondents were asked to identify by rating predetermined variables on compliance with occupational safety and health regulations at workplaces. Results of factor analysis are shown in table 4.9.

Initial Eigenvalues			Rotation Sums of Squared Loadings		
Total	% variance	Cumulative	Total	% variance	Cumulative

			%			%
1	15.237	59.835	59.835	7.506	22.747	22.747
2	2.389	9.382	69.217	6.564	19.890	42.637
3	1.271	4.991	74.208	4.775	14.469	57.105
4	1.146	4.500	78.708	3.903	11.829	68.934
5	1.081	4.244	82.952	3.767	11.415	80.349
6	.788	3.093	86.045	1.399	4.239	84.589
7	.657	2.580	88.625			
8	.564	2.213	90.838			
9	.495	1.943	92.781			
10	.407	1.598	94.379			
11	.281	1.103	95.481			
12	.257	1.008	96.489			
13	.177	.695	97.184			
14	.160	.630	97.814			
15	.130	.511	98.325			
16	.921	.390	98.715			
17	.869	.348	99.063			
18	.500	.295	99.357			
19	.571	.258	99.615			
20	.967	.156	99.771			
21	.019	.119	99.890			
22	.497	.879	99.948			
23	.313	.156	100.000			
24	.353	.280	100.000			
25	.651	.434	100.000			
26	.871	.127	100.000			

27	.877	.370	100.000			
28	.288	.058	100.000			
29	.830	.187	100.000			
30	.594	.982	100.000			
31	.437	.642	100.000			
32	.046	.196	100.000			
33	.267	.283	100.000			

Table 4. 9 Total Variance Explained

Table 4.9 shows that of the 33 variables examined, only 6 had Eigen values greater than 1. The six factors explain 84.589% (Cumulative percentage) of the total variation, the remaining 27 factors together account for 15.411% of the variance. The explained variation 84.589% is greater than 50% and therefore, Factor Analysis can be used for further analysis.

	1	2	3	4	5	6
I	0.536278	0.412436	0.328825	0.03386	0.0533493	0.039844
II	0.40539	0.44152	0.062839	0.056284	0.416772	0.493626
III	0.42523	0.512679	0.094419	0.260642	0.412213	0.002474
IV	0.643813	0.362948	0.036156	0.078384	0.174209	0.051835
V	0.440717	0.320018	0.105472	0.258302	0.656957	0.01929
VI	0.79108	0.14741	0.106651	0.245507	0.33222	0.058496
VII	0.721038	0.101105	0.309184	0.36211	0.196446	0.057621
VIII	0.231444	0.712017	0.393998	0.183407	0.363747	0.16765
IX	0.422504	0.298228	0.376792	0.225029	0.373882	0.58431
X	0.477283	0.243312	0.627643	0.133134	0.411375	0.16933

XI	0.096432	0.072834	0.813636	0.056306	0.09726	0.119027
XII	0.079351	0.27038	0.887648	0.119122	0.166732	0.024304
XIII	0.034483	0.168539	0.507614	0.243974	0.13923	0.255604
XIV	0.417693	0.403489	0.638774	0.233139	0.078478	0.163505
XV	0.380184	0.448491	0.572787	0.192317	0.117016	0.02395
XVI	0.261447	0.428694	0.612098	0.174134	0.109764	0.01718
XVII	0.333658	0.343389	0.690897	0.235141	0.314647	0.025763
XVIII	0.360769	0.184306	0.397717	0.685763	0.068159	0.11543
XIX	0.460224	0.240976	0.499753	0.724399	0.454342	0.058141
XX	0.221288	0.05793	0.260381	0.621106	0.670969	0.087015
XXI	0.677438	0.33648	0.2342	0.382574	0.270778	0.005652
XXII	0.729299	0.339286	0.019763	0.158423	0.521108	0.305776
XXIII	0.209435	0.398564	0.230927	0.163504	0.790251	0.127225
XXIV	0.625255	0.100804	0.483915	0.3081	0.222206	0.02126
XXV	0.417119	0.433305	0.318218	0.507467	0.095763	0.179071
XXVI	0.371381	0.41858	0.32924	0.15641	0.59309	0.013494
XXVII	0.1122	0.21633	0.1257	0.04722	0.08106	0.92403
XXVIII	0.100256	0.038598	0.086255	0.399893	0.164877	0.601915
XXIX	0.286311	0.870343	0.03928	0.088714	0.151415	0.105279
XXX	0.192156	0.859385	0.01177	0.042007	0.274906	0.054442
XXXI	0.313965	0.702044	0.275486	0.463063	0.097217	0.196178
XXXII	0.292334	0.233215	0.206269	0.188812	0.692674	0.264496
Xxxiii	0.196622	0.313034	0.298047	-0.0042	0.261275	0.643734

Table 4. 10 Rotated component matrix: Rescaled component

From the table above, it is shown that factor one which represents **safety management regulations** with a 66.9% compliance level explains the following variables; presence of an effective occupational safety and health committee, presence of company safety and health policy, safety inspections and assessments are carried out often and recommendations implemented appropriately, there is continuous review of accident prevention measures, frequent medical check-ups, and directional and warning signs in the company premise.

This demonstrates that manufacturing companies in Mombasa County are very well equipped in preventing accidents at work places and also in dealing with emergencies.

Factor number two represents **occupational safety and health departmental regulations** with 73.1% compliance level. The variables explained by this factor include; availability of resources for OSH department, reporting of unsafe work conditions and work related accidents and diseases, well maintained records, employees cooperation with OSH committee, employees reporting on all incidences and accidents and reporting on repairs and maintenance.

This shows that most companies that participated in the study had functional OSH departments that managed employee safety matters.

Factor three which represents **safety measures and practices regulations** has 69.9 compliance level. This explains the following variables; adequate ventilation, lighting, emergency exits, fire-fighting equipment, adequate first aid kits, clean and dry floors, adequate toilet facilities, personal protective equipment (PPE) e.g. goggles, gloves, aprons, shields, respirators e.t.c are all provided and worn all the time at work.

This implies that management in the companies have put in place safety measures to prevent accidents.

Factor four which is **hygiene regulations** with 63.5% compliance level, is made up of the following variables; Waste receptacles are provided and are emptied regularly, toilet facilities are adequate & separate for males and females, washrooms facilities are clean, company disposal of waste products is safe to the community, and there is enough wholesome drinking water.

Hygiene matters are very basic requisite for any work environment. The prevailing compliance is not good enough as these leave workers highly vulnerable to occupational diseases.

Factor five represented **health management regulations** with 63.5% compliance level comprise the following variables; the company conducts medical check-up for its employees regularly, the company has an AIDS awareness program, health hazards are very many, employees always ask for sick off days, and employees do not work when under the influence of alcohol and drugs.

Factor six represented the **employee education and awareness on safe work conditions** with 64.4% compliance level. This factor explains the following variables; employees are aware of their right to safety and health at the workplace, policy is well written and communicated to employees, employees have read, understood and obey instructions on safety and health, employees cooperate with occupational safety and health committee and the company carries out frequent training for its employees.

This shows that management in the companies was committed to creating employee awareness through training and availing of necessary literature on safety and health at workplaces.

4.5 Discussion on findings

From the findings, compliance with safety management regulations was rated highly. This demonstrates that manufacturing companies in Mombasa County are very well equipped in preventing accidents at work places and also in dealing with emergencies. A similar study carried out by Makori, et al (2012) on manufacturing companies in Western region revealed that most of the companies had put OSH programmes although some were not efficient and hence they affected organisational performance.

Compliance with safety measures and practices regulations was also found to be high in manufacturing companies in Mombasa County implying that management in the companies have put in place safety measures to prevent accidents. This study also revealed that despite the high level of compliance with safety regulations accidents still occurred. Mutemi (2008) in his study on OSH programmes adopted by Chemical manufacturing firms in Nairobi revealed that most firms had put in place great programmes which were functional but accidents still occurred anyway with most accidents reported at night and in the afternoon.

OSH Act 2007 requires that employees are trained on occupational safety and health issues. This study revealed that compliance with employee education and awareness on safe work conditions was also rated high. Most respondents agreed that employees were well trained and that they were aware of their roles in ensuring safety and health at workplace. Kariuki (2007) carried out a study on realization of occupational safety and

health as a fundamental human right in Kenya emphasized that every employee has a right to education and awareness on OSH regulations in order to promote a safe work environment.

This chapter provides an overview of the research findings emanating from the study. It outlines the research objectives, the research design, the sample frame, the data collection methods, the data analysis, the results, the conclusions, the recommendations, and the limitations of the study. The chapter provides the findings that can be drawn from the research and offers suggestions for future research on occupational safety and health regulations.

5.1 Summary of key findings

The objective of this study was to assess the extent of compliance with the occupational safety and health regulations in manufacturing companies in Kiambu County.

Given the findings, majority of the companies have been in existence for more than 10 years and have adopted safety and health regulations. It is important to note the compliance.

The findings indicated that majority of staff have worked for long periods and therefore they were aware of safety and health regulations. The results further show that

CHAPTER FIVE: SUMMARY, CONCLUSION AND

RECOMMENDATIONS

5.0 Introduction

This chapter provides an overview of the research findings emanating from the study. In order to contextualize the research, comparisons are drawn with available literature on occupational safety and health and compliance with OSH regulations by manufacturing companies in Mombasa County. The chapter provides conclusions that can be drawn from the research and offers suggestions for future research on occupational safety and health regulations.

5.1 Summary of key findings

The objective of this study was to establish the extent of compliance with the occupational safety and health regulations by manufacturing companies in Mombasa County.

From the findings, majority of the companies have been in existence for over 10 years and above and thus safety and health regulations have been entrenched in the workplaces. The findings indicated that majority of staff have worked for long periods and therefore they were aware of safety and health regulations. The results further show that manufacturing companies in Mombasa County have over 20 employees with the majority being private companies.

The availability of the Act and safety manual at the workplace implies that managers/supervisors were not only aware of the regulations that are contained therein, but they also have a basis for putting measures in place to facilitate compliance.

From the findings it can be concluded that majority of companies had a copy of the OSH Act and that the provisions of the Act were adequate in managing safety and health matters at workplaces. The study also revealed that manufacturing companies in Mombasa County have safety and health policy well stipulated and communicated and therefore the employees are aware of existing regulations on health and safety. This implies that there is commitment to management of occupational safety and health at workplaces.

The companies are also committed to training employees on firefighting and first aid skills and involving them in development and implementation of OSH programs. However the respondents were not sure that employees were satisfied with the compensation scheme in operation. Although the respondent agreed that employees had been trained on safety and health matters, there was still uncertainty on employees' response in case of any accidents. It was also clear that the respondents were not familiar with the area occupational safety and health officer.

Overall, the respondents were satisfied with the company administration of the safety and health regulations thus working environment in manufacturing companies in Mombasa County can be considered to be safe.

In regard to compliance with OSH regulations it can be concluded that manufacturing companies in Mombasa County have well managed OSH departments even with moderate support from management. The companies have ensured that employees are provided with personal protective equipment, the floors are kept clean and dry to reduce falls and slips and there is adequate ventilation and lighting.

It is also evident that the companies take health matters of employees seriously by conducting medical checkups although to a moderate extent therefore employees asked for sick-offs less often. The company disposal of wastes is moderately managed thus the neighboring community is not adversely affected by wastes from the company. There is moderate level of compliance with the standards of cleanliness in the washrooms.

From factor analysis 6 factors had Eigen values greater than one; safety management regulations, occupational safety and health departmental, safety measures and practices regulations, hygiene regulations, health management regulations and employee education on safe work conditions. All the above factors had a high compliance level with occupational safety and health regulations.

In general, it is evident that there is high level of compliance with occupational safety and health regulations in manufacturing companies in Mombasa County.

5.2 Conclusions

Overly the study revealed there is compliance with occupational safety and health regulations in manufacturing companies in Mombasa County. The level of non-compliance still outstanding need to be worked upon. This could be improved by improving on the administration of the safety and health department. There is need for the companies to increase the resources allocated to the OSH department, which will ensure that training of the employees and the supervisors. Frequent safety assessments and closer supervision of the employees during working sessions can also improve the administration of the OSH department.

Compliance with safety regulations component demonstrated that manufacturing companies are very well equipped in preventing accidents at workplaces and also in

dealing with emergencies. It is expected that organization should be well prepared to deal with emergencies in order to mitigate injuries, loss of life and property. Hygiene matters are very basic requisite for any work environment. The prevailing compliance is not good enough as these leave workers highly vulnerable to occupational diseases.

Non-compliance with health regulations has a direct bearing on the productivity of workers. It also portrays poor image of the respective organizations.

It is not enough to provide safe and health work conditions, the employer must ensure that the employees are aware of the OSH regulations and the importance of safe and healthy work environment. The non-compliance can be attributed the limited training on safety and health, less cooperation of employees with OSH committee. Despite the relatively high level of compliance with OSH regulations accidents still occurred anyway. The number of accidents reported was less than that reported in the year 2010/2011. However the OSH officers acknowledged that many accidents occurred but only recorded those that caused serious injuries to the employees. During the visits to the companies it was observed that some companies did not observe some of the OSH regulations to the later. For instance some floors were very slippery and dirty, there were no warning signs for visitors to exercise caution, the company OSH policy was not displayed and some employees did not wear protective equipment. This are some of the omissions may have contributed to the number of accidents reported.

5.3 Recommendations

5.3.1: Recommendations with policy implications

Occupational safety and health policy at workplaces should be displayed extensively to make managers/supervisors and workers in organizations increase their awareness level. Mechanisms should also be put in place to ensure members of the general public are aware of occupational safety and health. Emergency exits should be clearly labeled and warning sign well displayed.

The quality of the working environment through compliance with safety and health standards has to be ensured by the surveillance at the workplaces. The surveillance should be based on special checklists and guidelines that should be made available to all. The supervisors and line managers should ensure that all employees adhere to safety regulations when working.

5.3.2: Recommendation for Further Research

It is recommended that a similar research be carried out in other Counties and also in non-manufacturing companies in Mombasa. This will enable establish the extent of compliance with occupational safety and health regulations in the country at large. The outcome thereof will help the government to formulate a policy on Occupational Safety and Health Management System.

5.4 Limitations of the Study

All manufacturing companies were targeted in this study but only 25 respondents returned completed questionnaires. The respondents were safety and health officers or line managers in charge of safety and health. Being part of the management, they may not have given true information on the prevailing conditions in the companies. The study did

not involve the employees, who may have given information on the conditions they operate in.

The research instrument used in this study did not enable the researcher to collect more information on challenges the companies face when managing safety and health in the manufacturing companies.

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APPENDIX 1: QUESTIONNAIRE

TO BE COMPLETED BY THE OCCUPATIONAL SAFETY AND HEALTH OFFICER OF THE COMPANY. (Tick the appropriate response)

SECTION A: BACKGROUND INFORMATION

1. Name of the Workplace/Employer (optional).....

2. Number of years the firm has been in operation

a) Less than 10 years ()

b) 11-20 years ()

c) Over 20 years ()

3. For how long have you worked in this firm?

a) 1 – 5 years ()

b) 5 – 10 years ()

c) Over 10 years ()

4. How many employees work for this company?

a) 20-49 ()

b) 50-99 ()

c) 100-199 ()

d) 200-499 ()

e) Over 500 ()

5. Indicate the ownership of your firm

a) Private ()

b) Public ()

SECTION B: THE LEVEL OF AWARENESS

6. Are you aware of the existence of the Occupational safety and Health Act 2007

a) Yes ()

b) No ()

7. Is there a copy of the Occupational Safety and Health Act 2007 at your workplace?

a) Yes ()

b) No ()

8. Does your company have a safety and health manual?

a) Yes

b) No.

9. Approximately how many accidents occurred at your work place in the year 2011/2012?.....

10. Of the total number of accidents that occurred in the year 2011/2012, how many resulted into;

i. Death.....

ii. Permanent injuries.....

iii. Non-permanent injuries.....

11. Rate the following statements indicating the extent they apply to your company by ticking in the appropriate box: strongly agree (5), agree (4), neutral (3), disagree (2) and strongly disagree (1).

	Statement	1	2	3	4	5
i.	The company has a copy of the Occupational Safety and Health Act 2007 at the workplace					
ii.	The Occupational safety and health Act gives adequate provisions regarding the safety and health of employees at the workplace					
iii.	The company is committed to the occupational safety and health of its employees.					
iv.	I know the area occupational safety and health officer					
v.	The company's safety and health policy is well stipulated and communicated to all employees.					
vi.	Employees are aware of their right to a decent and conducive work environment					
vii.	Employees understand the company's health and safety policies					
viii.	Employees are aware of the existing regulations on health and safety					
ix.	Employees are aware of safety measures in case of any accident					

x.	Employees have been trained in firefighting and first aid skills					
xi.	Employees are aware of their responsibilities in ensuring a safety and health at their work place.					
xii.	There is adequate level of awareness on industrial waste management					
xiii.	Employees are satisfied with the compensation scheme currently in operation.					
xiv.	Employees are involved in the development and implementation of safety and health programs					
xv.	Working environment is considered safe by our employees and visitors or customers.					

SECTION C: THE EXTENT OF COMPLIANCE WITH THE REGULATIONS OF OCCUPATIONAL SAFETY AND HEALTH ACT

12. Rate the following statements indicating the extent they apply to your firm by ticking in the appropriate box: very high extent (5), High extent (4), Moderate extent (3), Low extent (2) and Very low extent (1)

	Statement	5	4	3	2	1
i.	The company has a well managed OSH department					
ii.	The policy is well written and communicated to the employees.					
iii.	The safety and health department receives the necessary support from management in terms of resources.					
iv.	There is an effective safety and health committee					
v.	The area occupational safety and health officers ensure enforcement of the safety regulations at the workplace					
vi.	Inspections and assessments are not carried out as often as they should be.					
vii.	The recommendations made after inspections are usually implemented fully					
viii.	The department has a well maintained record of work related injuries, deaths and diseases.					
ix.	The company carries out frequent training for its employees on safety and health matters.					

x.	Protective equipment are provided for all employees					
xi.	The floors are kept clean and dry to reduce chances of falls and slips					
xii.	There is adequate ventilation in the office					
xiii.	There is adequate lighting in the production area (if any)					
xiv.	In case of emergency there are clearly marked fire exits					
xv.	There is adequate fire- fighting equipment in place					
xvi.	There are adequate first aid kits and medical services					
xvii.	There are enough toilet facilities separate for males and females					
xviii.	Employees are satisfied with the standard of cleanliness in the washrooms					
xix.	The waste disposal equipment are adequate					
xx.	The neighboring community is comfortable with the disposal of wastes from the company.					
xxi.	There is a continuous review of accident prevention measures					
xxii.	Our firm conducts medical check- up for employees regularly					
xxiii.	The firm has an AIDS awareness programs					
xxiv.	There are directional signs to guide movement of people					
xxv.	There is enough clean drinking water for all					

	employees					
xxvi.	Health hazards are very many					
xxvii.	Employees always ask for sick off days					
xxviii	The employees have read, understood and obey instructions on safety and health					
xxix.	Employees report all accidents and incidences					
xxx.	Employees report any areas or equipment requiring repairs and maintenance					
xxxi.	Employees cooperate with occupational safety and health committee					
xxxii.	Employees do not work when under the influence of beer, drugs or other causes					
xxxiii	Employees are aware of their rights in regard to safety and health through information, training and instructions given by their employer or other experts					

Thank you for your cooperation

APPENDIX II: MANUFACTURING COMPANIES IN MOMBASA COUNTY

1. Bamburi Cement Limited
2. Kenya Petroleum Refineries Limited
3. Kenya General industries
4. Kenya Suitcase manufacturers Limited
5. Raffia Bags East Africa Limited
6. Mombasa Maize Millers Limited
7. TSS grain Millers
8. Red Plum Enterprises Limited
9. Gold Crown Foods (EPZ) Limited
10. Shreeji Chemicals Limited
11. BOC Gases Limited
12. East African Packaging industries Limited
13. Corrugated Sheets Limited
14. Pwani Oil products Limited
15. Kensalt Limited
16. Kristalline Salt Limited
17. Diamond industries Limited
18. Atta Kenya Limited
19. Kitui Flour Mills Limited
20. Synergy Gases Limited
21. Derki Steel Mills Limited
22. Alico Foods Limited

23. Unga Maize Limited
24. Mombasa Cable manufactures
25. Wananchi Maize products
26. Summit Fibres Limited
27. Kenya Meat Commission
28. Canal Wire Products Limited
29. African Maize & General Engineering company Limited

APPENDIX III: INTRODUCTION LETTER



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P.O. Box 99560, 80107
Mombasa, Kenya

DATE: 17TH SEPTEMBER, 2012

TO WHOM IT MAY CONCERN

The bearer of this letter, Gaithi Alice Wambui of Registration Number D61/73725/2009 is a Master of Business Administration (MBA) student of the University of Nairobi, Mombasa Campus.

She is required to submit as part of her coursework assessment a research project report. We would like the student to do her project on *The Extent of Compliance With Occupational Safety and Health Regulations at Manufacturing Companies in Mombasa County*. We would, therefore, appreciate if you assist her by allowing her to collect data within your organization for the research.

The results of the report will be used solely for academic purposes and a copy of the same will be availed to the interviewed organization on request.

Thank you.

A handwritten signature in black ink, appearing to read 'Zephaniah Ogero Nyagwoka'.

Zephaniah Ogero Nyagwoka

Administrative Assistant, School of Business-Mombasa Campus

