

Legal Provisions Along with Implementation Status of Occupational Safety and Health in Nepalese Legislation

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Abstract

The study has been carried out with the objective to explore the provision of occupational safety and health standards in Nepalese legislation in building construction of Gautam Buddha International Airport. For this building such as international terminal building, administrative building, control tower, and fire rescue block were taken for study and analysis. For this population size, sample size of respondent was taken through purposive sampling method. The study found that enforcement status of rules and regulations at construction site was not satisfactory. Most of the workers even didn't hear about labour act and labour regulation, yet. There was poor implementation of rules & regulations in project site by contractor. Not even a single project was found of having provision of safety officer and no any factory inspector visit to project site till date by which it could easily predict the implementation status of labour act and labour regulation. While a legal framework has been developed, the proper implementation of such legislation is a must to keep up with changing times. The workers must be aware of safety requirement. A saturator action against the issue should be enforced through strong safety committee.

Keywords: Job Safety Analysis; Safety Legislation; Implementation Status; Labour Act; Causes of Poor Safety.

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1. BACKGROUND

Construction industry has experienced considerable growth in construction activities especially in Bhairahawa city. The rate of urbanization has heightened demand by residential and commercial consumers which has increased the number of construction activities. This therefore has provided employment opportunities for wide range of labourers, both skilled and the urban poor who do not have many skills. The construction industry is becoming important part of economy in Nepal and often seen as the driver of economic growth.

Nepalese construction industry contributed around 10 to 11 percentages to GDP and it uses around 35 percent of government budget. It is estimated that this sector is creating employment opportunities to about one million people so it generate employment next to agricultural sector in the country. Similarly about 60 percentages of the nation's development budget is spent through the use of contractors. From this, it is clearly seen that construction is a major sector and any productivity enhancement activity in this sector

will have a positive impact in the overall improvement of the national economy (FCAN as cited in Mishra and Regmi, 2017).

Despite its importance, the concept OSH has not been a prior agenda in construction field and still new in Nepal. The high illiteracy among the workers, lack of awareness, poor performance or inattention of the concerned government authorities in implementation of OSH related policies and activities have shadowed these issues.

Research Objectives

1. To assess the legal provisions along with implementation status of Occupational Safety and Health related in Nepalese legislation and in selected building of construction project of Gutam Buddha International Airport.

2. LITERATURE REVIEW

Safety Practices in Nepal

Mishra and Singh (2019) states safety assures project success. Mishra and Aithal (2021) argue

operation of project depends on safety status operation. Mishra *et al.*, (2022) claims site safety is linked with project performance. Adhikari *et al.*, (2020) found different factor for safety promotions. Mishra *et al.*, (2022) focus to implement safety at early stage through design and culture in every component including exit requirements (Mishra and Shrestha, 2017; Mishra *et al.*, 2020). Signs and signals, safety policy, orientation/awareness, safety meeting and housekeeping were used as preventive measures. Induction, toolbox talk, safety briefing used as safety conduction training. PPE and Engineering control were used as control measures. PPE were provided but not Sufficient. Elimination, substitution and administrative control were not practiced. No emergency exit and alarming system were used in construction sites. Main contribution factors to reduce the risk of accidents and illness were concluded as following safe working practices and improving working conditions for workers.

Only few accidents were found to be recorded as near miss was not assessed. Engineers are satisfied with no fatality and death condition as outcome without assuring safety effectiveness. In head race tunnel construction of Nepal, average absenteeism due to health problem and accident has been revealed as 1.81 days per month only and hence preventive and control measures can be regarded as effective. There were no practices of medical examination to the workers. No medical doctor recruited at site although there is provision in contract document. Only health assistant was recruited (Mishra, Anjay & Badagha, Damyanti G (2019), Effectiveness of Safety Measures Implemented).

Identifying occupational hazards and assessing their risk provide necessary feedback for applying prevention and control measures at work site. Noise, vibrations were the major physical hazards, chemical spills and cement/silica/sand dust as major chemical hazard, fall from working platform, slippery, rock sliding, hit by aggregate, as major mechanical hazard and job dissatisfaction, job insecurity were noted as major psychosocial hazard at tunnel. The major risks due to occupational hazards were identified as back pain, wrist pain, hearing loss, eye strain, skin allergy, irritative, corrosive (as cited in Lama, Chheku & Sah, Dinesh & Mishra, Anjay, 2019).

From research it is found that mostly the management is aware about the risk management and is practicing it with their experience, knowledge to some extent but not in full package. Generally they are found to be focused on risk of scheduled time and cost. Very less responses, among the received, were found confident that their organization is following the risk management in formal way ((Mishra, Anjay & Mallik, Kamalendra (2017), Factors and Impact of Risk Management Practice on Success of Construction

Projects of Housing Developers, Kathmandu, Nepal. International Journal of Sciences)).

There are generally claim that the contractors don't provide health facilities at the construction site for casual workers. They are compiled to work without proper sanitary facilities, safe drinking water, no proper catering service and others. Employees think that health related facilities are lacking in the site under RIP. Even though contractor has these provisions in the contract, they hesitate to invest the extra amount of money for safety equipment. No proper monitoring on this matter was found in RIP. Casual workers were found untrained, unskilled and uninformed about the safety measure and equipment's to be used. Only the workers at Balaju Ranipauwa road construction site were provided hats and boots as safety equipment (Mishra, Anjay & Shrestha, Merina, (2017), Health and Safety Status of Casual Workers in Road Improvement Project Kathmandu Valley, Nepal).

On the basis of theoretical and empirical review of literature 14 categories and 96 risk factors were found. From the data analysis, 72 risk factors were found significant and 29 risk factors were found highly significant. Highly significant risk factors are: payment delays, design mistakes and errors, inadequate design information, incomplete design, inadequate detailing from designer, mismatching between arch., str. and map drawings, poor site assessment before design, mismatch between design, details, specification and bill of quantity, inaccurate time estimation and schedules, misinterpretation of contract clause, financial failure of contractor, inefficient use of budget and resource, inadequate control over cash flow, lack of project specific skills for site consultant, unsafe working conditions/absence of safety audits, safety issues of technical persons, inadequate budget allocation for safety, inadequate physical facilities for the site staffs, Improper risk management plan, postponed response of task, inflexibility in correcting design error, designer's delay in providing design and detail drawings, communication difficulty between working parties due to language difference because of foreign project team, risk of hindrance in the present airfield (such as runway). The parties were found to pass the risk to other's irrespective of their capacities. Scientific approach of risk management has not been applied in this project (Shakya, Sujata & Mishra, Anjay (2019), Assessment of Risk Management in Construction of Gautam Buddha International Airport Project).

3. STUDY AREA

The research was conducted in Bhairahawa, Rupandehi district. Four numbers of selected buildings under construction of Gautam Buddha International Airport was taken for the case studies. The following table shows the list of building under study.

Table 1: List of selected buildings

S. N	Name of the Selected Building	Location	Developer	No of storey	Built up area(m ²)
1	International Terminal Building	Bhairahawa	Nepal Government	Basement+2 floor	928
2	Administrative Building	Bhairahawa	Nepal Government	2 floor	15000
3	Control Tower	Bhairahawa	Nepal Government	Basement+8 floor	56
4	Fire Rescue Block	Bhairahawa	Nepal Government	2 floor	1290
	Number of Accident Occurred	Fatal: No Major: No Minor: simple tripping and falling, scratches on hand legs et cetera.			

Project Name:	SOUTH ASIAN TOURISM INFRASTRUCTURE DEVELOPMENT GAUTAM BUDDHA AIRPORT UPGRADING COMPONENT
Location	BHAIRAHAWA , AIRPORT
Name of client	CIVIL AVIATION AUTHORITY OF NEPAL
Name of consultant	YOOSHIN ENGINEERING CORPORATION KOREA in association with BDA Nepal /ERMC/NESS Pvt. Ltd.
Name of contractor	NORTH WEST CIVIL AVIATION AIRPORT CONSTRUCTION GROUP LTD.

3.1 Study Population, Samples Selection and Sample Size:

The workers and the site management of the under construction projects are the target source of primary data. Total numbers of the workers in each construction site are located. The sample selections of the workers are based on purposive sampling method

and minimum 65-70 workers in projects are interviewed so that the sample size would represent the population. Similarly, the sample selection of site management are also based on purposive sampling method and one representative of contractor, one of client (developer) and one of engineers will be interviewed.

Population size, Sample size and Sample selection method

S. N	Respondents	Population size (Nos.)	Sample size (Nos.)	Taken	Sampling method
1	Workers	70	41.17	42	Purposive sampling
2	Site management (employer)	20	16.16	18	Purposive sampling
	Total	90	57.33	60	

The total Sample Construction Worker = 42 and employer (=18) was adopted.

Almost all the site staff of contractor, client and consultant was taken. Individual project sample size was calculated through ratio proportion.

3.2 Method of Data Collection

3.2.1 Collection of Secondary Data and Information

The secondary data was collected from different sources. These includes safety related books, journals, articles, papers, thesis reports, booklets, websites et cetera. Apart from this, the informal discussion with engineers, supervisors and workers working in the construction companies, consultancies, clients and contractors was taken as valuable assets for the study.

3.2.2 Primary Data Collection

Mainly, primary data was collected by questionnaire method. A structured and almost closed-ended (Yes/No) questionnaire was prepared to collect primary data regarding safety provision according to the Nepalese Legislation, its implementation, workers awareness towards safety and appropriate safety measures on construction sites. The questionnaires were directly distributed to prospective respondents by the researcher and brief interview and necessary queries was conducted. Site inspection was conducted adequately and photographs of sites under study were taken. For Set I Questionnaires.

S. N	Name of the selected buildings	Approx. nos. of workers at during study	Number of interviewed workers		
			Skilled	Unskilled	Total
1	International Terminal Building	10	4	6	10
2	Administrative Building	12	4	8	12
3	Control Tower	10	3	7	10
4	Fire Rescue Building	10	3	7	10
Total		42	13	29	42

(Source: Site office)

ii) For Set II Questionnaires

S. N	Description of respondents	Contractors engineers/officers	Client/consultant	Total
1	Site Management Team (employer)	6	12	18

3.2.3 Data Analysis

The data collected from the questionnaires survey was analyzed using microsoft excel software. Since the study is descriptive study, simple frequency

distributions are used as analytical tool. Data was analyzed, interpreted and presented using simple descriptive statistics, tables' bar charts and pie chart.

4. RESULT AND DISCUSSION

4.1 Provision of Occupational Safety and Health in Nepalese Legislation

4.1.1 Working Hour

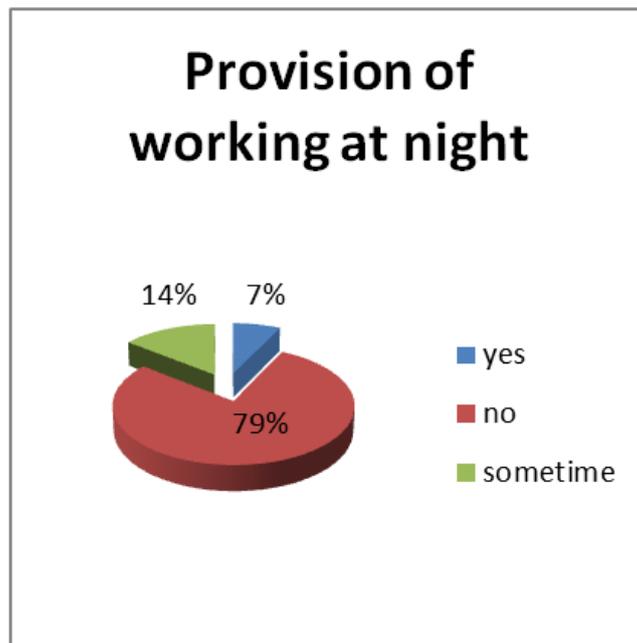


Figure 1: Provision of working at night

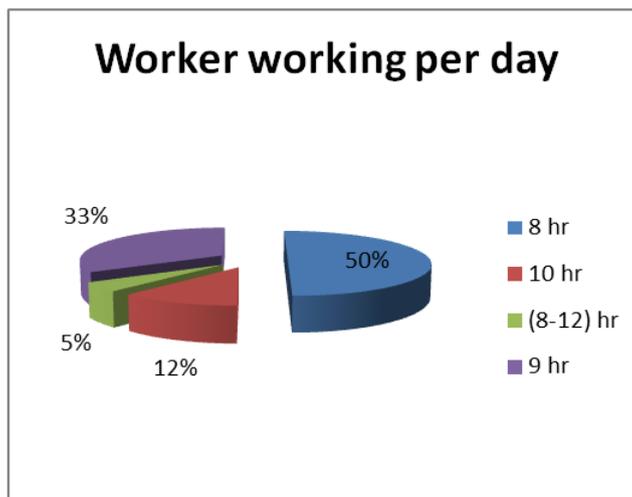


Figure 2 Workers working per day

Among the respondent surveyed 50% said that the workers have to work 8 hours in a day, 33% said that the workers have to work 9 hours a days and 12% said that the workers have to work 10 hours in a day

and 5% said that they have to work for (8-12) hrs per day.

Among the respondent surveyed 100% said that they don't get weekly holiday for a week. They have to work 7 days a week.

Similarly 7% said that they had to work at night to meet the deadline of the work. 14% said that they have to work sometime that is not fixed and is not regular. 79% said that they don't have to work at night which is a quite satisfactory result.

The result reveals that the workers have to work more than 8 hrs a day and all day in a week without weekly holiday and rest. The Labour's working hour and days are found contradict with the provisions of the Labour Act and the ILO standards. The Labour

Act and ILO standards state that working hour should not be more than 8 hrs a day or forty-eight hours a week and there should be a weekly holiday. ILO recommends that workers need at least 24 consecutive hours weekly rest. In interview with the management team, they said "As construction in a continuous process, there is no such holiday. But the workers get holiday only on demand or needed, which won't be counted in salary".

As per sec 30 of the new Labour Act (2017), the maximum overtime has been increased to 24 hours a week.

4.1.2 Provisions of Extra Wages for Overtime

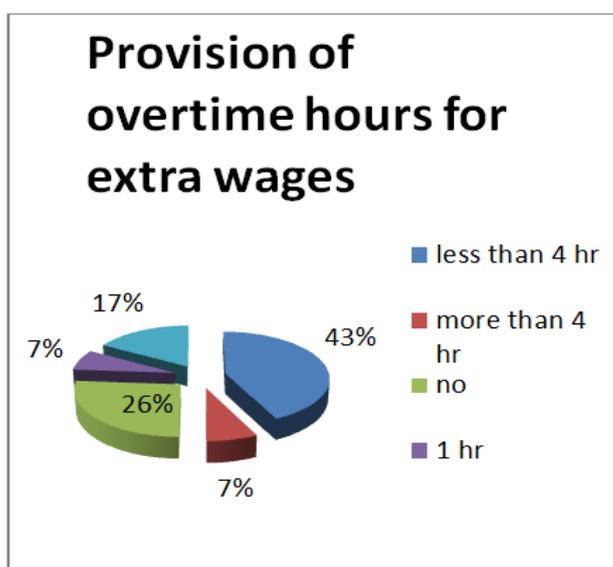


Figure 4: Provision of overtime hours for extra wages

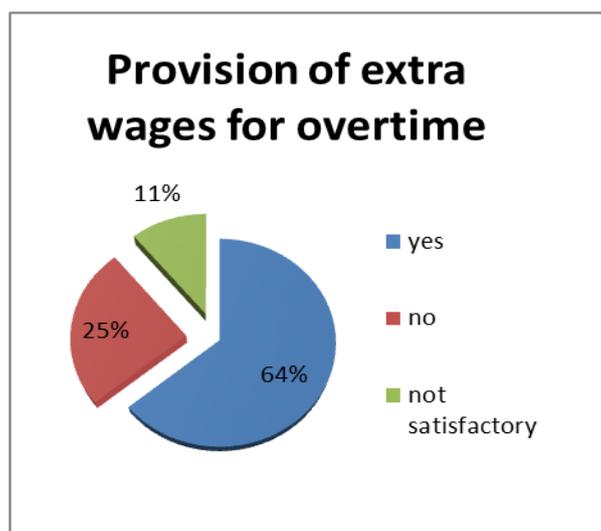


Figure 5: Provision of extra wages for overtime

Fig 4 summarizes the result of provision of extra wages for overtime. 64% workers and responded that there is a facility of extra wages for the overtime in

construction site whereas 11% said not satisfactory provision of extra wages.

Fig 5 summarizes the result of provision of overtime hours for extra wages. 43% of the workers responded less than 4hrs of overtime to be provided, 7% of workers responded that they are provided more than 4 hr of overtime similarly 17% said that overtime hours is not fixed and 26% of respondent said that there is no any provision for overtime hours.

The result reveals that the provision of extra wage is met at site. But regarding overtime hours, it contradicts with the Labour Act. According to Labour Act, where any worker or employee is engaged to work

for more than eight hours in a day or forty eight hours in a week, he/she be paid overtime wages at the rate of one and one –half time of his/her ordinary rate of wages. Provided that, no worker or employee shall be compelled to work overtime. While deploying any worker or employee to work overtime, generally the duration shall not exceed four hours per day and twenty hours per week.

4.1.3 Remuneration

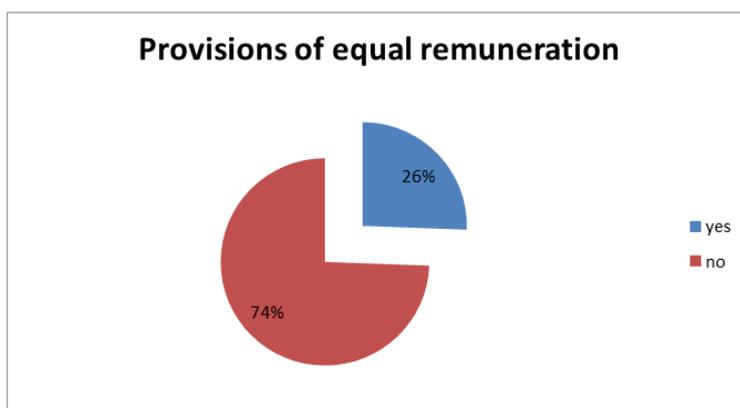


Figure 3: Provision of equal remuneration

From survey very few (26%) of respondent said that there is provision of equal remuneration whereas majority (74%) said that there is discrimination while giving remuneration which is in contradict as per Labour Act 1992.(i.e. discrimination on the basis of caste, gender, personality, capacity et cetera).

As per Labour Act 1992 from section 22 “it stated that there shall be the responsibility of the concerned manager to provide the remuneration, allowances, and facilities to be received by a worker or employer of the enterprises.”

As per new Labour Act (2017) discriminating among the workers Fine up to Rs.100000 and the order to maintain the equality may be given.

4.1.4 Children Working Below Age 14

From the survey the result reveals that there are no any workers below age 14. The result obeys the labour act and child act/law.

As per Labour Act 1992 from section 32B “it states that In case a dispute arises with regard to age of a minor engaged in an enterprise, the age mentioned in the date of birth certificate of the minor shall be deemed to be his/her actual age.”

4.1.5 Female Worker

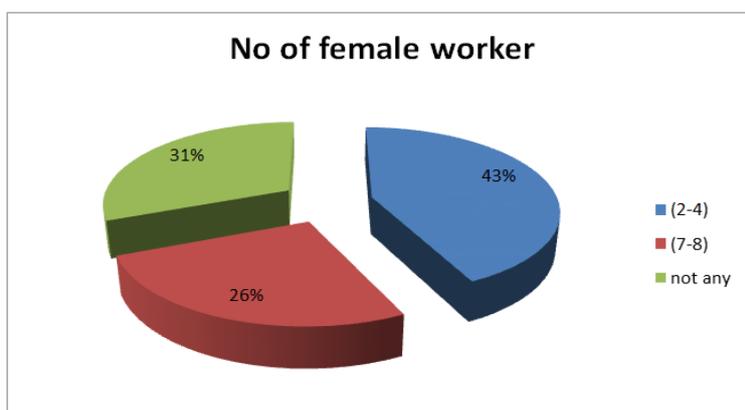


Figure 4: No of female worker

From the survey and questionnaire 43%, 26% respondent said that no of female worker are in between (2-4) number, (7-8) number and 31% respondent said that there are not any female workers.

This result shows there is not active participation of female in construction site. In labour rules, it is clearly stated that the proprietor shall have to provide a notice of engagement of any women to the labour office and shall have to arrange for their security. Equal remuneration shall have to be provided without discrimination to male and female worker for engaging them in the work of same nature.

As per Labour Act 1992 from section 42, it stated that “Where fifty or more female workers and employees are engaged in the work, the Proprietor of the Enterprise shall have to make provisions of a healthy room for the use of children of such female workers and employees. A trained nurse, including some necessary toys, shall also be arranged for the children the female workers and employees shall be provided time, as necessitated, to feed their suckling babies.” But it’s not the case here as the number is less than fifty.

4.1.6 Welfare Provision

Table 2: Summarize the result of the welfare amenities provided at the site

Particulars	Percentages of responses		
	Yes	Sometimes	No
Welfare provision			
Safe drinking water	95.23		4.76
Toilet facility	35.71		64.28
Separate toilet for male and female	0		100
Arrangement of living accommodation	40.47	30.95	28.57
Provision for canteen	19.05		80.95
Separate changing room for male and female	0		100

Among the respondent surveyed about 95% said that they get drinking water at site. The respondents all agreed that contractor manages drinking water at site. 35% agreed that they have toilet facilities where as 100% agreed that there is no separate facility of male and female toilets nor separate changing room for male and female. They have to manage on their

own. About arrangement of living accommodation, about 41% agreed that they are given a place to stay till the project completion. 100% responded that they there is no separate changing room for male and female. Nearly 81% said that there is no provision of canteen in the site.

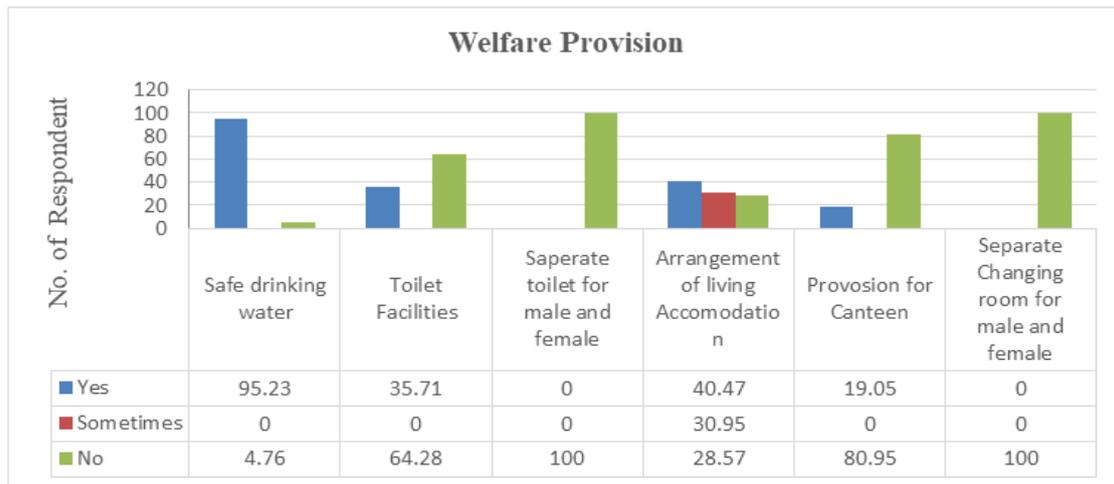


Figure 5: Welfare provision

The study reveals that workers of the construction site have provision of safe drinking water as a result there are very less possibilities to workers to suffer from water born diseases. According to the construction workers, the contractors took the responsibility to provide drinking water to the workers.

All other welfare provisions such as arrangement of living accommodation, toilet facilities, canteen facility, separate changing room and toilet for male and female are bad ,very bad and worse. Contractors don’t have any responsibility.

As per Labour Act 1992 from section 46 from CHAPTER – 5 Health and Safety Provisions Relating

to Health and Safety: The Proprietor shall make the arrangements in the Enterprise as mentioned below:

- A. To make provisions for sufficient supply of pure potable water during the working hours
- B. To make arrangement for sufficient water in the Enterprise where chemical substances, are used or produced which may be injurious to the health, for the purpose of extinguishing fire or washing and cleansing during emergency situation.
- C. To make provisions for separate modern type toilets for male and female workers or employees at convenient place.

- D. Where fifty or more workers and employees are engaged in work at one time, the Proprietor of the Enterprise shall have to make provisions for a canteen.

Also from section 37. Welfare Fund: The Enterprise shall have to establish a Welfare Fund, as prescribed for the welfare and benefit of the workers or employees

4.1.7 Provision of Effective Measures to Control Health Hazards

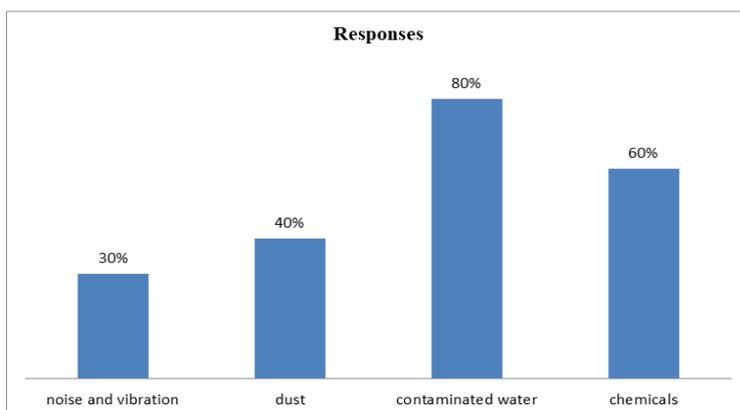


Figure 6: Provision of effective measures to control health hazards

Table shows that 80% of respondent agreed on best method to control health hazard is to make site free from contaminated water. Similarly 60% of respondent agreed the best method to control health hazard is to make best precaution for handling and storing chemicals.

The workers implied ear plugs, use of soundproof machines as control measure of noise. Similarly dust control measures were used as mask, goggles and good housekeeping practices. Treated and purified water distribution to workers for consumption was another measure to protect workers from contaminated water induced diseases. Safety measures to control chemicals hazards were hand gloves, safety

masks and goggles.

But according to my view use of dust free environment and use of pure water could be the best effective measures to control health hazards on site.

4.1.8 Provision to Be Undertaken For Safety Activity in Construction Sites

As shown in table only 12.5% respondent expressed their views that sufficient safety equipment should be provided to workers to ensure safety in construction sites while 100% responded all the above option i.e. providing sufficient safety equipment, appointment of safety supervisors, replacement of faulty equipment.

Table 3: Activity to be undertaken for safety in construction sites

Activities	Percentage of response
Providing sufficient safety equipment	12.5
Appointment of safety supervisors	0
Replacement of faulty equipment	0
All the above	87.5

As per Labour Act 1992 section 64 it is stated that “Government of Nepal by publishing a notice in the Nepal Gazette may appoint one or more labour Officers, as per necessity or designate any other officer to perform the functions of a labour Officer for one region/sector.” But no any safety officers has visited site till the survey been done.

4.2 Implementation Status of Occupational Safety and Health in Nepalese Legislation and Job Safety Status of Selected Works.

4.2.1 Responsible Parties for Safety at Site

From the survey majority (80 %) of respondent said that both the worker and employer are responsible for safety at site.

The result shows that both employer and worker are responsible for workers safety at construction site. However, workers' behavior towards maintaining safety is important as well. One should be clear enough about system and methodologies of work and common outcome of risk that can encounter at any time.

As per Labour Act 1992 section 46 Construction Business: The following special

provisions shall apply in respect of the construction business –

(d) Safety Arrangements: (1) The Proprietor shall have to make necessary and adequate arrangements of safety at the sites of construction works.

(2)The Proprietor shall have to arrange of personal protective equipment necessary for the workers engaged in construction works.

4.2.2 Safety Audit, Frequency of Safety Officer Visit

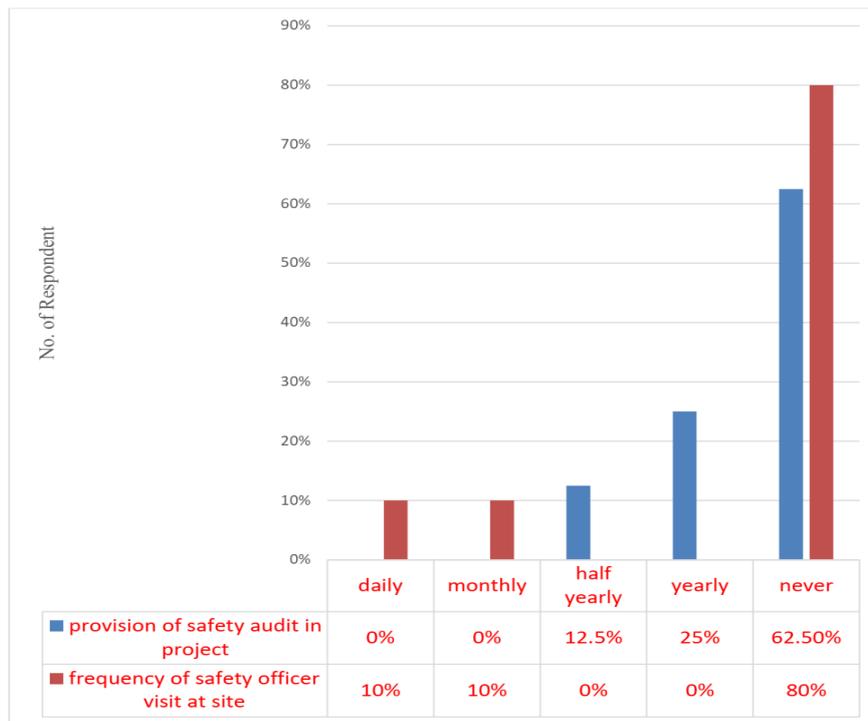


Figure 7: Safety audit, frequency of labour visit

From the figure 80% of respondent said that labours officers never visited at site. The result reflects the fact that lack of regular site visit as well as monitoring from government authorities is one of the major causes of poor implementation of safety rules and regulations.

Similarly majority (62.5%) of respondent said that there is no such provision of safety audit in project. From this we can conclude that safety audit is not practiced or given importance in construction field.

As per Labour Act 1992 section 63 “The Proprietor shall have to constitute a labour relation committee in each Enterprise in order to create

amicable atmosphere between the workers or employees and the management and to develop healthy labour or industrial relation on the basis of mutual participation and co-ordination.”

As per Labour Act 1992 section 64 “Government of Nepal by publishing a notice in the Nepal Gazette may appoint one or more labour officers, as per necessity or designate any other officer to perform the functions of a labour officer for one region/sector.”

4.2.3 Degree of Challenge to Implement Safety at Site

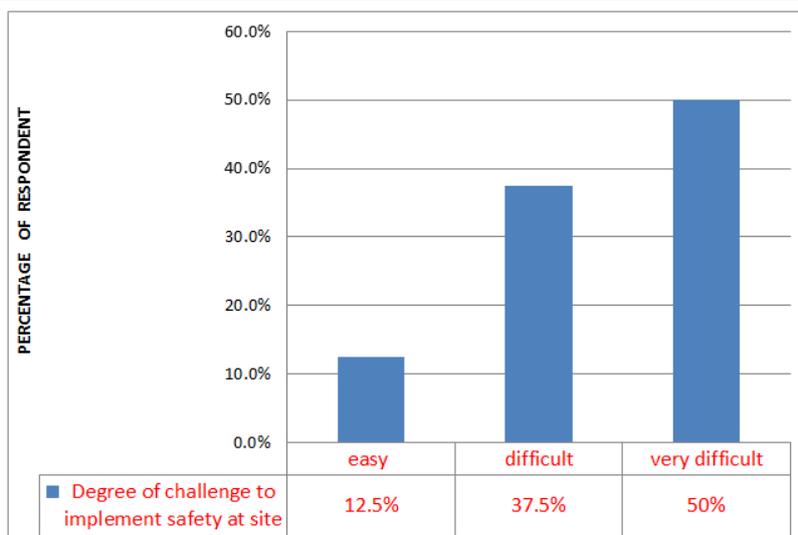


Figure 8: Degree of challenge to implement safety

From the chart it is clear that to implement and maintain safety at site is very challenging job in construction field. So safety is not given importance in construction field which is very serious issue. There could be many factors for this such as carelessness, lack of time, profit motive, et cetera.

1. The Proprietor shall have to make necessary and adequate arrangements of safety at the sites of construction works.
2. The Proprietor shall have to arrange of personal protective equipment necessary for the workers engaged in construction works.

As per Labour act 1992 section 46 Construction Business, (d) Safety Arrangements:

4.2.4 Best Method to Maintain Safety and Health of Worker at Site

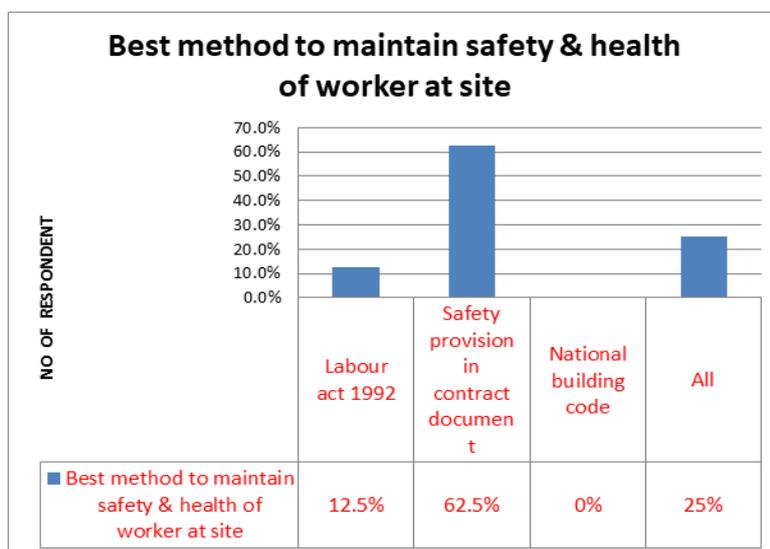


Figure 9: Best method to maintain safety and health of worker at site

Figure shows that majority of the respondents (62.5%) answered that safety provision contract documents best addresses the safety issues of the workers in the construction site. 12.5% respondents replied that Labour Act 1992 best addresses the safety of workers in the construction site. None of respondents believed that National Building Code 114:1994 has

sufficient guidelines to maintain the safety and health of workers at site.

It is interpreted from the data that safety provisions included in contract document, if enforced strictly best addresses the most of safety related issues at construction sites.

4.2.5 Safety Provisions

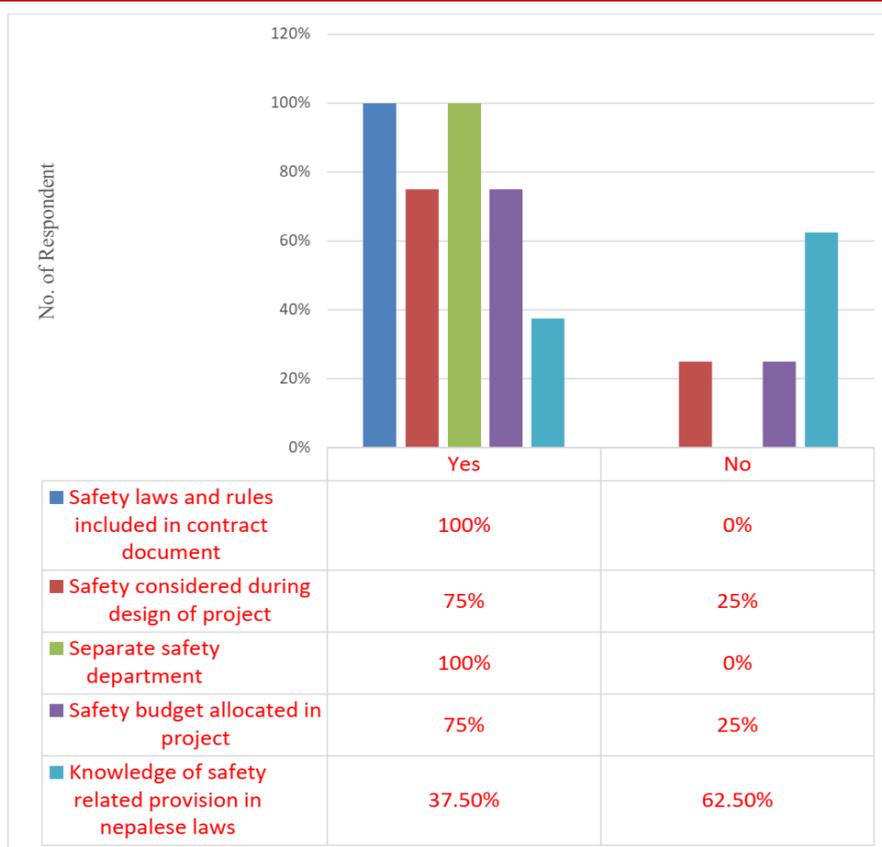


Figure 10: Safety provisions

It can be interpreted from the result that the entire respondent agreed that safety laws and rules are included in contract document. Similarly 75% of respondent said that safety is considered during design of project. Similarly 100% of respondent said that there is separate safety department facilitated at site. Similarly 75% of respondent said that there is separate safety budget allocated in project. Also from the above data most of the respondent said that they don't have any knowledge of safety related provision in Nepalese laws. From this we can say that safety provisions in contract document addresses the safety issues of workers at construction site.

But in my view although safety laws and rules are included in contract document very few are implemented and although if implemented they are not implemented strictly and same is the case of separate safety budget. Though separate safety budget is allocated they are either used for different purpose except safety or if used not utilized properly. So the govt. should take strict action for the effective implementation of different safety provisions as mentioned above Providing a safety training, personal protective equipment, safety signs, machine guarding or general safety maintenance are all the areas that contractors need to allocate amount of budget in order to manage the day to day operations (Gieseckin, 2006).

The result reveals that most of the workers are not familiar with Labour Act, 1992 and Labour Regulation, 1995 and there is poor implementation of Labour Act, 1992 and Labour Regulation, 1995 by the contractors at their construction sites. Government agency should enforce strictly the existing safety laws which might address the safety issues at construction site.

According to the Labour Act 1992 section 34, it is stated that "In the situation where provision of safety has not been made which was required to be done pursuant to this Act, in any Enterprise, the Labour Office may issue a written order to the Enterprise giving a reasonable time limit in order to provide and make necessary arrangements thereon within such period." Where 20 or more employees are engaged, employer shall constitute a Safety and Health Committee as per sec 74 of the Labour Act (2017). There were no such provisions in the previous act.

Where 10 or more employees are engaged in the entity, employer shall also constitute the Collective Bargaining Committee as per sec 116 of the Labour Act (2017).

4.2.6 Medical, Insurance, Compensation Et Cetera.

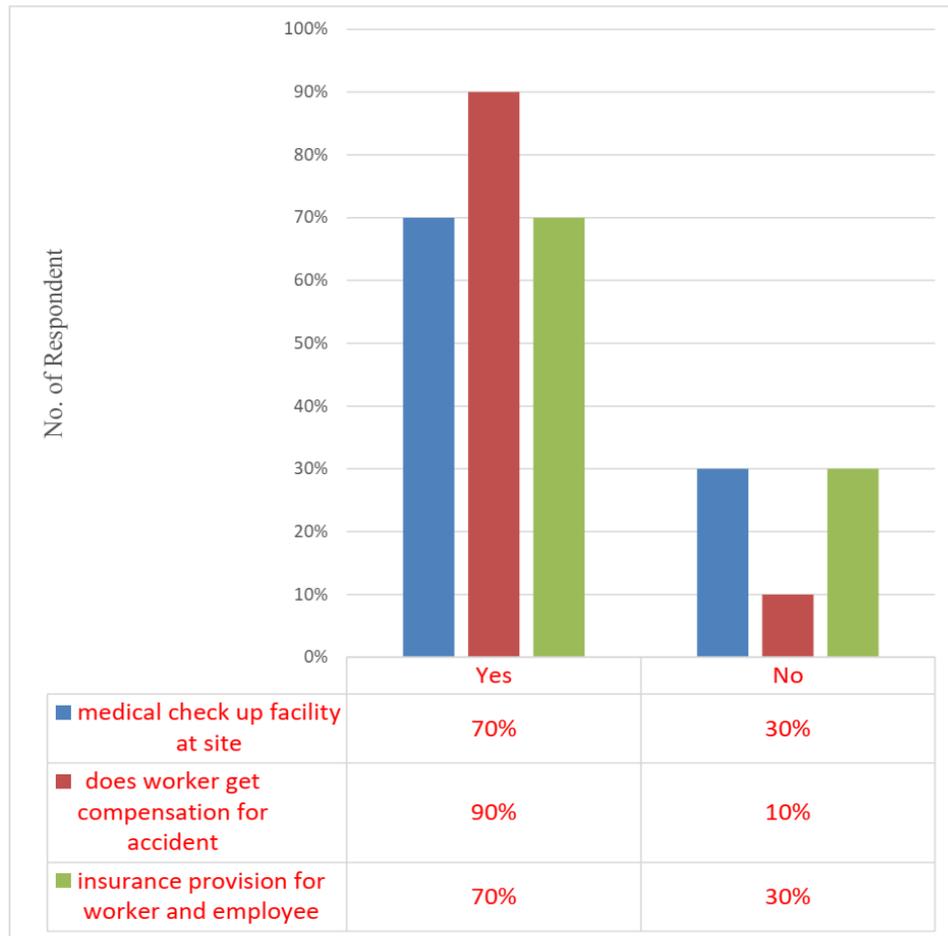


Figure 11: Medical, insurance, compensation

It can be interpreted from the result that there is provision of insurance for work against accident in the entire project. Most of the workers were not permanent; they were working as part timer.

Most of the respondent responded that no any medical checkup facility was made available at project site. Many occupational diseases are chronic in nature, having minimal early signs and symptoms and may be difficult to treat or even incurable e.g. noise-induced hearing loss et cetera. Frequent medical examination of workers who are exposed to particular health hazards at work can detect abnormalities or diseases at early stage so that timely treatment can be given to increase the prospect of cure and reduce the cost of care.

Similarly majority (90%) of the employer responded that worker get compensation for accident encountered.

But according to me majority of worker don't get compensation for minor accidents and incase of

major accidents they don't get complete compensation and on right time.

As per Labour act 1992 section 38 it is stated that "In case any worker or employee of the Enterprise is physically wounded or seriously hurt or dies in course of his/her work, the compensation shall be paid to him/her or to his/her family, as prescribed". Also from section 39 it is stated that "The gratuity, provident fund and facilities relating to medical expenses to be provided to the workers and employees shall be as prescribed."

But as per new Labour Act (2017) medical insurance covers at least 1 lakh per year for every worker. Premium to be paid equally by the employer and worker. Similarly for Accident Insurance it covers at least 7 Lakh for every worker. Premium to be paid fully by the employer.

4.2.7 Signs and Signals, Emergency Exit, First Aid, Et Cetera.

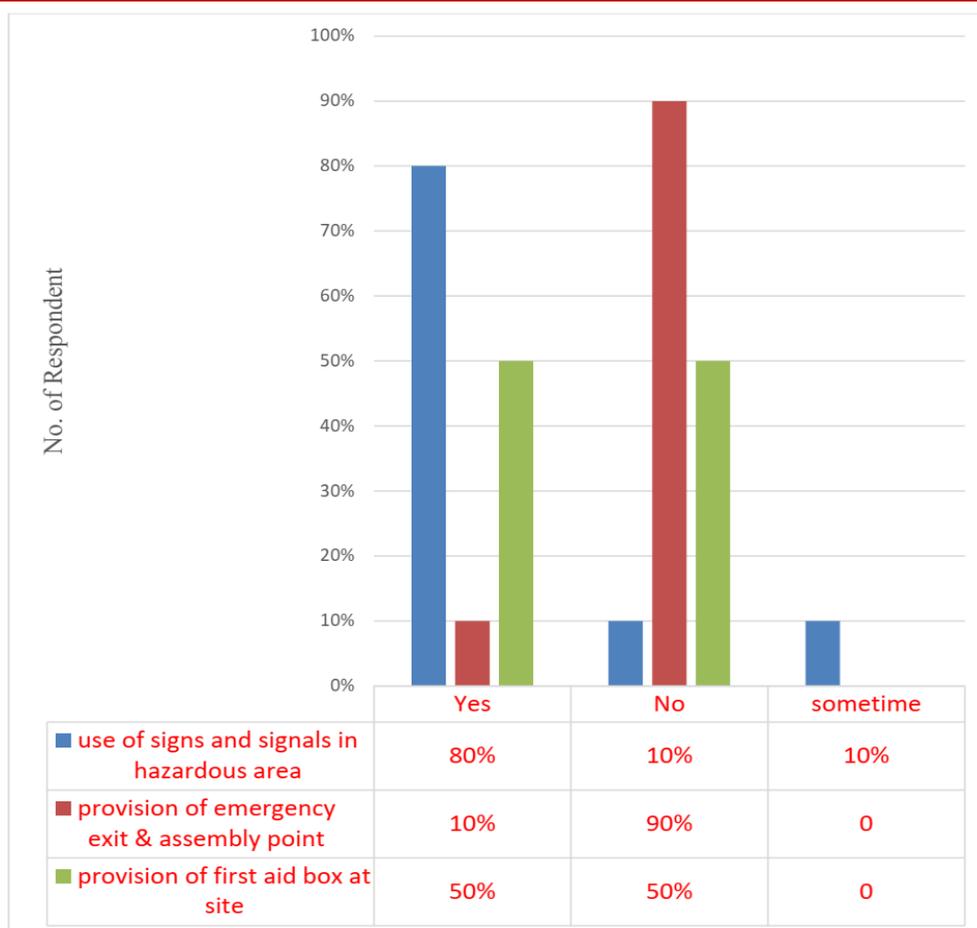


Figure 12: Signs and signals, emergency exit, first aid

Figure above shows the overall result of response of total respondents of all sites. It explains that 10 % workers answered that there is no practice to put *signs and signals in hazardous area*. 80% replied it positively and 10 % responded that contractor put signs and signals sometimes only to indicate risky zones. There are many hazardous areas in building construction sites such as foundation trenches, machine operated areas, open shafts, lower level of buildings where there is chances of falling materials from heights. Such areas should be identified and informatory and caution signs, notices et cetera. should be placed to prevent movement of people. This reduces the chance of accidents. However, it was found from the field survey that there were signs and signals placed in dangerous area. 90 % workers and employer responded that there is no availability of provision of emergency exit and assembly point. Similarly 50% of worker responded in favor that there is availability of first aid box at site, while 50% responded against that there is provision of first aid box at site.

But according to my opinion it seems there is no availability of first aid box at site, because while taking data I didn't see neither anywhere first aid box kept nor anyone told me.

As per Labour Act 1992 section 30 under Provision for Safety against Fire:

1. The Proprietor shall have to make arrangements of necessary modern equipment for safety against fire in each Enterprise.
2. Provision shall have to be made for easy exit from the Enterprise during emergency.
3. Other provisions to be made by the Enterprise in relation to safety from fire including fire-fighting devices shall be as prescribed.

CONCLUSION
(OSH Provision in Nepalese Legislation)

From the survey and questionnaire it shows the majority of the respondents answered that Safety Provision in Contract Documents best addresses the safety issues of the workers in the construction site. Some respondents replied that labour act best addresses the safety of workers in the construction site. None of respondents believed that National Building Code has sufficient guidelines to maintain the safety and health of workers at site.

(Implementation Status)

The study explores the status of welfare facilities provided at the construction site. Work in the construction industry is hazardous and dirty; it involves

much manual or physical activity. Welfare facilities such as the provision of drinking water, washing, sanitary and changing accommodation, rest rooms and shelter, facilities for preparing and eating meals, temporary housing, all help to reduce fatigue and improve worker's health. But the study seems that the management team is unaware of the fact that good welfare facility can positively benefit health and well-being of workers but also enhance efficiency.

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