

9.3 Gap Analysis from the Focus Group Discussion

This section deals with the findings of the study which is summarized in Figure 9.1. The data was obtained from informants representing the Employees, OSH Professionals and Industries Leaders.

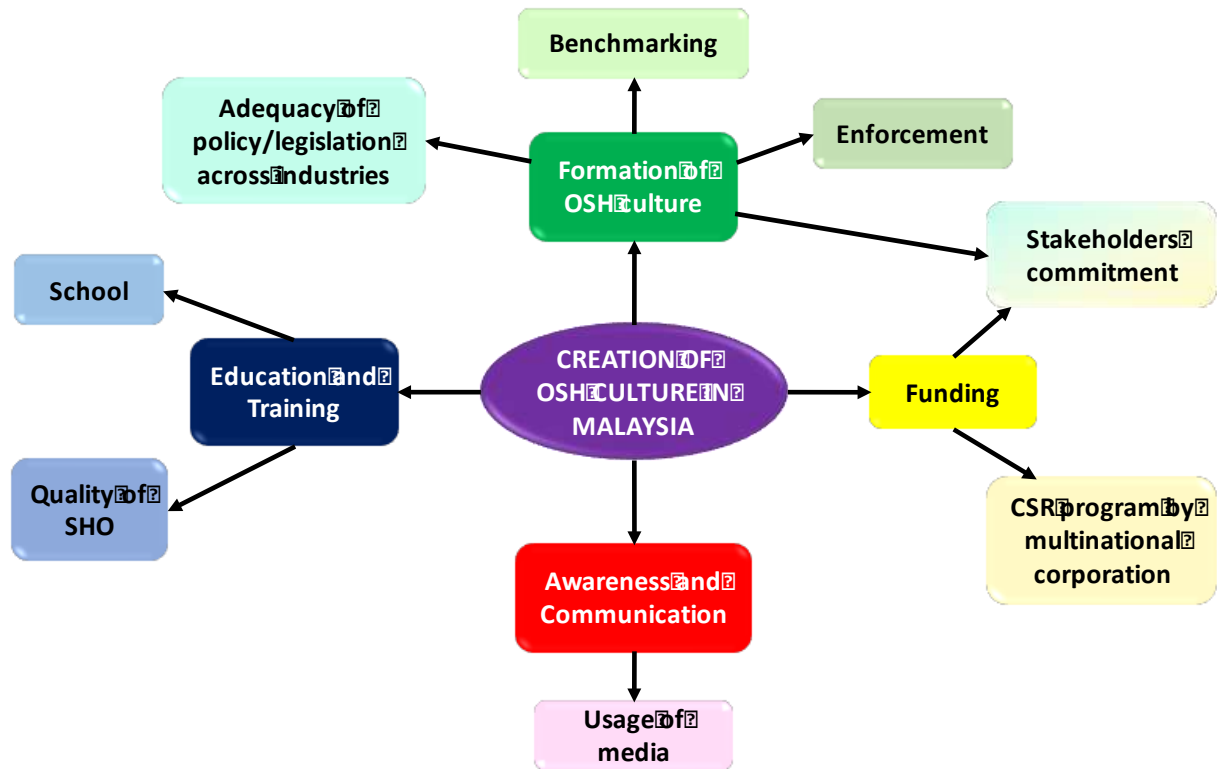


Figure 1: Gaps Identified from Focus Group Discussion

Discussion 1:

The first question posed to the informants were on their awareness of the OSH policy for Malaysia and whether this policy is clear and effectively communicated to the industry. The informants from the Employee Representative had low awareness of the OSH policy. Among the response were:

“...personally not aware of any OSH policy for Malaysia” (NUBE)

“...I am not aware of the OSH Policy” (MTUC)

“OSH is not mentioned as an item in the educational system” (NUTP)

“Most of the higher institution or government servants are not aware of the OSH elements” (Higher Institutions Rep.)

“...the OSH awareness levels among the employees are still low” (CUEPACS)

As a result of having a very low awareness of the OSH policy, it is not surprising that the informants from the Employee Representative mentioned that the policy is not clear and not effectively communicated to the industry. Some of their views were as followed:

“...the policies need to be clear” (Healthcare Sector Rep.)

“DOSH needs to come out with a workable policy before it can be clear and effective, not the one with solely for documentation process” (MTUC)

“...many supporting staff in my working institution are not aware of the implementing OSH at their workplace” (Higher Institutions Rep.)

“Only 2 schools in the country teach OSH out of more than 10,000 schools” (NUTP)

On the other hand, there were mixed views from the OSH Professionals with regards to the first question. For the informants from the Oil & Gas Industry, Utilities (Electric) and Manufacturing Industry (1) the policies are clear and effectively communicated. However, contradicting views were expressed by the informants from the Quarry, Services (Restaurant), Bank and Manufacturing Industry Representative (2). Besides, according to the informant from the agricultural industry representative, it looks like there is more legislation of the policies and the process of implementation is lacking.

Based on the feedback from the informants of the Industry Leaders, it is evident that the consensus is the OSH policy is not clear and not effectively communicated to the industry. Besides, some informants had also mentioned that they are confused with the policies and it is not specific according to industries. Among their statements are as follows:

“...policies are missing...policies are not effective, no transparency” (MEF)

“...not clearly communicated to all industry” (Construction Industry Rep. 2)

“Policy direction is not clear...policy communication problems (Construction Industry Rep. 2)

Confused...Lack of communication” (NIOSH Rep.: OSH Training Provider)

QSH policies are known but lack implementation...policies are not specific for hotel industry (Hotel Sector Rep.)

Policy is sufficient for general industry but not specific (Agricultural Industry Rep. 2)

“...current OSH policy is too general...industry does not know how to interpret it (Higher Education Rep.)

Judging from the above data, it is quite obvious that the OSH policy is not clear and not effectively communicated to the industry.

Discussion 2:

The second question given to the informants was to seek their opinion on the adequacy of the OSH policy and two main legislations (OSHA 1994 and FMA 1967) to govern OSH matters in Malaysia. Not much feedback was obtained from the informants of Employee Representative regarding this query as many had abstained from answering.

The only feedback given was by the NUBE representative who argued if there were any laws or guidelines under OSH that stated the provision of accommodation to the foreign workers. The same goes for the informants from the OSH Professionals whereby only a few responded to this item.

The available responses show that this group had mixed views as the informants from the Construction 2 and Quarry said it is adequate. On the other hand, the informant from the Oil & Gas industry said it is not specific. Most of the informants from the Industry Leaders gave their response to this item. According to them, generally laws are adequate however improvement is needed for SMEs, the palm-oil industry also on implementation, enforcement, and updating.

Among their views are as follows:

“Current trend of accidents (crane, accident, escalator, etc.) means that the laws are not effectively implemented” (MEF)

“...oil & gas, there is enough. OSH laws are adequate but for small-medium industry, something needs to be done” (Oil & Gas Industry Rep.)

“...covered quite good to govern almost all aspects. Additional guidance is needed like Code of Practice for palm-oil industry level, example harvesting, machinery safety, design” (Agricultural Industry Rep. 1)

“...continuous update of regulations to cater the changes of industry’s needs” (Aviation Manufacturing Rep.)

“The current OSH laws and regulations is sufficient but need to have more enforcement and self-regulation implementation in the hospitality industry” (Hotel Sector Rep.)

“Enough to govern OSH issues. Not fully implemented so not adequate. Issue is on implementation (NIOSH Rep.)

The laws are general but not specific. Enforcement is absent. (Construction Industry Rep. 1)

The problem is industry people interpretation and implementation of the law which gives rise to the problem of enforcement (Construction Industry Rep. 2)

Need to review, some of the content is out-dated...implementation is of concerned (Construction Industry Rep. 3)

...needs to be updated...a lot of technology need used... through...implementation of the act at industry levels (Higher Education Rep.)

Discussion 3:

Informants were also asked to give their views on the impact that can be seen from the OSH enforcement by the authority to their organization. All the informants from the three different groups agreed that there is still needed much improvement in terms of impact. Generally, the informants from the Employee Representative did not feel any impact and it is solely for demonstration purposes only. Among the issues highlighted by this group were as follows:

“...employers are not keen to apply...no employee dares to raise the issues...find it difficult to the employer” (NUBE)

“Impact from the OSH authority is minimum...teachers is not being exposed to the OSH....communicable diseases prevention and control is limited” (NUTP)

“...enforcement is lacking” (MTUC-OSH Committee)

...absence of OSH training provided by their employer as gazette under OSHA 1994 (MTUC and Higher Institution Rep.)

...solely for demonstration purposes only. The focus on children’s health and safety are not being highlighted (CUEPACS)

The input from the informants of the OSH Professionals showed that there is still needed the enforcement from DOSH, and there is no standard way of enforcement with different contractors. Their views are as follows:

“Continue to work closely with DOSH...OSH practices...we have evolved its operations to include DOSH requirements” (Oil & Gas Industry Rep.)

“...feel less on the DOSH enforcement...DOSH office focuses mainly on the high-risk industry. At times...DOSH office ...support us...want to enforce OSH to our sub-contractor” (Utilities: Electrical Sector Rep.)

“...appreciate the enforcement from DOSH as it indicates the continuous support...need to examine small contractors who work to serve small-medium industry on maintenance and cleaning service” (Services Industry Rep.)

“OSH practitioners feel the stress...burden of in-charge of safety and health is fall on the shoulder of OSH practitioner” (Manufacturing Industry Rep. 2)

“There are no competent enforcement officers...prosecuting officers must be well-trained in OSH-related practices and experience with work process with different industries...enforce rightly with right statement...train and focus on the needs of employees from Sabah and Sarawak” (Agricultural Industry Rep.)

“DOSH deals differently with different contractors. There is no standard way of enforcement...a gap in the decision-making...needs to standardize the standards of enforcement from the main contractor to sub-contractor level” (Construction Industry Rep.)

“Enforcement at the water industry are quite positive...one of the reason is that our industry bring the public figure” (Utilities: Electrical Sector Rep.)

“...suggest the enforcement from DOSH shall give it full force so that OSH practitioners and employer could aware of the necessary of OSH (Quarry Sector Rep.)

...the enforcement as a supportive action from DOSH...could creates awareness to the management level...not to create fear but to create a sustainable development with OSH practitioner, employer and the DOSH office (Oil & Gas Industry Rep.)

Informants from the Industry Leaders too mentioned that generally enforcement is lacking and need a lot of engagement with DOSH. Among the voices of the informants are:

“No enforcement is felt. The enforcement should be as preventive measures instead of reactive action” (MEF)

“...continued to work closely with DOSH and has made the industry to be better. OSH enforcement is still needed. We are not yet at the maturity level. A level of enforcement is needed” (Oil & Gas Rep.)

“Need a lot of engagement with DOSH that will enable preparedness of compliance. Enforcement is still lacking. Will appreciate more regular focused discussions/consultations with DOSH personnel on OSH matters and updates at plantation industry” (Agricultural Industry Rep. 1)

“For plantation industry, the enforcement is not there yet. Most of the plantation industry is not mature in handling OSH” (Agricultural Industry Rep. 2)

“Enforcement is lacking” (Aviation Manufacturing Rep.)

“OSH enforcement is good but the lack of engagements with the hospitality industry. The maturity level is not there so self-regulation is weak” (Hotel Sector Rep.)

“Regular visits from DOSH help the organization (NIOSH Rep.)

“...there is a lack of inspection. ...DOSH...more efforts need to be put in...the presence of DOSH will help...will enhance awareness and create some form of responsibility from the side of the industry” (Construction Industry Rep. 1)

“...DOSH has some form of impact which is already felt though very little...strong self-regulation and strong enforcement...Malaysia are not there yet” (Construction Industry Rep. 2)

“Enforcement is needed in the construction industry...quality enforcement...Self-regulation will take time...will need the industries to be educated on that...need the commitment of the industries” (Construction Industry Rep. 3)

“...culture is what they are looking at now...one day...we hope...would be able to self-regulating when it comes to OSH matters” (Higher Education Rep.)

Discussion 4:

Another query posed to the informants was how successful was the implementation programs on OSH conducted by their organization and the challenges encountered to have OSH practices in place in the organization. The informants from the Employee Representative mentioned that it was not successful while the OSH Professionals and Industrial Leaders felt there was some success. The OSH Professionals mentioned that there was some success in the manufacturing industry while according to Industrial Leaders success is felt on the safety aspect instead of health.

The main challenge faced to have OSH practices in place in the organization is funding that was voiced out by all the three groups. On top of it, the OSH Professionals felt that the employee commitment is lacking. Besides, other challenges expressed were from the Industry Leaders who said that the resistance is due to instilling safety mind-set & safety culture to employees, safety practitioners do not have adequate knowledge of construction process, implementation by the middle managers, and employment of foreign workers.

Discussion 5:

Informants were also asked to give their suggestions towards creating OSH culture in Malaysia through voluntary compliance. All three groups concurred that OSH culture should start from school-level among the children. In addition, other suggestions are as follows:

- i) Employee representatives: usage of the media stations (MTUC: OSH Committee), promoting OSH to create awareness (MTUC: OSH Committee), and formation of OSH clubs (MTUC and Higher Institution Rep.);
- ii) OSH Professionals: create awareness programs (Oil & Gas Industry Rep.); and
- iii) Industry Leaders: use of prime media (MEF), need to enhance education and training (Oil & Gas Industry Rep.), recognition and reward from the Ministry (Agricultural Industry Rep. 1), tax deductions practices (NIOSH Rep.), and safety conservation financing system (Higher Education Rep.).

Discussion 6:

The following question posed to the informants was whether the OSH best practices in their organization successfully contribute to the success of the organization in terms of business performance and also to the well-being of all workers in the organization.

From the perspective of Employee Representative, the OSH best practices is a failure as stated by the informant from NUTP. A similar view was presented by the informant from MTUC who said:

“...it is not a successful one...there should be improvement...there is no work life balance because workers are not happy. When it comes to best practice, we are still at the bottom...biggest challenges...the SMEs...hire a lot of foreign workers...do not know OSH...they run the work, take risks but no SOSCO to protect them.”

Meanwhile, the informants from the OSH Professionals also stated that the OSH best practices were not a good measure. The following statements depict these informants' feelings:

“...safety audit is not a good measure...audit are done not to improve the system but to meet the certification requirement...meet the minimum requirement” (Manufacturing Industry Rep. 2)

“OSH best practices...when we see a problem we solve it with the aim to improve the quality of working life of the employee...cost money to the company” (Construction Industry Rep. 2)

“OSH practitioner is local but most of the workers are foreigner” (Oil & Gas Industry Rep.)

Moreover, according to the informants from the Industry Leaders, much needed to be done on the OSH best practices. Industry Leaders feel that there is a need to develop best practices based on the industry, need for all industries to sit and discuss which best practice work for them so that various industries can learn and improve from it, look at various tools to increase quality working life, benchmarking of best practices, and linking quality, safety and productivity under one heading. Their views are as follows:

“only people in the league know about best practices...people outside don't know...the public should know...develop best practices based on the industry” (MEF)

“have an impact on the quality of working life” (Oil & Gas Industry Rep.)

“different ways to calculate the index of an indicator of OSH best practices. Looking at various to increase quality of working life” (Agricultural Industry Rep. 1)

“...how to measure best practices, how to put the practices in places” (Aviation Manufacturing Rep.)

“If we have all OSH best practices in place, the quality of life will increase” (Hotel Sector Rep.)

“Need all industries to sit and discuss which best practice works for them so various industries can learn and improve from it...document industry discussions on best practices” (NIOSH Rep.)

“...what benchmark of best practices are we looking at? Balance employee demand and employer affordability” (Construction Industry Rep. 1)

“Linking quality, safety and productivity under one heading” (Construction Industry Rep. 3)

“OSH championing employees welfare...once the welfare is championed, the good OSH practices will be in places as well as other aspects like productivity” (Higher Education Rep.)

Discussion 7:

The last question given to these informants was to seek their opinion on other suggestions and recommendations that they would like to offer to close gaps between the national agenda on OSH and the practices they encountered in their organization.

The feedback from the Employee Representatives showed that there is a need for policy makers to have a benchmarking, work on enforcement, start educating the public free of charge, all foreign workers should attend OSH seminars and training, big companies should have CSR programs. Among their responses are as follows:

“...the sectorial (hotel, services, industry) tripartite emphasis on OSH will help if it is initiated by DOSH...need the policy maker to walk the talk...need to have a benchmark” (NUBE)

“...compound...awareness” (MTUC)

...work on enforcement (MTUC and Healthcare Sector Rep)

“start educating the public free of charge. Every school should recruit one teacher as OSH officer...OSH officer attend seminars and other forms of training” (NUTP)

“...all foreign workers should attend OSH seminars and training...big companies should have CSR programs...assisting school programs in OSH...government should allocate budget...the international community can come in and assist” (MTUC)

“OSH training...open registration to people at all level” (MTUC and Higher Institutions Rep.)

Besides, the OSH Professionals feel that safety officers should be OSH practitioners with minimum academic requirements, making it mandatory for the employer to attend OSH related training/seminar at least once a year, and safety implementation at the workplace include the stakeholders from different sectors. Their opinions are as follows:

“Safety implementation at the workplace include the stakeholders from different sectors...to ensure the OSH is a liability to the work they do, there should be an act to monitor by the board of stakeholders...all those working for safety as safety officers should be OSH practitioners with minimum academic requirements” (Manufacturing Industry 2)

“...government funding to have OSH awareness at the school-level” (Agricultural Industry Rep.)

“The educational level has to be streamlined. Minimum qualification needs to be instituted” (Construction Industry Rep. 1)

“...bring sustainable change formulas...need to have the authority and who has the authority the top management has the authority to bring change in the organization” (Construction Industry Rep. 2)

“...have the OSH Officer Board to recognize the professionalism...make it mandatory for the employer (top-management) to attend OSH related training/seminar at least once a year” (Quarry Sector Rep.)

On top of it, according to the Industry Leaders to close gaps there is a need for training to be industry-driven, improve the quality of safety officers, and responsibility of the employer to ensure safety training of the employee.

Based on the above input, it shows that all the three groups agree that training and seminars are pertinent to close the gaps between the national agenda on OSH and practice. Besides, much emphasis should be placed on the selection of quality safety officers and the implementation of safety from all stakeholders. Moreover, viable enforcement is also recommended besides benchmarking from policy makers and organizing CSR programs by big companies.