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Can Workplace Accidents Classification and Compensation in Kenya be used to Predicts Level of Victims Satisfaction?

Joel Atuti Mogambi, Charles Mburu, and R. Kinyua

The Institute of Energy and Environmental Technology, Jomo Kenyatta University of Agriculture and Technology,
P.O. Box 62,000 – 00200 NAIROBI, Kenya

ABSTRACT: The main objective of this study was to examine the effectiveness and adequacy of the work injury compensation and whether there is adequate compensation to those who get injured in the cause of duty. Exploratory study design was adopted for this study on a targeted population of compensation claims filled between the year 2007 – 2011 in Nakuru County Occupational Safety and Health Offices and the Law Courts. Purposive sampling procedure was used to come up with a sample of all cases filed and compensated between 2007 and 2011 that were directly related to occupational safety and health problems. Questionnaires were sent to all the people who have been compensated to determine their satisfaction levels. Descriptive statistics and referential statistics were used to analyze the relationships between accidents classification, compensation and victims' satisfaction level. The study established that the accidents occurred in agriculture and manufacturing based companies. Second, the study established that the compensation awarded to the victims were not adequate to take care of their medical bills and truly compensate the losses they had incurred yet the process of what they termed as an inadequate compensation was very slow. Last, the study established that the victims were not satisfied with the compensations they were given and that they did not even know how to calculate the compensation on their own.

KEYWORDS: Occupation Safety, Accidents Classification, Accidents Compensation, Accidents Victims Satisfaction.

1 INTRODUCTION

Occupational health and safety issues are concerned with ensuring and improving the working conditions of employees so that they can remain health and safe .The United States congress while enacting the occupational safety and health act of 1970 defined "Occupational safety and health standards", as "Standards which requires conditions, or the adoption or use of one or more practices, means, methods, operations or processes, reasonably necessary or appropriate to provide safe or healthful employment in places of employment. The primary objectives of occupational safety and health issues is to uphold the employees well being. All hazards that affect the employees in their workplaces are identified and appropriate measures to minimize the hazards are put in place. Occupational safety therefore ensures an accident free work environment. Risks and hazards are identified, investigated, controlled and eliminated. Occupational health on the other hand refers to the general state of the physical, mental and emotional well being of employees or the work place.

Whilst industries and factories in Kenya have tried to employ the modern safety and health practices, work place accidents and related incidences are on the increase (Ministry of labour)

About 1000 work injury claims have been reported in the Nakuru district occupational safety and health offices in Nakuru in a spun of five years between the years 2007 and 2011. Claims are solved through the legal proceedings in court while others are either solved between mutual agreement between employer and employee and some are never reported by the injured employees at all, most are compensated through the district occupational safety and health offices. Once an accident relating to the issues of occupational safety and health arises, most victims are not aware of their rights through the law that protects them against such hazards.

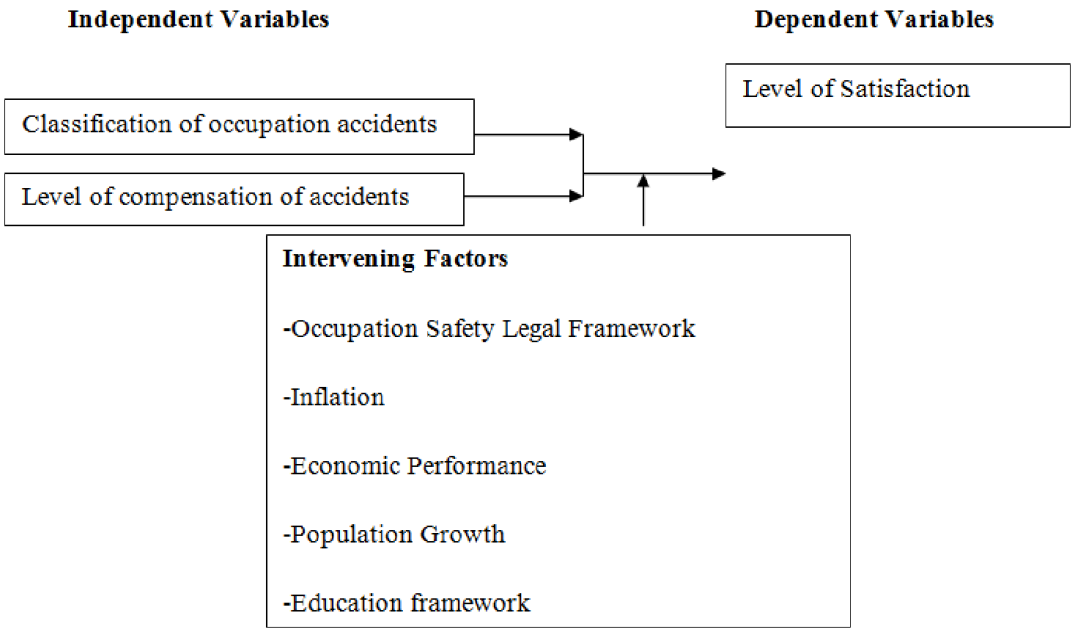
Corresponding Author: Joel Atuti Mogambi

When the victims get compensated through the labor offices or court, where compensation is guided by the work injury benefit act, the compensation is quite unsatisfactory. Most of the victims lose their claims due to the adversarial nature of our system and the fact that relationship between an employee and the employer changes immediately a claim is filled. Most victims are dismissed from work, making it quite difficult to prove their claims for lack of witnesses. In recent years serious questions have been raised (ILO) concerning the fairness and adequacy of present work injury compensation framework in the light of the growth of the economy, the changing nature of the labor force, increase in medical knowledge, changes in the hazards associated with various types of employment, new technology creating new risks to health and safety and increase in general level of wages and cost of living.

The wellbeing and safety of employees is of paramount importance in any industry to ensure maximum productivity, increases morale and lowers risk of liability. No studies have been conducted in Nakuru county concerning occupational accident compensation hence this study will provide empirical data on accident compensation and gaps in occupational accidents compensation systems hence improve the occupational accidents compensation framework. The evaluation of the existing work injury compensation framework will help the victims of the occupational safety and health accidents to follow up their compensation from the employer, the findings of the study will guide the employer in safeguarding the rights of employee when they fall victim of occupational accidents. The costs, litigation period and court procedures in Kenya have posed a challenge to the process of accident compensation to both the victim and the employer. In the light of the above, many victims of occupational safety and health have questions on the amount of compensation awarded. This study is therefore aimed to fill the knowledge gap that exists in the work injury compensation framework and its implementation in dealing with occupational safety and health accidents in Nakuru County. The key questioned to be answered by this study were; What are the classifications of the occupational accidents which have happened within five years as per international labor organization economic activities in Nakuru County?; What are the occupational accidents compensation levels among victims?; What are the occupational accident compensation satisfaction levels?

2 CONCEPTUALIZATION

Table 1: Factors Affecting Occupation Accidents Compensation Satisfaction



The independent variables of the study include; the classification of occupation accidents and level of compensation by the companies. The dependent variable is the level of satisfaction by the workers on the compensation. The intervening variables are; the existing occupation safety framework in Kenya, the inflation, economic performance which gauges the level of possibility of companies employing, the population growth from which the companies draw the workers and education framework which imparts the required skills to the workers needed by the companies. When the classification of occupation accidents is well followed and the accidents cases are determined within the required time to enhance the level of compensation under well controlled occupation safety legal framework, inflation, economic performance, population growth and education framework, then the level of satisfaction by the workers will rise.

2.1 OPERATIONALIZATION OF THE CONCEPTUAL FRAMEWORK

Table 2: Operationalizations of the Variables of the Study in Occupational Safety and Health Setup

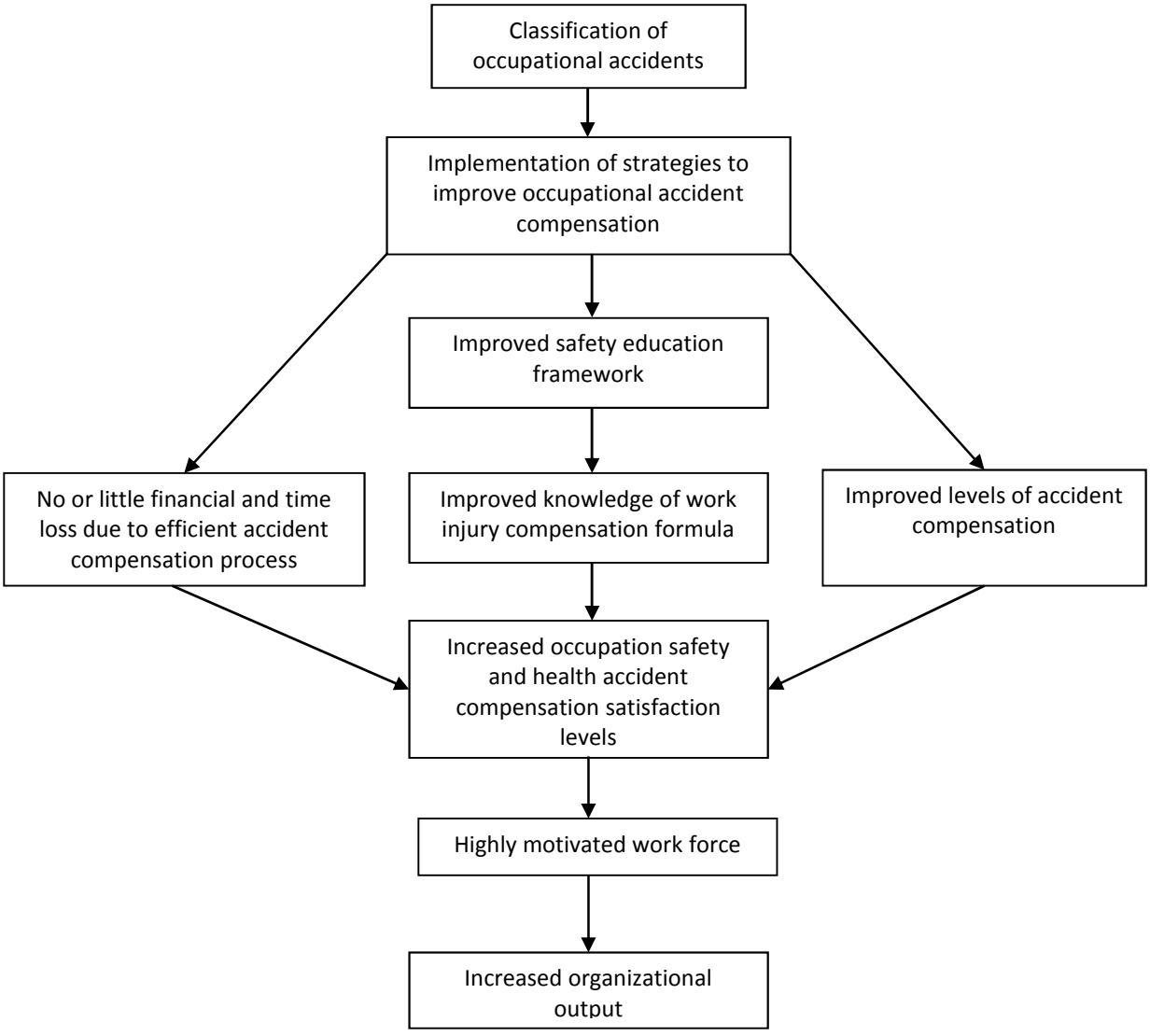


Figure 2 above was used by the study to operationalize the variable of the study into real life occupational safety work place setup. In every work place setup, all possible occupation accidents should be classified as per the ILO Classification Scheme which is the first independent variable of the study. Each workplace should implement strategies which should reduce the occupation accidents in order to reduce on the financial compensation arising from occurrence of occupation accidents. In case the accidents occur, the work place should improve on the compensation amount and process (which was the second independent variable of the study) as a means of motivating the staff leading to increased level of staff satisfaction with the occupation compensation system in place which was the dependent variable in the study.

3 LITERATURE

Occupational safety and health is an area that has continued to remain outside the mainstream of management research (Barling, Loughlin, & Kelloway, 2002). In fact, less than 1% of organizational research focuses on issues concerning occupational safety and health (Barling & Zacharatos, 2000). This statistic is very low considering the significant social and economic costs associated with occupational safety such as occupational fatalities, work related injuries, and lost productivity. In light of these social and economic costs resulting from workplace accidents, it is critical that researchers better understand the events preceding work-related injuries, as well as the organizational factors that may affect an individual's safety behavior at work.

Barling, Loughlin, and Kelloway (2002) found that safety specific transformational leadership directly affected perceived safety climate, which significantly influenced safety performance. In other words, management's actions will directly affect an individual's perceived safety climate such that if management is committed to safety then it is more likely that the workers will exhibit commitment to safety.

Perceived risk in the workplace is an area that has also received much attention from researchers. For example, Cree and Kelloway (1997) found that both perceived accident exposure and perceived safety attitudes of others predicted risk perceptions in the workplace. Furthermore, the perceived risks associated with the job tend to be heightened when an individual experiences or learns about an injury or accident in the workplace. This is consistent with the findings of a study conducted by Nelkin and Brown (1984) in which the individual's accident history (witness to or hearing about an accident) influenced risk appraisals. Researchers have also found that perceived risk is associated with employees' willingness to adopt safe working practices. Other factors such as perceived susceptibility to risk, perceived seriousness of a threat, and perceived cost of adopting an action have also been examined with respect to their relationship with adopting precautionary behavior. Workers who compare the negative aspects (risk of being injured) to positive aspects (good wages, benefits, etc.) tend to be more likely to adopt unsafe practices if the costs are perceived to be less than the beneficial outcomes. Furthermore, researchers have shown that individuals are likely to have greater judgments of risk if the negative effects of the actions are immediate as opposed to delayed. Quite often, work-related injuries are not immediate and progress over repeated exposure to the harmful agent. Thus, workers who tend not to experience visible or immediate harm are in fact more likely to have a lower judgment of associated risks, thus engage in unsafe work behavior. Finally, consistent with previous research, optimistic bias, or the belief that one is less susceptible to risks (Vaughn, 1993) is associated with engaging in risky or unsafe behavior.

Managers must recognize the significant role that early socialization influences play in teaching and reinforcing safety attitudes and behavior. Although organizational socialization has received some attention from researchers (e.g., Blau, 1988; Jones, 1983) few have yet to specifically investigate safety socialization. When individuals become members of an organization they generally receive some degree of training in terms of specific job tasks and skills that are required as well as organizational policies and practices. Experienced workers often adopt the role as the socializing agent or mentor to assist the new employee with becoming part of the organization. Research has shown that the nature of this socialization process will affect the degree to which the new employee accepts organizational values and polices. With regard to safety, the socialization process and agent provides new employees with a model for the development of safety attitudes and behavior. If the experience between the employee and socializing agent is one that reinforces positive safety attitudes and behavior, then the employee is most likely to adopt similar attitudes and become a worker who follows safe work practices. Thus, the results of this study suggest that early safety socialization processes and the socializing agent may have a significant impact on employee safety attitudes and behavior. Managers must ensure that new employees receive proper training that reinforces the desired safety attitudes and training that is delivered by a competent and positive socializing agent.

Managers must also recognize the power of subjective norms within the workplace as well as the need for maintaining a positive image. These factors clearly achieved greater importance for individuals over safety as was found in previous research (e.g., Wagenaar & Groenweg, 1987; Wright, 1986). Employees experienced strong social pressure within the organization to perform work using normal work methods (e.g., what everyone else does) rather than following formalized

safety procedures. Resisting social pressure to perform work using 'normal methods' seriously compromises one's desired image (e.g., competent, tough). This suggests that management at all organizational levels needs to address how they can change existing subjective norms to better support safety as well as mitigate any social pressures that compromise an employee's image. Management must reassess incentive programs that may inadvertently reward unsafe behavior. If employees perceive that performing unsafe work practices (e.g., violating safety procedures to increase productivity) will enable them to obtain rewards (e.g., wage increase for being productive) they will unintentionally be reinforced to continue such unsafe behavior. Several researchers have also discussed the influence of performance pressure on safety behavior. Performance pressure has been found to increase the likelihood that employees will violate safety rules by taking short cuts (e.g., Hofmann et al., 1995; Wright, 1986), and lead employees to perceive that there isn't adequate time or resources to follow safety guidelines (Dawson, 1991). Thus, the value of safety over performance remains to be an important message that must be communicated by managers. Furthermore, the results of this study provide support for the notion that the influence of performance pressure on safety behavior may be reduced by ensuring employees the necessary time, resources, and training to perform their jobs.

Management typically requires workers to work both safely and productively. However, ever-increasing work demands strain the worker's ability to safely meet management's production expectations. One possible influence on the workers' decisions regarding their safety and production behaviors is the perceived compatibility of these two demands. If this is so, managers' ability to manage safety might be facilitated by understanding how workers' perceptions of safety-production compatibility influence behaviors that threaten safety or weaken production. High production demands may cause workers to sacrifice safety. Wright (1986) noted that organizations often emphasize working as quickly as possible. This can result in work overload, which leads to stress and strain. Stress has, in several studies, been identified as a predisposing factor in workplace accidents. Task pressures associated with overload are, therefore, likely to be associated with increased accidents. Baron and Pate-Cornell (1999) suggest that resource constraints make this effect more prevalent in the short-than the long-term. A mechanism for the influence of production pressure on accidents is found in the mediating influence of attention, a limited resource that rations effort among multiple demands. When work load strains attention, and the worker reduces the effort to work safely, injuries are more likely to result.

An empirical study by Freudenburg (1993) revealed that beliefs about the competence of an institution to effectively and safely manage a hazardous waste site explained about 25% of responses among individuals most concerned about site risks. The source of risk information, more specifically the competencies of science and technology and of federal government agencies, was an important predictor of local residents' attitudes toward locating the facility. In a field study of firefighters, McLain (1995) found that trust in the department's handling of safety explained significant variance in several measures of perceived safety risk. Trust appears to reduce perceived risk when the trusted party has influence over the situation (McLain, 1995). This reflects real confidence that the trusted party will reduce risk; in this case reduce the worker's exposure to harm from hazards. It also reflects the increased information sharing about safety that accompanies trust building (Zacharatos et al., 2005).

According to systems theory**,** an injury is one of several abnormal or unwanted effects of a system. An injury is a consequence of a dysfunctioning in the system which does not work as planned. Various methods of systems safety analysis (e.g. fault tree analysis and failure mode and effect analysis) support the identification of deviations and the analysis of the conditions and consequences of these deviations (Recht, 1965). A subset of systems models of accidents are based on an industrial engineering systems view. Accidents are analyzed in terms of failures of the management system for the control of production (Adams, 1976).

The Roben's report after a review of the existing legal framework in Britain and a careful study of the industry discovered that, The law on health and safety was often obscured, haphazard and outdate, that there were too many enforcing agencies involved which caused confusion, that the main reason of continuing of this unsatisfactory state of affairs was apathy, this committee proposed that, a system should be advised to enable all employers and employees to become aware of their personal responsibility for safety and health. There was need to set up a unified framework of legislation to cover all work activity i.e. not just factories. A unified enforcement agency should be set up and should be given stronger powers of sanction. These recommendations led to the passing of the occupational safety and health Act 1974. In the United States of America, the United States occupational safety and health Act of 1970 is the main act that is effective in this area. In the United States, upon the enactment of occupational safety and health act of 1970 a national commission was established to revaluate the state of workmen compensation laws. The congress found out that:

"The vast majority of American workers and their families are dependent on the workmen compensation for their basic economic security in the event such workers suffer disabling injury or death in the cause of their employment and the full protection of American workers from job related injury or death requires an adequate prompt and equitable system of

workmen's compensations as well as an effective program of occupational safety and health regulations (US department of labor, occupational safety and health).

The congress in establishing the commission observed thus: "In recent years serious questions have been raised concerning the fairness and adequacy of present workmen compensation laws in the light of the growth of the economy, the changing nature of the labor force, the increases in medical knowledge, changes in the hazards associated with new technology creating new risks to safety and health and increasing in the general level of wages and the cost of living.

By 1970 the United States congress was realizing that there existed a problem with its own workmen compensation laws. It therefore authorized an effective study and objective evaluation of state workmen compensation laws to determine if such laws provide an adequate, prompt and equitable system of compensation for injury or death arising out of or in the cause of employment. It is this same challenge that this paper wishes to address in relation to the Kenyan situation. Is the work injury compensation framework in line with the changing times and technological advancement. The review of the related literature has a bearing with the purpose of this study. The relationship is that even in Britain and America they have not been able to consolidate their entire framework dealing with occupational safety and health. In Kenya, serious amendment are lacking in work injury compensation framework and hence the study. A study limited to Nakuru County will endeavor to answer these questions.

Accidents are classified into seven major categories Economic activities, Occupations, Employment situation, Injury type, Injury location, Accident type and Material agent. The following are international labor organization economic activities,

A - Agriculture, hunting and forestry are,

Agriculture, hunting and related service activities, Forestry, logging and related service activities

B – Fishing activities are,

Fishing, operation of fish hatcheries and fish farms; service activities incidental to fishing

C - Mining and quarrying activities are,

Mining of coal and lignite; extraction of peat, extraction of crude petroleum and natural gas, service activities incidental to oil and gas extraction excluding surveying, Mining of uranium and thorium ores, Mining of metal ores and other mining and quarrying activities.

D – Manufacturing includes,

Manufacture of food products and beverages, Manufacture of tobacco products, Manufacture of textiles, Manufacture of wearing apparel; dressing and dyeing of fur, Tanning and dressing of leather; manufacture of luggage, handbags, saddler, harness and footwear, Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials, Manufacture of paper and paper products, Publishing, printing and reproduction of recorded media, Manufacture of coke, refined petroleum products and nuclear fuel, Manufacture of chemicals and chemical products, Manufacture of rubber and plastics products, Manufacture of other non-metallic mineral products, Manufacture of basic metals, Manufacture of fabricated metal products, except machinery and equipment, Manufacture of machinery and equipment ,Manufacture of office, accounting and computing machinery, Manufacture of electrical machinery and apparatus ,Manufacture of radio, television and communication equipment and apparatus, Manufacture of medical, precision and optical instruments, watches and clocks, Manufacture of motor vehicles, trailers and semi-trailers, Manufacture of other transport equipment, Manufacture of furniture; manufacturing and Recycling

E - Electricity, gas and water supply activities are,

Electricity, gas, steam, hot water supply and Collection, purification and distribution of water.

F – Construction.

G - Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods includes,

Sale, maintenance and repair of motor vehicles and motorcycles; retail sale of automotive fuel, Wholesale trade and commission trade, except of motor vehicles and motorcycles, Retail trade, except of motor vehicles and motorcycles; repair of personal and household goods

H - Hotels and restaurants.

I - Transport, storage and communications activities are,

Land transport; transport via pipelines, Water transport, Air transport, Supporting and auxiliary transport activities; activities of travel agencies and Post and telecommunications

J - Financial intermediation activities are,

Financial intermediation, except insurance and pension funding, Insurance and pension funding, except compulsory social security and Activities auxiliary to financial intermediation

K - Real estate, renting and business activities includes,

Real estate activities, renting of machinery and equipment without operator and of personal and household goods, Computer and related activities, Research and development and other business activities

L - Public administration and defense; compulsory social security.

M – Education.

N - Health and social work activities

O - Other community, social and personal service activities are,

Sewage and refuse disposal, sanitation and similar activities, Activities of membership organizations, Recreational, cultural and sporting activities and other service activities

P - Private households with employed persons.

Q - Extra-territorial organizations and bodies.

The main industries in Kenya are plastic, furniture, batteries, textiles, clothing, soap, cigarettes, flour, agricultural products, horticulture, oil refining; aluminum, steel, lead, tourism, telecommunications, transport, and construction.

4 METHOD

The study adopted exploratory research design with target population of the 200 cases which were compensated within this period 2007-2011. Secondary data was collected from case files in the District Occupational Safety and Health Offices in Nakuru, Kenya. The secondary data collected in these files include the following areas, data relating to the time of filing of the claim, how much time had lapsed after happening of the accident causing the disabling, injury or death to the time of filing the claim, whether the employer is covered by an insurance company data on the amount awarded in compensation will also be collected.

Primary data was also collected for this study. The owners of these case files were traced back to where they work for the purposes of obtaining primary data especially their satisfaction on the compensation awarded by the Courts of Law. The questionnaires were sent to the Human resource manager for the selected sample of manufacturing concerns targeted. The data collected aimed at determining the number of incidences and accidents that occurred between the year 2007 and the year 2011, how they were processed, the outcome thereof and the time they took for the injured worker to receive compensation. Descriptive and inferential statistics were used to analyze the data. Specifically, Pearson Correlation was used to test the relationship between accidents classifications, compensation and levels of victims' classifications.

5 RESULTS, INTERPRETATION AND DISCUSSION

5.1 OCCUPATION ACCIDENTS CLASSIFICATION

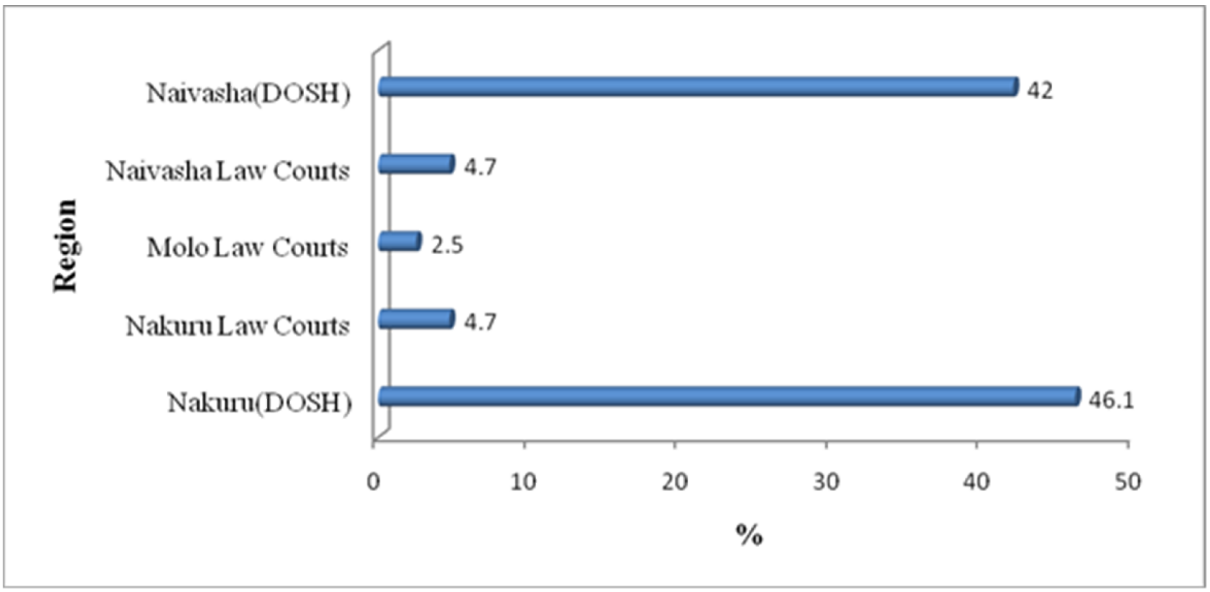


Figure 1: Regions where the Research Data was collected

The study established that the majority of the workplace related data 42.0% were collected from Companies in Naivasha, 46.1% were collected from Companies in Nakuru and 11.9% were collected from Nakuru, Naivasha and Molo law Courts where workplace compensation cases were filled and compensated.

Table 3: Workplace Accidents Classification by Sector

Classification	Frequency	Percent
Agricultural	168.0	60.4
Manufacturing	53.0	19.0
Electrical	15.0	5.2
Wholesales, Retails, Motor repair	13.0	4.6
Public Administration	8.0	2.8
Education	6.0	2.1
Transport	8.0	2.8
Construction	5.0	1.7
Other community service	4.0	1.4
Total	278.0	100.0

Source: Field Data (2014)

The study established that the majority of the respondents 60.4% of the accidents occurred in agriculture based companies, 19.0% occurred in manufacturing based companies, 4.6% occurred in wholesale, retails and motor repair based companies, 2.8% occurred in public administration and education based companies respectively. 2.8% occurred in transport related companies and 5.2% occurred in electrical based companies. This finding indicated that the majority of the work place accidents occurred in agricultural and manufacturing based companies.

Table 4: Workplace Accidents Classification by Age Variance

Sector	<20 Yrs	%	21-30 yrs	%	31-30 yrs)	%	41-50 yrs	%	> 50 yrs	%	Total	Total %
Agricultural	3	1	55	20	63	23	40	14	7	3	168	60
Manufacturing	4	1	18	6	18	6	10	4	3	1	53	19
Electricals	0	0	5	2	5	2	3	1	2	1	15	5
Construction	0	0	2	1	2	1	0	0	1	0	5	2
Wholesale/Ret.	0	0	3	1	6	2	1	0	3	1	13	5
Transportation	0	0	4	1	2	1	0	0	0	0	6	2
Public Admin.	0	0	3	1	1	0	4	1	0	0	8	3
Education	0	0	0	0	2	1	4	1	0	0	6	2
Others	0	0	2	1	0	0	0	0	2	1	4	1
Total	7	3	92	33	99	36	62	22	18	6	278	100

Source: Field Data (2014)

Majority of the accidents reported in Nakuru County 23% were from the age bracket of 31-40 years and came from agricultural sectors, 20% of the accident cases were in the age bracket of 21-30 years and were also from agricultural sector, and 14% of the cases came from 41-50 years and were from Agriculture sector. Manufacturing sector had the highest cases of 7% from 21-30 years and 31-40 years age bracket. Generally, 36% of the accidents occurred in the age bracket of 31-40 years, 33% occurred among 21-30 years age group, 22% occurred among 41-50 years age group, 6% occurred among employees above 50 years and 3% those below 20 years. This finding indicated that cases of accidents were common in 31-40 and 21-30 years age bracket in both the agricultural and manufacturing sectors.

Table 5: Workplace Accidents Classification by Length of Service

Sector	< 1 Year	%	1-5 years	%	>5 Years	%	Total	%
Agricultural	61	22	64	23	43	15	168	60
Manufacturing	16	6	20	7	17	6	53	19
Electricals	-	-	7	3	8	3	15	5
Construction	2	1	3	1	-	-	5	2
Wholesale/Retail	5	2	3	1	5	2	13	5
Transportation	-	-	5	2	1	0	6	2
Public Admin.	7	3	1	0	-	-	8	3
Education	1	0	2	1	3	1	6	2
Others	-	-	2	1	2	1	4	1
Total	92	33	107	38	79	28	278	100

Source: Field Data (2014)

Majority of the accidents 23% occurred among employees who had worked for 1-5 years, 22% in less than 1 year, 15% in more than 5 years and all these occurred in agricultural sector. 20% of the accidents were recorded among employees who had worked for 1-5 years in the manufacturing sector. Generally, 38% of the accidents occurred within 1-5 years of the employees' service, 33% occurred within less than 1 year while in services and 28% occurred within more than 5 years while in service. This finding indicated that the majority of the work place accidents occurred within 1-5 years of employees service life followed by less than 1 year and lastly greater than 5 years.

Table 6: Workplace Accidents Classification by Body Parts Affected

Sector	HD	%	LG	%	HN	%	CA	%	EY	%	O	%	T	%
Agricultural	20	7	51	18	64	23	3	1	15	5	15	5	168	60
Manufacturing	3	1	4	1	35	13	1	0	5	2	5	2	53	19
Electricals	5	2	3	1	7	3	-	-	-	-	-	-	15	5
Construction	-	-	2	1	2	1	-	-	1	0	-	-	5	2
Wholesale/Retail	3	1	3	1	4	1	-	-	-	-	3	1	13	5
Transportation	-	-	2	1	2	1	-	-	-	-	2	1	6	2
Public Admin.	2	1	-	-	4	1	-	-	-	-	2	1	8	3
Education	-	-	4	1	2	1	-	-	-	-	-	-	6	2
Others	2	1	-	-	2	1	-	-	-	-	-	-	4	1
Total	35	13	69	25	122	44	4	1	21	8	27	10	278	100

Source: Field Data (2014)

Table was used to analyze Workplace Accidents Classification by body parts affected. HD – Head, LG – Leg, HN - Hand, CA – Chest/Abdomen, EY – Eye, O – Other Parts and T - Total

The majority of the accidents that occurred in Nakuru County in the agricultural sector 23% affected employees hands, 18% affected leg. Generally, 44% of the accidents affected the hands, 25% affected the leg, 13% affected the head, 10% affected other parts of the body, 8% affected eyes and 1% affected chest/abdomen. This finding indicated that much of the accidents affecting employees' body parts also occurred in agricultural and manufacturing sector affecting hand, legs, head, eyes and other parts of the body respectively.

Table 7: Workplace Accidents Classification by Severity of Occurrence

Sector	Minor	%	Sever	%	Very Sever	%	Total	%
Agricultural	137	49	18	6	13	5	168	60
Manufacturing	45	16	5	2	3	1	53	19
Electricals	11	4	1	0	3	1	15	5
Construction	3	1	2	1	-	-	5	2
Wholesale/Retail	10	4	3	1	-	-	13	5
Transportation	4	1	2	1	-	-	6	2
Public Admin.	4	1	3	1	1	-	8	3
Education	5	2	1	0	-	-	6	2
Others	3	1	1	0	-	-	4	1
Total	222	80	36	13	20	7	278	100

Source: Field Data (2014)

Majority of the occupation accidents 49% were minor in the agricultural sector and 16% which were equally minor but in manufacturing sector. Generally, 80% of the occupation accidents that occurred were minor, 13% were sever and 7% were very sever. This finding indicated that the occupation accidents in the county were minor with early indications of potential gratuity to sever cases.

5.2 OCCUPATIONAL ACCIDENTS CLASSIFICATIONS

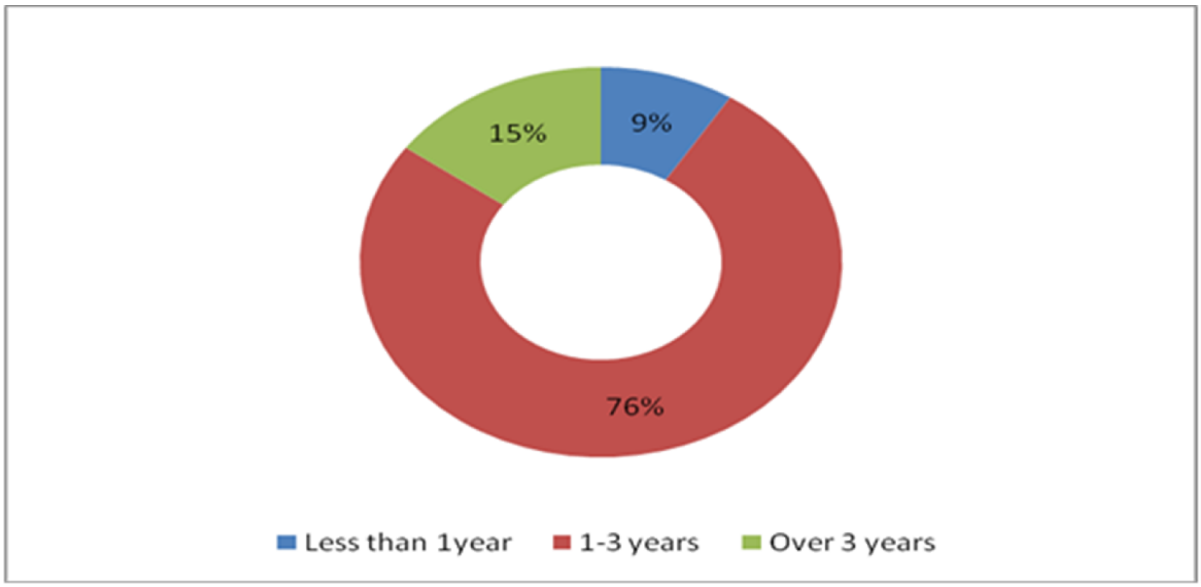


Fig 8: Period it took to Effect Compensation

The study established that the majority of the work place accidents victims 76% observed that compensation took between 1-3 years to be effected when the compensation were first filled, 15.0% observed that it took over 3 years whereas 9.0% observed that it took less than 1 year to effect the compensation. The average duration taken from filing to receiving compensation was calculated to be 30 months which is in line with responses. This finding showed that the process was slow and took unnecessarily long for a victim to receive compensation. The occupational safety and health compensation framework in kenya should reduce the compensation period in order to benefit the workers given that the majority of the workers are quite in need of money when these accidents occur.

Table 9: Workers Compensation (Kshs)

Compensation (Kshs)	Frequency	Percent
Less than 200,000	169.0	84.5
200,000-400,000	8.0	4.0
400,000-600,000	6.0	3.0
600,000-800,000	4.0	2.0
800,000-1,000,000	9.0	4.5
Over 1,000,000	4.0	2.0
Total	200.0	100.0

Source: Field Data (2014)

The study established that the majority of the workers involved in work place accidents 84.5% were compensated less than Kshs. 200,000 and the rest 15.5% were compensated between Kshs. 200,000 to over Kshs. 1,000,000. This finding showed that the majority of the workers who suffered workplace accidents were compensated little money which could not handle their medical bills leave alone the required compensation. The total amount of money paid in 5 years to occupational accidents totaled up to 50 million Kenyan shillings in Nakuru County.

5.3 VICTIMS SATISFACTION WITH OCCUPATIONAL ACCIDENTS COMPENSATION

Table 10: Employees Satisfaction Level

	Respondents	Percentage (%)
Very satisfied	0	0
Satisfied	51	30.8
Dissatisfied	72	43.6
Very dissatisfied	30	17.9
Undecided	13	7.7
Total	**166**	**100%**

Source: Field Data (2014)

The study established that the majority of the respondents 68.2% were dissatisfied with the compensation, 30.8% were satisfied and 7.7% were undecided on their level of satisfaction.

Table 11: Satisfaction on Process and Relationship

Response	SA	A	U	D	SD	Total
Efficient compensation process	1.8	37.3	0	48.2	12.7	100
Accidents affected relationships	6.6	63.3	2.4	21.1	6.6	100

Source: Field Data (2014)

Key: SA-Strongly Agree, A-Agree, U-Undecided, D-Disagree and SD-Strongly Disagree

The study established that the majority of the respondents 60.9% disagreed that the compensation process was efficient compared to 39.1% who agreed it was efficient. The majority of the respondents 69.9% agreed that the accidents affected their relationships with friends and families, 27.7% disagreed and 2.4% were undecided. This finding showed that the accidents victims were unsatisfied with the process and that the accidents affected their relationships with their families and friends.

5.4 RELATIONSHIP BETWEEN OCCUPATION SAFETY CLASSIFICATION COMPENSATION AND EMPLOYEES LEVELS OF SATISFACTION

The main objective of the study was to evaluate the occupational accidents compensation among workers in Nakuru County. The study used Pearson Correlation to establish whether there was relationship between classification occupation compensation with employees' level of satisfaction with compensation.

Table : Occupation Compensation and Employees Level of Satisfaction

Correlations	compensation	classification
Satisfaction	0.125	0.017
Level of Significance	0.108	0.829

Source: Field Data (2014)

The study established a week positive correlation of 0.125 and 0.017 between classification, compensation level with employees satisfaction level indicating that occupational accidents classification and compensation are positively correlated.

6 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Work place accidents compensation laws are enforced by the Ministry of Labour and Manpower Development. Companies are under law to observe the guidelines and protect the employees from occurrence of accidents by installing the relevant equipments. Unfortunately, accidents have continued to increase in many companies and the compensation process

has remained slow and inefficient. The main objective of this study was to evaluate occupational accidents compensation among victims in Nakuru County.

The study came up with a number of very important findings in relationship with classification of occupational accidents which have happened within five years as per international labor organization economic activities, evaluation of the occupational accidents compensation levels among victims and determination of the occupational accidents compensation satisfaction levels. Each finding is hereby summarized under the corresponding objective.

6.1 SUMMARY

6.1.1 CLASSIFICATION OF OCCUPATIONAL ACCIDENTS

First, the study established that the majority of the workplace related data were collected from Companies in Naivasha, and Nakuru. This finding is in coincidence with the fact that the majority of the workers were employed in agriculture based companies where Naivasha Town is the leading in many farms followed by manufacturing companies' majority of which are in Nakuru Town. Second, the study established that the majority of the respondents observed that the accidents occurred in agriculture and manufacturing based companies. These findings indicated that the majority of the work place accidents occurred in agricultural and manufacturing based companies. Third, cases of accidents were common in 31-40 and 21-30 years age bracket in both the agricultural and manufacturing sectors. Four, the majority of the work place accidents occurred within 1-5 years of employees service life followed by less than 1 year and lastly greater than 5 years. Five, much of the accidents affecting employees' body parts also occurred in agricultural and manufacturing sector affecting hand, legs, head, eyes and other parts of the body respectively. Six, the occupation accidents in the county were minor with early indications of potential gratuity to sever cases.

6.1.2 EVALUATION OF OCCUPATIONAL ACCIDENTS COMPENSATION

First, the study established that the majority of the workers earned less than Kshs. 10,000. This finding indicated that the workers who were more pre-disposed to work related accidents earn much less money which in turn affects their compensation since compensation is calculated based on salaries. Second, the study established that the majority of the respondents of the accidents occurred in agriculture based and manufacturing based companies. These findings indicated that the majority of the work place accidents occurred in agricultural and manufacturing based companies. Third, the study established that the majority of the compensation took between 1 to 3 years to effect when the compensation cases were determined. This finding showed that the process of compensation is slow, a situation which should be improved to benefit the workers given that the majority of the workers are quite in need of the money after accidents have occurred. Four, the study established that the majority of the workers awarded compensation had less than 10% percentage injury. Five, the study established that 81.7% of the workers involved in work place accidents were compensated less than Kshs. 200,000. This finding showed that the majority of the workers who suffered workplace accidents were compensated little money which could not handle their medical bills leave alone the required compensation.

6.1.3 OCCUPATIONAL ACCIDENTS COMPENSATION SATISFACTION

First, the study established that the majority of the respondent had knowledge of occupational safety and health hazards at the work place. They equally had knowledge on occupational safety and health laws of the Republic of Kenya. Whereas the respondents had knowledge on occupational safety and health hazards and also the occupational safety and health laws of the Republic of Kenya, the majority of the respondents did not have knowledge of occupational safety and health Act 2007 and work injury benefit Act. This finding showed that the knowledge the workers had on issues of occupation safety was not sufficient enough for them to completely know their rights, the process of pursuing such rights and even ensuring that they were compensated as per law. This was evident because the workers did not know the content of the Acts. Second, the study established that the majority of the respondents did not know how to calculate the work injury compensation payments. This finding indicated that since the workers did not know how to calculate their compensation, some of the work place accidents ended up in the Court of Law and therefore exposed victims to a lot of manipulations by the advocates and other Court agencies making them loose a big portion of what ought to be their compensations. Third, the study established that the majority of the accidents victims suffered from burns and also lost their limbs. Third, the study indicated that the work place accidents victims were not compensated adequately. Four, the study established that the majority of the respondents were dissatisfied with the compensation they were given. Five, the study established that the majority of the respondents disagreed that the compensation process was efficient although they agreed that the accidents affected their relationships

with friends and families. This finding showed that the accident victims were unsatisfied with the process and that the accidents affected their relationships with their families and friends.

6.2 CONCLUSION

Occupational safety and health accident compensation framework is a crucial interest area of research because of massive complaints and many workers suffering loss some of which are fatal. This study attempted to evaluate occupational accidents compensation among victims in Nakuru County. The conclusion of this study was linked closely with the questions that this study had raised beforehand. The first question was; what are the classifications of the occupational accidents which have happened within five years? The study established that the accidents occurred in agriculture and manufacturing based companies. The second question was; what are the occupational accidents compensation levels among victims? The study established that the compensation awarded to the victims were not adequate to take care of their medical bills and truly compensate the losses they had incurred yet the process of what they termed as an inadequate compensation was very slow. The third question was; what are the occupational accident compensation satisfaction levels? The study established that the victims were not satisfied with the compensations they were given and that they did not even know how to calculate the compensation on their own. The study established positive correlation between occupation accidents classification and compensation with employees' level of satisfaction.

6.3 RECOMMENDATIONS

The Ministry of labor should rework the compensation policies to improve on these percentages so that workers can get money that can be equivalent to the accidents they suffered to enhance the true meaning of compensation. Third, the Ministry of labor must re-look into this matter seriously in order to first separate compensation from medical bills so that the workers be given by their employers compulsory medical cover plus compensation to cover the suffering they incur at the work place. Four, the ministry should make sure that the human resource departments of the companies where the victims work are compliant in terms of training the workers on how to calculate their compensation benefits. This information is important to work place occupation training intervention in knowing the service length to target in executing work place occupation accident trainings. Six, the Ministry of labor through legislations should make the compensation process simple and efficient in order to make the process less burdensome to the victims. Seven, the compensation satisfaction also can be improved by extending the compensation benefits to mend the broken relationships between victims and their friends and relatives. In designing interventions to mitigate workplace accidents like training, production of safety equipment by third party manufactures, providing directive information in the work place, developing protective legislations, this finding would be important in knowing that the providers should target 21-40 years age bracket where such accidents occur more frequently. It is also important to note that while planning for compensation, the compensation agencies should prepare more compensation to this age bracket. In planning for stocking of safety equipment, the study recommends that the factories should stock all types of hand protective gloves, machines with laser beams that can detect body limbs, factory designed shoes and gumboots, protective helmets and protective eye glasses. The interventions should also target employees in training them how to use laser beam machines in order to reduce work place accidents.

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