



## A BRIEF INTRODUCTION OF SAFETY, HEALTH, AND WELFARE WITH RESPECTS TO MSME

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**ABSTRACT:-** The term "occupational safety and health" (OSH) refers to the study of protecting employees from harm on the job. Programs for worker safety and health are in place to guarantee a healthy and risk-free workplace for everyone. Safety in the workplace is crucial for everyone, not just workers. Yet this support system isn't only for workers. N. H. Husain (2010).

The vast majority for industrial companies are put in situations where they face severe risks to their employees' health and safety.

These threats have the ability to interfere with the operations and output of businesses in a negative way, either or through an indirect manner. It is very necessary for a company to have an efficient risk management system in place if they want for their business to grow and be successful in the future. This is as a result of the fact that efficient risk management makes it possible for an enterprise to safeguard its well-being, assets, and possibilities while simultaneously maximising the extent to which it may profit from these factors.

**KEYWORDS:-** Safety, Health, Environment, Accident Prevention, Risk Control

According to the findings of study that Hussain conducted in the year 2010, protecting the well-being of employees while they are on the job is a vital component of social accountability. Per the him, the lack of danger and damage, as well as shielding against bodily harm and other types of risk, are the essential components of what constitutes safety.

So according Terry E. Sween's study (2003), dangerous work behaviour arises in the workplace as a result of the physical elements that have an influence on the pursuit of continuing business.

When referring to one's financial situation, "welfare" and "doing well" are interchangeable phrases. Well-being is an all-encompassing term that refers to a person's physical health as well as their mental, moral, and psychological states.

Hopkins (1955) argues that "Welfare is largely a mindset also on side of managing," and that this perspective shapes how various management tasks are executed. Businesses interested in implementing or extending assistance programs in the past or the future need to think about more than just what has happened before and what is happening now.

### **FACTORIES ACT OF 1948 PROVISIONS CONCERNING THE HEALTH, SAFETY, AND WELFARE OF WORKERS**

The health, safety, health welfare of factory workers are all addressed under the Factories Act, which is essentially the Bible of the industrial sector.

#### **Provisions related to HEALTH as per Factories Act, 1948:**

This section addresses the cleanliness of the floor, walls, doors, windows, and railings of the building. Section 11 is titled "Cleanliness." It also stipulates that there should be a register that is kept in good



condition and used to keep track of all actions linked to maintaining cleanliness.

Section 12: Waste and effluent: There has to be a good provision for the removal of dust and fumes that are created in the industries, and there also needs to be appropriate treatment for such things.

Temperature and Ventilation Requirements for the Workplace under Section 13 The temperature of the workplace has to be appropriate, and all reasonable measures should be taken to keep it that way. The workplace is not the place for producing an unsafe level of heat. In addition to it, there should be enough ventilation.

Section 14: Dust and fumes The working environment must be free of dust and fumes, and there must be a system in place to ensure that the dust and fumes are properly exhausted.

In Section 15, "Artificial Humidity," there need to be a suitable provision of device for recording the artificial humidity, as well as a suitable technique for controlling the artificial humidity.

Under Section 16's Overcrowding provisions, there must be about 14.4 cubic metres of space dedicated to each worker. According to the Act, a sign indicating the room's maximum occupancy shall be affixed to the outside of the building, and an attendance book should be kept for each event.

According to Section 17 of the Building Code, the lighting in the premises must be arranged in such a way that it does not produce glare in the eyes. It is important that there be no shadows cast in the working area owing to the light.

Section 18 Drinking water: There must be a supply of water that is both safe and sanitary, and the drinking water must be stored in a location that is apart from urinals and toilets. The instructions for the drinking water should be written in a language that the staff members are able to comprehend.

Section 19 of the regulations for the latrines and urinals state that there must be a separate location for men and women.

The suitable amount of tiling should be used on the walls and floor of the location, and the right height should be used. In addition to having to be cleaned on a daily basis, it is essential that proper hygiene be observed there.

### **Provisions related to SAFETY of employees**

This provision stipulates that the equipment shall be properly fenced, and in particular, the hazardous component of the machinery should be appropriately fenced. Section 21 is titled "Fencing of Machinery," and it can be found here.

Employment of young persons, according to Section 23: This section discusses the prescription that young people should not be allowed to operate potentially hazardous machines. It also states that the only way he will be able to do so is if he is given the appropriate instructions in this matter and is working under the supervision.

Section 24 is the section that addresses the provision of specialised equipment for turning off the power supply, particularly in the event of an emergency. It is necessary to provide provisions for hitting gears in order for there to be moving belts.

Under Section 28, it is stated that women and children should not be allowed to operate on certain types of machinery, particularly cotton openers.

Section 32 addresses the issue of designing and maintaining the stairwells, hallways, floors, and gangways in such a manner that there is no possibility of slipping or falling on them.

Section 34 states that workers are not authorised to lift loads or carry any burden that exceeds the permissible limitations, which are specified by the State Government. This section also states that



employees are not permitted to carry any load at all.

Provisions that are sufficient for the health, safety, and protection of employees' eyes are required under Section 35. It mandates that eye protection in the form of goggles or glasses be made available to workers engaged in any production operation that poses a risk to the workers' vision and might result in eye damage. In Section 38, we discuss the preventative precautions that should be taken in the event of a fire, as well as the procedures that should be followed in order to put out a fire that has broken out in the factory.

#### **Provisions for WELFARE of employees:**

Section 42 Washing facilities: The facility for washing the clothing in the plant has to be provided.

Section 43 Requirements for drying and storage facilities It is required that there be facilities for drying and storing the clothing that is worn by employees while they are doing their duties.

According to Section 44 of the Occupational Safety and Health Act, the workers are required to have enough facilities for seating of employees so that they do not get exhausted.

The supply of one first-aid kit for every one hundred fifty workers is required under Section 45 of the Code of Federal Regulations.

Canteen facilities are required under Section 46 of the Building Regulations in the event that there are 250 or more employees working in the plant.

According to Section 47, there should be provisions for workers to use a lunch room, a shelter, and a rest room.

If a factory employs 30 or more women employees, the installation of a crèche is a legal requirement under Section 48 of the Fair Labor Standards Act.

In accordance with Section 49 of the Act, a plant that employs 500 or more people is required to have a welfare officer on staff.

#### **OCCUPATIONAL HEALTH AND SAFETY**

The primary concentration of attention for occupational health and safety should be placed on three distinct goals.

ensuring the continued health and well-being of personnel while also improving their capabilities transforming both the working conditions and the job itself into ones that are more protective of employees' health and safety

fostering health and safety in the workplace through cultivating healthy work cultures and improving organisational structures at workplaces. In this context, the idea of a "working culture" refers to a reflection of the significant values that the enterprises have chosen to uphold. This sort of culture is reflected in the undertaking's managerial processes, participation rules, training guidelines, and quality management.

#### **REASONS FOR SAFETY, HEALTH AND WELFARE**

In accordance with what is stated in the Factories Act of 1948, safety, health, and welfare are considered to be significant for companies, and it is obligatory for manufacturing concerns to adhere to the regulations that are offered under it. In addition, these are the significant challenges that need to be addressed from a moral, legal, and economic perspective.

Reasons of a moral nature: the management has a responsibility to exercise reasonable care in protecting employees' safety, health, and welfare, and this should be prioritised as one of their top concerns.

In the event that legal: SAFETY, HEALTH, and WELFARE facilities are not made available to the workers, serious repercussions may be brought against the employees. Thus, it is necessary for it to be there via the compensatory, punitive, and preventative consequences of the law.



Economically speaking, it is significant due to the direct and indirect costs that are involved with accidents and injuries that occur on the job.

## **STRUCTURE OF OCCUPATIONAL SAFETY AND HEALTH IN INDIA.**

### **THE ROLE OF GOVERNMENT**

The ministry is also responsible for guiding the legislation through Legislature after consulting with relevant departments, the state administration, and the groups representing both employees and their employers. The Foreign Ministry coordinates with the International Labor Organization on behalf of member states.

Factory Inspectors get training and coordination via this programme. Occupational health education is offered at a select number of universities at the graduate and postgraduate levels. Central Labor Institute, a division of DGFASLI, offers a 3-month certificate programme in Industrial Health that has statutory approval. According to a 2010 report from the DGFASLI

In all, there are five RLIs, or Regional Labor Institutes. Research in the field of workplace health and safety is within their purview. Until of late, only Central Labour Institute existed to provide the required certification and training.

This institute's primary responsibility is to conduct comprehensive studies in the field of Occupational Health and Safety. Industrial medical officers, factory inspectors, and labour unions may all benefit from the institute's shorter training programmes. The Institute also makes suggestions to the Ministries of Health, Labor, Environment, and Commerce about matters of workplace health, safety, and environmental protection. (Sayeed H.N., Tiwari 2004)

### **NON GOVERNMENT ORGANISATIONS INTERVENTION**

There are certain nonprofit organisations that are working for the cause, such as the Indian Association of Occupational Health (IAOH), which has the membership of more than 3000 OSH Professionals. Since its inception 64 years ago, it has been consistently organising national conferences with the goals of raising awareness and aggressively influencing national policy via suitable links ( Pingle, Shyam 2012).

### **LEGISLATIVE FRAMEWORK FOR SAFETY AND HEALTH IN MANUFACTURING SECTOR IN INDIA**

There has been, for a considerable amount of time, a legislative framework in India for the safety, health, and welfare of workers; nevertheless, its execution is sloppy. Just ten percent of the total units are comprised by the formal units that come within its purview.

The following pieces of legislation have jurisdiction over occupational safety and health issues:

**Act of 1948 Relating to Factories** There are 120 sections in this law, each dealing with a different area, such as inspection staff, health and safety, potentially dangerous processes, benefits, adult shift patterns, youth employment, paid vacation, penalties, and procedures. Section on high risk activities were added toward this act after the tragic Bhopal Gas Tragedy, which cost the lives of thousands of people. Essential provisions for people's health, safety, and well-being are outlined in these sections. This law mandates the inclusion of employees in the policy-making process by requiring the establishment of safety committees comprised of equal numbers of management and workers.

**The Worker's Compensation Act** is a law that mandates certain types of businesses to pay workers' compensation benefits in the event of workplace injuries. It's a law meant to protect workers' rights in case they are hurt on the job. Its goal is to ensure that injured workers have access to critical medical care, education, and rehabilitation services following an accident. If the worker is fatally injured on the job, his



or her dependents are entitled to benefits.

ESIC Act (Act Relating to Employee State Insurance Contributions): This law was enacted to protect workers in the eventuality that they were sick, had a child, were wounded on the job, or suffered financial loss as a consequence of their employment.

Furthermore, the Indian government also proclaimed the National Plan on Safety, Health, and Atmosphere at Worksite in February 2009 to deal with the urgent and inevitable issue of worker health and safety. The Indian government also had prioritised the development and upkeep of a culture of security and wellness at the national level. The government recognises that enhancing safe working conditions, health, or the ecosystem is crucial to achieving the aforesaid goal on the priority list, and has thus made it a priority to advocate for the incorporation of these initiatives.

The National Policy for Safety and Health there in Workplace prioritises workplace compliance, worker education, health and wellness at work, training to increase workers' skill capacities, and scientific investigation. The focus of this policy is on the work environment. The national strategy on OSH has set the following objectives:

- Injuries, fatalities, diseases, disasters, and losses of national wealth due to work-related causes should keep going down.
- To enhance performance as well as monitoring, it is crucial to have a huge list of the above information.
- The community's awareness of occupational safety, health, and environmental (SHE) issues is continuously being cultivated.
- fostering Green Employment that promote to Agenda 2030 while also improving Occupational Wellness and Environmental Health and Safety.
- In the year 2000, the Health and Safety Executive

### **THE MOST RELEVANT SAFETY AND HEALTH APPROVALS**

Recognition of the value of Workplace Health and Safety (Occupational health & safety) qualifications and the worldwide standard that have recently been produced in this field has grown in recent years. Several examples of them are shown below.

OHSAS 18001: It is the British standard for Occupational Management Systems for Health and Safety. Its major mission is to assist organisations of all sizes and types in adopting and successfully implementing best practises in occupational safety and health. To aid businesses in formulating policies and objectives that account for legal requirements and knowledge of the dangers involved with OSH, the document focuses heavily on the construction of OSH goals. It was updated in 2017 to make it easier for businesses to conform to their existing management systems, and the new standards are more directly tied to the structure of ISO 9000 and 14000. OHSAS 18001 is replaced through ISO 45001.

Systems for management data that are integrated: They are written in a broad enough sense to be used by any form of organisation. Environment, health, and safety (EHS) concerns that may be reasonably expected to fall within the jurisdiction of the respective organisations get the lion's share of attention. Some of the building blocks of this framework include things like environmental concerns, identifying hazards, assessing risks, setting goals, measuring progress, and keeping tabs on things.

In addition to these standards, the International Labour Organization (ILO) and the Health and Safety Executive (HSE) give the instructions on this very crucial and significant matter. The following is a list of



some important considerations:

HSG65: It is a well-known handbook that was established by the Health and Safety executive, and it was primarily written for line managers, executives, and owners who wish to monitor the Health and Safety arrangement in their organisations. It expands recommendations to make it possible for organisations to achieve a balance between the structural and behavioural components of occupational safety and health.

ILO Guidelines: The purpose of these standards and guidelines for occupational safety and health is to provide a one-of-a-kind worldwide model that is compatible with many other management systems, standards, and guidelines on both the national and international levels.

### **PROBLEMS FACED BY MICRO, SMALL AND MEDIUM ENTERPRISES IN INDIA**

The potential for expansion of MSME is rather strong. It has been the primary driver of economic growth in India. The many obstacles that micro, small, and medium-sized enterprises (MSME) must overcome limit their potential for expansion. The obstacle presented by the budget is significant. The majority of micro, small, and medium-sized enterprises (MSMEs) have trouble acquiring appropriate and timely financial support. The insufficient funding causes the expansion plans to be halted in the middle of the process, which ultimately results in growth being compromised.

From their inception, micro, small, and medium-sized enterprises (MSME) have struggled to get funding that is both enough and timely.

The ability of MSME units to self-finance is far more important than their ability to borrow from institutions (which is more preferred option by large companies). In order to finance their daily operations, micro, small, and medium enterprises (MSME) typically seek financial assistance in the form of bank loans from public sector banks, regional rural banks, and urban co-operative banks. This is due to the fact that MSME are typically very small in size, have a lower risk desire, and take a more conservative stance.

Source: knowledge Paper, Global Maharashtra Development Council.

- **INADEQUATE FINANCE.**

The primary problem facing the MSME sector is an inadequate lack of infrastructure. It is necessary to invest cash into both the operations and the facilities in order to achieve the goal of improving the infrastructure.

Approximately 93 percent of micro, small, and medium-sized enterprises (MSMEs) rely on self-financing to meet their capital needs, but this is not a sustainable practise.

It has been mandated by the government that the banking sector provide priority funding to micro, small, and medium-sized enterprises (MSMEs); nevertheless, this alone will not be able to alleviate the challenges associated with the creation of capital for the operations of MSMEs. Self-financing has limitations because it can result in the suspension of expansion activities, which can, in the long run, have an impact on the growth prospects of micro, small, and medium-sized enterprises (MSMEs). Additionally, capital infusion is essentially required in the middle of expansion activities.

- **DEPRIVED INFRASTRUCTURE**

The lack of adequate infrastructure has been a persistent issue for MSMEs. Power, water, and roads are not readily accessible to MSMEs to the extent that their capacity requirements need. As a result, they will have to make a concession on one of the two issues.

Workers are forced to function in an informal setting since there is no institutional structure to support them, leaving them with no other option than to do so. This, in turn, results in a drop in production and substantial losses as a direct consequence.



Since micro, small, and medium-sized enterprises do not have access to sufficient financing, they are unable to acquire the necessary and appropriate infrastructure for the production of their goods. The lack of proper infrastructure in MSME companies has a detrimental effect on the overall quality of the products they produce.

because using antiquated equipment and procedures can only result in the production of inferior goods. These substandard items very seldom get recognised from large original equipment manufacturers (OEMs). As a result, the endeavour presents even more of a challenge for the MSMEs.

In addition, the lack of training programmes has led to stagnation, which in turn impedes improvements in both adoption to the most recent technology and improvements in productivity.

The semi-skilled and unskilled labour initiatives as well as the technological upgrade projects all had a detrimental impact on the economy's overall development. Since the owners of MSME are often small business owners, they are concerned about the loss of skilled labour and, as a result, they do not want to make investments in the training of their workforce. As a direct consequence of this, both the product quality and the operator skills are poor. A lack of infrastructure in terms of roads, water supply, and electricity supply leads to demotivated employees, which in turn leads to a drop in the motivation of workers to put in labour. This has a significant impact on both the overall quality of output and the cost of manufacturing.

- **EXTERNAL SECTOR OPENNESS**

These points may be looked at from two different angles. First, because of their smaller size and less robust infrastructure, most micro, small, and medium-sized enterprises (MSMEs) provide a narrower range of products, which in turn has a detrimental effect on the quality of their wares. Indigenous micro, small, and medium-sized enterprise units have often been at a cost disadvantage, which reduces their profit margins. Second, since most micro, small, and medium-sized enterprises (MSMEs) do not have access to institutional borrowing, this has a negative impact on finance requirements. There is also a destructive price for identical items coming from nations like China, which makes things even more difficult for MSMEs to maintain a sustainable presence in the global competitive market.

- **WEAK MANAGEMENT OF FINANCE**

Large original equipment manufacturers (OEMs) often hold off on making payments to tier I and tier II suppliers (most of whom are MSMEs) until the start of production (SOP). This puts a significant amount of strain on the MSMEs' ability to effectively manage their working capital. Because of this, there is a significant reduction in the flow of cash, which in turn puts an end to the expansion that was taking place as a result of the blockage of the funds.

Due to their poor profit margins, micro, small, and medium-sized enterprises (MSMEs) increasingly have difficulties in timely loan repayment, which in turn causes banks to accumulate non-performing assets.

- **SEMI-SKILLED \ UNSKILLED WORKFORCE.**

Since the workforce in the MSME sector is mostly unskilled or semi-skilled, the skill sets of the employees are poor, which results in lower levels of productivity.

The low level of expertise of the workforce has a negative impact, both directly and indirectly, on the overall quality of the goods and their acceptability in the market. The vast majority of micro, small, and medium-sized enterprises (MSMEs) are family-owned businesses, where professionals are hesitant to work. Moreover, there is a greater incidence of employee turnover among MSMEs.

The MSMEs have a significant amount of worry in the field of sustainability. There are a variety of factors



that can lead to premature closure or sick units, including ineffective management of funds, a scarcity of skilled workers, insufficient access to essential infrastructure (such as power and roads), the employment of outmoded technology, and insufficient marketing efforts, amongst others.

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