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A LEGAL APPRAISAL OF INDUSTRIAL SAFETY IN NIGERIA: A COMPARATIVE APPROACH

Onyema Uchendu,*
Dr. M. A. Nwanyanwu**
&
Eunice Nkechi***

Abstract

Industrial safety is an essential right of every employee that has not been given adequate attention. There is a growing rate of industrial accidents, injuries and deaths across many industries in the world. These occur as a result of poor safety practices, inadequate work tools and Personal Protective Equipment (PPE), poor work environment, lack of employee training, lack of adequate supervision, unhealthy premises and practices at workplace and poor attitude of employers towards industrial safety. Apart from the common law provisions respecting industrial safety in a contract of service, the Nigerian legislature has enacted some legislative enactments, especially the Factories Act which make provisions spelling out the duties of the employer at workplace. However, despite these legal provisions, industrial diseases and accidents have continued to occur in Nigeria. Thus, this paper was aimed at analyzing the concept of industrial safety in Nigeria using a comparative approach. It found that industrial safety is not effective in Nigeria. It concluded that the inefficacy of industrial safety laws in Nigeria is as a result of poor enforcement and implementation, weak regulatory framework and archaic legal provisions. Among other things, it recommended that the National Assembly should repeal the Factories Act and enact a statute that combines all the industrial safety regulations in Nigeria.

Keywords: Industrial Safety, Labour Law, Employment, Nigeria, India, South Africa

*LLB, BL LLM(in view)
** LLB; BL., LL.M, Ph.D
*** LLB; BL.

1. Introduction

The relationship that exists between an employer and an employer is one that gives rise to rights and obligations or duties in law.[2] One of the fundamental duties of the employer to the employee in a contract of service is to ensure that all reasonable and necessary measures have been taken for the health, safety and well-being of the employee.[3] This duty existed first under the common law system which required the employer to take reasonable care of his employee by providing a safe system of work,[4] a safe work environment,[5] safe tools and machinery[6] and competent employees so as to prevent industrial accidents, deaths and injuries. However, in addition to the common law system, the Nigerian legislature has established some statutes, particularly the Factories Act[7]which spells out specific duties of the employer respecting safety at workplace. The essence of these legal provisions is to prevent accidental occurrences such as fire outbreak, slips-and-fall, fall from the roof, electrocution, blindness, bodily injury, disability and all other forms of industrial accidents at workplace. Whether these provisions are meeting their core objectives is an issue that calls for serious investigation, especially with the sweeping statistics of the International Labour Organisations (ILO) presenting incredible mortality rates arising from unsafe practices in different industries and factories across the country.

2. Statutory Duties of the Employer on Industrial Safety

The Factories Act is by and large the primary law regulating industrial safety in Nigeria. The industrial safety provisions are contained in Part III wherein the Act imposes a legal duty on the employer to securely fence prime movers, transmission machinery, dangerous part of any machine.

Section 14(1) implores the employers to securely fence every prime mover including any part of it whether it is located in the engine house or not. It further provides that all water wheel, including the head and tail of it shall be fenced securely.[8] Other machinery under this provision which the Factories Act mandates the employer to securely fence include all parts of rotary converter, electric generator unless they are placed in such position that every employer or worker's safety is guaranteed.

Furthermore, the Factories Act mandates the employer to securely fence the transmission machinery except where it is in a position that the employees working in that premises are safe and not likely to be exposed to the risk of harm or injury. Also, the employer is under a legal duty to provide adequate appliances in every workroom where workers are expected to carry on work to enable the prompt cutting off of power from the transmission machinery. Similarly, efficient striking gear and mechanical appliances shall be provided and used to facilitate the smooth and safe movement of driving-belts and loose pulleys.[9] It is also the duty of the employer to ensure that the electrical equipment and tools used at the place of work are all in safe and healthy conditions for use by every worker or anyone who may come in contact with the tool or equipment.[10]

The third category is the duty to fence every dangerous part of any machinery. Apart from prime movers and transmission machinery, this category requires the employer to securely fence every dangerous part of any machinery except its place or condition in the factory is such as to guarantee the safety of workers and other persons.[11] However, prime movers and transmission machinery have to be fenced even if they are not dangerous, while other machinery must be fenced only in so far as it is dangerous. In the case of *Walker v. Bletchley Fletton Ltd.,*[12] the court held that the part of an equipment of machinery is said to be dangerous in law if it is possible or likely to cause injury or harm

[2]O. V. C. Okene, *Labour Law in Nigeria: The Law of Work* (3rd edn., Port Harcourt: Claxton and Derrick Limited 2012) 80.
[3]*Ibid.,* 104.
[4]*Hudson v Ridge Manufacturing Co. Ltd.* (1957) 2 QB 348.
[5]*Latimer v A.E.C. Ltd* (1953) AC 643.
[6]*Taylor v Rover Co. Ltd* (1959) AC 604.
[7] Cap F1 LFN 2004.
[8]*Ibid.,* s.14(2)
[9] FA (n 6),s.15(4).
[10]*Ibid.,* s.16(2).
[11]*Ibid.,* s.17(1).
[12] (1937) 1 All ER 170.

to anyone acting in a manner reasonably expected of human beings in the circumstance. The standard adopted in deciding whether a machine is dangerous is that of reasonable foreseeability.[13]
It is worthy to note that impracticability of using the machinery does not defeat the duty to guard and fence.[14]For example, an employer cannot be exonerated from liability for his failure to guard and fence any machinery on the defence that fencing and guarding the machine makes it impossible to be used. The duty to fence is therefore strict and the essence of it is to give priority to safety and human life over work and organizational productivity.

2.1 Employer's Duties under Common Law

The employer's duty of care to his employee, though normally treated as a matter of tort, arises out of an implied term in the contract of employment. The employer's duty to take reasonable care in carrying on the operations of his enterprise so as not to subject his employees to unnecessary risk is a fundamental principle in industrial relationships.[15] In *Harris v Bright Asphalt Contractors,*[16]the court described this duty as fundamental and a necessity.
Under common law, the employer is to provide a safe system of work, select skilled and competent employees and machinery or materials for the work. In *Smith v Baker*[17], Lord Herschell held that the contract of employment entails the duty of the employer to provide proper and safe machinery and appliances and to maintain safe conditions of work as to guarantee the safety of the employer under the contract of employment[18]
In relation to safe place of work, an employer has a duty in law to exercise due diligence and care to provide and maintain a safe work-place or premises for his employees to work in. The employer in this context is required by law to carry out within reasonable intervals inspections and examinations of the premises in order to ascertain if it in a sound and proper condition. In *Cole v Trafford,*[19]the court further held that the obligation to carry out or sufficient supervision varies with the subjection of the supervision.
As to the nature of tools and materials at workplace, the employer's duty of care towards his employees in the course of employment extends to the provision and maintenance of plants, tools and materials of work. The employer must provide reasonable safe plant, equipment and materials. All that is required or expected of the employer is to do what may be reasonably expected of him. This duty may be breached in several ways such as; where there is no provision of necessary appliances,[20] where there is insufficient provision of plants and machineries,[21] where the plants provided are dangerous and defective in nature,[22] or where the selection of tools or plants is delegated to an inexperienced third party.[23]

Furthermore, a safe system of work involves a layout or a plan, a *modus operandi,* within which men and tools needed for the execution of any task or work. The law is that, the employer has a duty to provide a safe system of work which is the most far-reaching of his safety obligations. In fulfilling this obligation, the following requirements are essential. First, the employer must reasonably provide safe fellow-workers. This was the position of the law in *Hudson v Ridge Manufacturing Co. Ltd.,*[24]where the court held that the employers were liable because they continued to employ a man who by his habitual conduct proved to be a source of danger to his fellow-workers. Secondly, the employer has a duty to reduce likelihood of danger at a minimum standard where the works on which employees are employed is inherently dangerous. This was evidently illustrated in *General Cleaning Contractors Ltd*

[13]*Carr v. Mercantile Producer Ltd* (1949) 2 KB 601.
[14]*John Summers and sons Ltd. v Frost* (1955) AC 74.
[15]Winfield and Jolowiez, *The Law of Tort* (Heeadlen Publishers 1984) 182.
[16] (1953)1 QB 617.
[17] (1891) AC 325.
[18] *Ibid.,* 362.
[19] (1918)2 KB 523.
[20] *Paris v Stepney Borough Council* (1951) AC 367.
[21] *Machray v Stewart and Lloyds Ltd.* (1964) 3 All ER 942.
[22] *Bowater v Rowler Regis* (1944) KB 476.
[23] *Cole* (n 18).
[24] (1957)2 QB 328.

v Christmas,[25]where the work fell from the window and secured injuries. The court stated that the employers are liable on the ground that they failed to provide a means to prevent the danger of falling from the window.

In relation to Personal Protective Equipment, the law places a duty on the employer to provide PPEs such as safety goggles and helmet, gloves, foot wears and protective clothing. In *Western Nigeria Trading Company Ltd. v Ajao*,[26] an employee's eye was injured and subsequently blinded while carrying out the operations of his employer without safety goggle. Although the employer argued that plastic goggles were provided, the court held that the provision of such goggle was not enough to exonerate the employer from liability. According to the court, it was the employer's duty at common law to ensure not only that goggles were provided but also that they were used by strict orders followed by reasonable supervision.

The standard of care expected of all employers is based on the objective test, and in determining whether an employer had acted within the scope of this test, the court takes into account certain factors such as the magnitude of the risk,[27] the practical possibilities[28] and the general practice of competent persons.[29]

2.2 Employer's Liability

Employer's liability could either be personal or vicarious. It is personal where the wrongdoing is directly attributed to the employer due his act or failure to act to the standard required by the law. Vicarious liability arises where he is liable to a third over the wrong committed by his employee in the course of the employment.[30] At common law, where an employee suffers injury at his work as a result of the negligence or fault of his employer to take reasonable care for his safety, the employer is obliged to pay damages in respect of the injury to the injured employee.[31]

Therefore, before an employee will succeed in an action for the breach of duty whether under the Factories Act or under common law, the following elements must be proved that:

a) The employer or defendant is under a duty of care and safety either under common law, statutory law or contract of employment;
b) The employer or defendant owes that duty to him or to a class or group of persons of which the plaintiff is a member;
c) The employer has breached or violated that duty which he owed him;
d) He the plaintiff has suffered injury or loss as a result of that breach of duty; and
e) The injury or loss suffered is not remote or caused by the plaintiff himself.

In *Paris v Stepney Borough Council*[32], the employers were held liable in negligence for non-provision of protective goggles to an employee, which resulted in damage to his eye. Similarly, in *Nolan v Rental Manufacturing Co. Ltd.*[33], the court held that the employer owed the employee a duty at common not only to provide him with goggles but also to have ensured, by strict orders, followed by reasonable supervision, that they were used.[34]

However, a plaintiff may also take advantage of the doctrine of *res ipsa loguitur* which means that the fact speaks for itself.[35] There could be circumstances where the liability of the employer can be gleaned from the surrounding circumstances of the case. Once this doctrine is raised, the burden is on the defendant employer to lead positive evidence rebutting same. In *Odebumi v Abdullahi*[36] a tanker ran into a car that was parked in a position and killed the driver who was in the car. The employer was held liable as the court emphasized the potency of the doctrine. However, for a party to successfully

[25] (1952)1 All ER 1110.
[26] (1965) All NLR 524.
[27] *Morris v West Hartlepool Steam Navigation Co. Ltd*. (1965)1 All ER 385.
[28] *Brawn v Rolls Royce Ltd* (1960) 1 All ER 577.
[29] *Markland v Manchester Corporation* (1934) 1 KB 566.
[30] *Ifeanyi Chukwu Co. Ltd. v Solel Boneh* (2000)5 NWLR (Pt 656)322.
[31] *Paris v Stepney Borough Council* (1950) AC 367.
[32] *Ibid.*
[33] (1958)1 WLR 936
[34] *Haynes v Qualcast* (1958) 1 WLR 225.
[35] *Akanmu v Adigun* (1993) 7 NWLR (Pt.204) 218.
[36] (1997) 2 NWLR (pt 489) 526.

initiate the potency of this doctrine he must show that the defendant had an exclusive control of the circumstance or instrument that resulted in the injury, that the injury in question would not have occurred but for the defendant's negligence and that the plaintiff did not contribute to the injury.

The burden of proving the above elements is on the preponderance of evidence or balance of probability which means to the satisfaction of the court. However, where the liability is criminal in nature, the elements of the crime must be proved by merely looking at the statutory provision to examine closely what ingredients are required to be proved.

It is worthy to note that many of the statutory provisions of the Factories Actare a confirmation of the common law duties imposed on the employee.[37] In essence, an injured employee may bring his action at common law with the need to provenegligence or lack of care under the provision of the Act. However, it is part of the general principles of law of evidence that he who alleges must prove; thus, since the liability of an employer is built on the law of tortuous negligence, the onus is therefore on the injured employee to prove the elements of negligence before the employer can be held liable for the breach of his statutory duties to ensure the safety of his employees at the given circumstance.[38] Also, he who comes to equity must come with clean hands and equity will not allow a party to benefit from his unconscionable conduct. Thus, an employee who has intentionally neglected employer's rules and guidelines and violated safety rules in pursuit of his personal interest and ego should not turn around to complain.

Therefore, an employer may be excused or exonerated from liability in certain instances under the law. The first defence is remoteness of damage in which case the alleged injury was either not foreseeable or because the employee was the sole cause of his own injury.[39] The second defence is consent wherein the competent employee has expressly and impliedly accepted or agreed to the injury or harm as part of the nature of the work to which he was engaged.[40] The third defence is contributory negligence in which the plaintiff employee contributed partly to the cause of the injury and should have a share of the remedies.[41] The fourth defence available to an employer defendant is the limitation of action. Under this circumstance, the employer may be exonerated where it is shown that the period of time imposed by law within which an injured employee is to bring his action has expired. For example, under common law, most actions in tort are to commenced within three years; otherwise, it will become statute barred.

2.3 Issues and Challenges facing the Regulation of Industrial Safety in Nigeria

Despite the existing laws, the problem of industrial accident has continued to escalate in Nigeria. Every day, thousands of Nigerian workers continue to daily due to industrial diseases and accidents.[42] Most employers in high risk industries are not performing their duties within the degree and standard required by the law. Afterall, this is Nigeria where anything goes and where rules are mere paper work. There are many issues and challenges facing the efficiency and effectiveness of the laws regulating industrial safety in Nigeria. The Factories Act enables the Inspectorate Department of the Federal Ministry of Labour and Productivity to enforce the minimum standard requirements of the Factories Act in Nigeria. The enforcement processes require issuing of warning or notices to offenders, after which the lower level of enforcement, which includes the sealing of a defaulting factory, takes place.[43] Regrettably, this is not practicable in Nigeria in that the resources required areunder estimated and not made available. Sealing of premises, which is a form of enforcement, rarely happens in Nigeria.

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[37] *Western Nigeria Trading Co. Ltd v Busari Ajao* (1965) NMLR 178.
[38] *Boyle v Kodak Ltd.* (1969)2 ALL E.R.437.
[39] *Kerewi v Odeghesan* (1967) NMLR 67.
[40] *Bowater v Rowley Regis Corp* (1944) KB 476.
[41] *Kerry v Carter* (1969) 3 All ER 723.
[42] ILO, 'Occupational safety and health - An International Occupational Safety and Health Information Centre' (Catalogue of ILO publications ILO 2010) <http://turva.me.tut.fi/cis/home> accessed 13 May 2021.
[43] O Okojie, 'System for Reporting Occupational Diseases in Nigeria' [2010] (20) 3 *African Newsletter on Occupational Health and Safety*; 51-53.

Most stakeholders in the Nigerian industrial sector, including the employers and the employees are yet to recognize the importance of industrial health and safety. To them, this subject is just a mere sham that does not matter. Provided there is work to be done and money will be generated therefrom, safety becomes secondary. This poor attitude towards safety at workplace accounts for the reason why some people will come to work healthy and sound, and return in crunches, wheel chair or in a crying ambulance. Safety is everyone's responsibility; however, where it is neglected or abused, the result is better imagined.

Another issue to consider is the lack of technical safety and risks specialists. The effectiveness of safety regulatory agencies requires a skilled and multidisciplinary workforce who should collectively muster a carefully balanced mix of technical, administrative, fiscal and HR management expertise. Sourcing and financing such workforce could be quite challenging; especially those technical experts whose careers are built around major hazard workplaces. No doubt, lack of enough technical resources is a major challenge to confront new industrial regulatory regimes.

Poor judicial system is another issue that comes to mind in relation to industrial safety in Nigeria. The long period of time spent in adjudicating a case impedes on the development of industrial safety in Nigeria.[44] People do not have faith in the judicial system; therefore, most industrial safety cases do not go to court. Besides, the enforcement authority may be discouraged from taking the cases to court as it will take time and they will spend a lot of money, after which the course of justice may be perverted. However, Idubor and Osiamoje[45] demonstrate the need for enforceable laws, as laws that are not enforceable are as good as not making one. In view of the above, it is inferred that the judicial system may not serve the purpose of establishment, as it does not encourage enforcement; therefore, it can be said to hinder enforcement.

In addition, the corruption level in Nigeria is high as Transparency International in 2012 ranked Nigeria 144 out of 175 in terms of corruption perception index.[46] Onyeozili[47] has maintained that the regulatory institutions and the police have been proved to be corrupt. Surely, this may hinder effective enforcement of the law in the country as the activities of authorities responsible for enforcing the laws are seen as questionable. An illustration is where companies with poor industrial safety practices get pass marks after inspection because they bribed the enforcement officers.[48]

Another challenge is the lack of adequate legislation. Today, in Nigeria, there is inadequate law on industrial health and safety. The only viable law in this respect is the Factories Act which makes general provisions on health, safety and welfare of workers in factories. Following this fact, most industries adopt regulations from other jurisdictions, which are not enforceable in Nigeria. As such, the enforcement authority does not have jurisdiction over such premises within the provision of the external laws. The limitations in the Factories Act obstruct the improvement industrial safety in the construction industry.[49] This leaves the workers in the construction industry at mercy of fate. Secondly, the Factories Act does not address factory hygiene issues, which recognize workplace serious health issues and does not require the use of Personal Protective Equipment (PPE) in the construction industry.[50] In fact, the industrial safety statutory regulations in Nigeria are ineffective and inadequate. The major point to note here is that, the efforts of the government in addressing these lapses are not impressive.

Outdated statutory penalties under the Factories Act constitute another problem facing industrial safety in Nigeria. Under the Factories Act, the ridiculous low level penalties do not have the capacity

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[44] E EIdubor and M D Oisamoje, 'An Exploration of Health and Safety Management Issues in Nigeria's Efforts to industrialize' [2013] (1)(12) *European Scientific Journal*:154-169.

[45] *Ibid.*

[46] Transparency International, 'Transparency International Corruption Perceptions Index 2018'<https://www.transparency.org/whatwedo/publication/corruption_perceptions_index_2018> accessed 22 July 2021

[47] E C Onyeozili, 'Obstacles to Effective Policing in Nigeria' [2005] (1)(1) *African Journal of Criminology and Justice Studies*: 32-54.

[48] *Ibid.*

[49] G. I. Idoro, 'Health and Safety Management Efforts as Correlates of Performance in the Nigerian Construction Industry' [2008] (14)(4) *Journal of Civil Engineering and Management*:277-285.

[50] *Ibid.*

to prevent employers from engaging the employees in tasks where there is a high likelihood of injury without any protective measures. This ineffectiveness in deterring negligent employers by the insignificant penalties constitutes one of the challenges confronting the implementation of safety regulations and legal regimes in Nigeria. This therefore demonstrates the fact that the penalties stipulated by the Factories Act in Nigeria might incapacitate the laws and make a mockery of the legal system, thereby hindering enforcement of health and safety laws at workplaces.

Lack of enforcement and implementation of the law is a general problem facing the Nigerian legal system. It is believed that Nigeria is one of the countries in Africa with sound laws and legislation; however, when it comes to implementation, there is little to write home about. Most institutions and regulatory agencies charged with the duty of enforcing the laws are dormant and ineffective while most of their personnel sit in their offices only to receive salaries and bribes. With this kind of attitude, the law will remain a toothless bulldog which only barks but will never bite. Similarly, there is poor and inadequate domestication of ILO standards on industrial health and safety. Domesticating these standards will not only help to address the inadequacies and loopholes in the Nigerian law, but will also help the government sit-up to meet up the international standards.

3. Industrial Safety Laws in Other Jurisdictions

The two countries under study are India and South Africa – Asian country and African country respectively – both are developing countries like Nigeria. In relation to the similarities, the Constitutions of India, South Africa and Nigeria recognize industrial health and safety as an essential area or item that the legislature can legislate on. And in response to this constitutional power, the governments of these three countries have enacted laws to protect the health, safety and welfare of workers in different sectors. Also, Nigeria, South Africa and India are all common law jurisdictions, and as such, the judiciary has been established as the platform for seeking redress after exhausting all internal mechanisms.

The courts therefore play essential roles in interpreting and applying the legal framework on industrial safety. Being common law jurisdictions, the rules of common law on industrial safety apply particularly in relation to the duty of care and the employer's liability where they are breached. However, this would apply after all the elements have been proven on the preponderance of evidence.

Also, the totality of the laws in these jurisdictions stress on the duty of the employers to ensure the safety of the workers at all times by providing safe working environment, safe tool, safe systems and practices and training of competent employees. The government of each of these countries has recognized the importance of institutional and regulatory framework in the implementation of the law and has thus established some agencies to ensure compliance and enforcement of the law.

In relation to the differences, Nigeria and South Africa are African countries, but while Nigeria is located in West Africa, South Africa is located in Southern Africa. India on the other hand is located in South Asia. While India and Nigeria are purely common law countries, South Africa has a mixed or hybrid common law system. The South African legal system draws from various other legal systems including, among others, Roman law, Roman-Dutch law, English common law and Germanic law.

In relation to differences in approach in addressing industrial safety, Indian has the most recent and accessible law on industrial safety. It was in September 2020 that it enacted the Occupational Safety and Health Code which assembled all the occupational health and safety laws in India to avoid multiplicity of laws and overlapping functions from regulatory agencies. Nigeria and South Africa, on the hand, are far behind with respect to the currency of their industrial safety laws. For example, Nigeria is still using the Factories Act that was enacted as far back as 1987 based on the now repealed Factories Act of India. Also, the Occupational Safety and Health Act, which is the primary industrial safety law in South Africa, came into force in 1993. Thus, while India has a more recent and comprehensive statute on industrial safety, Nigerian and South African Industrial Safety Laws are fragmented and found in several statutory instruments which make it difficult to access, analyze, interpret and apply.

Furthermore, Indian and South African industrial safety laws not only enshrine the statutory duties of the employers, but also that of the employees. In other words, these two countries see the prevention of industrial accidents and hazards as the duty of the employer and the employee, and both have duties to take reasonable to promote health and safety at workplace. However, this is not expressly provided for under the Factories Act in Nigeria, which deals so much on the duties of the employers on health and safety and their duties to notify the inspector of factories on the occurrence of accidents.

From the above comparative appraisals, there are a few lessons that Nigeria needs to learn from other jurisdictions such as India and South Africa. First is the fast-tracking of the legislative process of making and reviewing laws. The OSH Bill was presented before the Indian Parliament in 2019 and same assented to by the President in 2020. This is unlike Nigeria where it takes years to complete the legislative process of law making and reformation.

Secondly, Nigeria can learn from India by assembling all its existing laws on industrial safety into one comprehensive statute as this will facilitate quick and easy access to the law. Since the Nigerian Factories Act was tailored after the India Factories Act which is now repealed by the OSH Code 2020, Nigeria also needs to learn from India by amending its Factories Act to reflect modern changes in the world of work and industrial operations. Like India and South Africa, the Nigerian Legislature needs to provide statutorily for the duties of both the employer and employees on industrial safety because only the employers cannot totally and effectively prevent industrial hazards without the roles of the employees.

4. Conclusion

The safety of the employee is not just an industrial issue, it is the rights of the employee and will remain a fundamental duty of the employer in every employer-employee relationship. The joy of every working individual is to come back after work healthy to their families and not in broken pieces. That is why the legislature has added to the already existing common law system some duties of employers on industrial safety in Nigeria. However, the issue of poor enforcement and poor attitudes of all stakeholders including the governments, the employers and the employees to industrial safety constitute a serious setback in curtailing completely the growing menace of industrial diseases and injury at workplace. It is hereby submitted that that unless all stakeholders and players in the industry stand firm to enforce the laws, the laws on industrial safety will continue to be a paper work in Nigeria.

5. Recommendations

The paper makes the following recommendations based on the foregoing analyses and conclusion:

i. To improve industrial safety in Nigeria, the employers and employees should take responsibility in complying with the existing legal and regulatory guidelines on safety at workplace.
ii. The employers should develop more effective system in recruiting employees that are competent, skilled and with requisite qualification and experience in a given job.
iii. The existing regulatory agencies and institutions on industrial safety should be equipped with adequate funding, personnel and facility necessary in carrying out their statutory functions.
iv. The National Assembly should enact the Industrial Health and Safety Act unifying all industrial safety laws and regulations in Nigeria like India.
v. The National Assembly should repeal or amend the Factories Act to reflect modern health and safety principles and international best practices on safety in all industries in the country.

Overall, it is hoped that if these recommendations are adopted and implemented, the issues and challenges facing industrial safety in Nigeria will become an issue of the past.