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Commitment of High-risk Multinational Companies to Health and Safety in Nigeria

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ABSTRACT

The enforcement of health and safety in Nigeria is at its developmental stage and this prompts foreign companies to take advantage to operate without due regard for matters relating to health and safety. This study however, is on investigating the level of commitment of high-risk multinational companies towards health and safety issues in Nigeria using a Petroleum Company as case study. The method used in carrying out the research was the ‘typical instance’ case study, which uses the logic of applying the findings of a particular sample to the entire population. In conducting the research, there was a review of certain documents (policy statement, a conducted risk assessment exercise and accident statistics) against the provisions of OHSAS 18001, ILO guidelines and RIDDOR. The findings after the review showed that the policy statement, risk assessment exercise and accident statistics had 40%, 71% and 50% conformance ratings when assessed with their respective comparators (ILO guidelines and OHSAS:18001, OHSAS:18001 and RIDDOR respectively). It was therefore concluded that there was a high level of commitment to health and safety on the part of the Company, based on the available facts. However, it was also recommended that the policy statement be modified to reflect the harmony between a formalized system and the actual happenings and the missing elements in the key performance indicators should be included in the accident statistics document.

Keywords: Health, Safety, Commitment, High-risk, OHSAS, ILO, RIDDOR

1. INTRODUCTION

The concept of health and safety goes beyond avoiding accidents and disease prevention and according to Idubor and Oisamoje (2013), all organizations owe their employees a duty of care to ensure their safety and the safety of other persons who may be affected by the company's undertakings at all times. Marczewska-Kuzm (2021) suggests that it is the responsibility of the employer to meet the health and safety requirements in any given company, ensuring optimal productivity on the part of the employees. As stated by Liu, et al, (2023), the World Health Organization (WHO) describes occupational health and safety as a multidisciplinary activity that aims to protect and promote the health of workers by taking precautions against occupational accidents and diseases, develop and promote healthy and safe work, work environment, and work organizations, improve the physical, mental, and social well-being of workers and enable workers to live productive social and economic lives.

Research in workplace (occupational) safety as observed by Fan Di et al (2020) has grown significantly, but has so far, according to Probst and Brubakar (2001) been focussed on preventing health problems as a result of poor working conditions, shielding workers from risks that can adversely affect their health and suiting the work environment to the physiological and psychological capabilities of the workers. It is therefore important, to ensure that a safe system of work, which according to Caponecchia and Wyatt (2021) can be generally described as general duties and responsibilities of employers as expected by the courts, is in place, thereby ensuring that all employees (employers and other stakeholders as well) are exposed to every necessary information, training and instructions needed to carry out their work safely, without attracting harm to themselves and/or others (Hosny, et al., 2014).

Being that the importance of health and safety cannot be overstressed, many companies have sought to ensure that workers within their organizations are relatively safe in order to avoid losses in terms of injuries, fatalities or loss of machines and materials, by adopting a laid-down procedure to regulate occupational health and safety. This regulation process, as discoursed by Salguero-Caparrós F. et. al (2020), could however restrict the impulses of innovation and development, but as seen in Mustard and Yanar (2023), the evidence of positive returns in finances due to investments in health and safety according to Jain et al., (2018) is one element that speaks in favour of investments in employee health and safety. As opined by Kaynak R. et al (2016), workers will respond positively when they perceive the organization values their contributions and care about their wellbeing and will in turn, reciprocate by giving their best. The negative effects of accidents (human capital decrease, loss of finance due to interruption of work processes as well as damage to resources) on both a company and country's ability to compete in the market, reputation and economic power highlights the importance of developing or introducing and implementing strategies that would prevent accidents or as far as practicably possible, lessen their impacts (Fernandez-Muniz et al, 2007).

As explained by Robson L. S. et al (2007), there is no consensus on what an occupational health and safety management system is and its scope is potentially wide, but it can be agreed that it helps organizations to be more proactive, and creates room for continuous improvement. Managing health and safety aims at protecting employees from coming in contact with work-related harm/injuries that could affect their productivity. Some factors that could contribute to this harm include inadequate protection of the workers directly exposed to hazards (Guzman J., et al 2022) and the absence of a supervisor, which, as claimed by Yanar B. et al. (2019), progresses the likelihood of physical injuries.

It is however, not the job of a designated person, but is the responsibility of everyone within and around the work environment to make sure their actions or in-actions do not result in injury to themselves and/or others. Adequate assessment of risks in the workplace should therefore be carried out to ensure optimal protection of employees, because as has been observed by Saputra and Mahaputra (2022), the work environment in itself, does influence in one way or another, occupational safety and health.

The main guiding principles for the management of occupational health and safety include risk assessment, outline of responsibilities and proper ways of recording findings. Arguably, the scope of a safety management system and that of occupational health and safety management system differs; while the former (safety management system) is concerned with the safety of the worker (including focus on preventing injury arising from losing control of processes) as well as the safe nature of the environment in which the work is carried out as well as the external surrounding, the latter (occupational health and safety management system) is concerned with the general health of workers. Managing health and safety, as described by the British Standards Institution (BSI) entails adopting a laid down procedure for the day to day running and management of health and safety issues so that they can be embedded into the established operational processes of the organization. BSI further explains that health and safety management is based on progressive standards that would ensure its continued and improved performance in line with legal and other requirements.

Nigeria, being a member of the United Nations adopts the recommendations of the International Labour Organization (ILO) as well as her own body of laws. Whilst, according to Abubakar (2015), the workplaces in other climes have become safer over the years, this cannot be said for Nigeria, whose enforcement of these laws however is very poor in some quarters. Despite the evident need to manage health and safety, many organisations do not give health and safety the priority it deserves; this could be due to a lack of knowledge, skill, motivation/limited staff resources, managers anticipating demands from employees if issues on occupational safety and health are brought into the open (Haslam C. et al., 2016), or due to corruption and bribery which according to Idubor and Oisamoje, (2013) is perhaps the biggest problem to Occupational health and safety in Nigeria.

The aim of this study is to establish the level of commitment of multinational companies to health and safety in their host countries (developing). The policy statement, risk assessment procedure as well as a conducted risk assessment document will be looked at and analysed against acceptable health and safety standards (OHSAS 18001, ILO guidelines and RIDDOR). If variances are observed, they would be identified and recommendations would be proffered to improve the current system on ground.

The company used as a case study is an International company (name withheld for ethical purposes, hence will be referred to simply as 'The Company') concerned with oil and gas exploration and production, focussing strategically on Africa, Middle East and North Sea. It was founded to aid the development of upstream opportunities in West Africa, and has been able to increase production by applying dynamism through the employed use of advanced proven technology. In conducting the research, there was a review of certain documents (policy statement, a conducted risk assessment exercise and accident statistics) against the provisions of International standards.

The findings after the review will show varying conformance ratings when assessed with their respective comparators (ILO guidelines and OHSAS: 18001, OHSAS: 18001 and RIDDOR respectively).

2. RESULTS AND DISCUSSION

2. 1. Methodology

This study was aimed at establishing the extent to which companies adhere to established health and safety regulations in Nigeria whose health and safety enforcement is still at infancy (Adeogun and Okafor, 2013), using THE COMPANY as a case study. According to William C. (2007), there are three common approaches to conducting a research and they are quantitative (tests theories by examining the relationships that exist among variables), qualitative (explores and offers understanding on the meanings given by individuals or groups of individuals to certain problems) and mixed (combines both quantitative and qualitative).

2. 2. Research method: Case Study

A case study approach is at its best when the researcher wants to examine an issue in depth. It permits the use of more than one method of research, although practically, it is more aligned to the qualitative than the quantitative research.

The case study design was chosen for this research as making efforts on a typical case would fit well in actualizing the aim of this study within the available time frame.

The Company was selected for this study as their operations are concerned with oil and gas exploration and production (a high risk environment) and it shares similarities with other companies involved in the oil and gas sector, hence, the findings from this study can apply.

According to Creswell (2009), illustrating the approach to a research effectively increases its validity, hence the mixed approach (which as earlier stated, combines the quantitative and qualitative forms) was employed in conducting this research. The research was carried out using a sequential mixed method which is described by Creswell, (2009) as a method where the researcher tries to develop the findings of a particular method with another. The qualitative method was carried out in the form of inspection and analysis of documents while the quantitative provided an option for scoring the analysis of the findings from the qualitative data. Dairy studies replaced observation as access to site was not reasonably likely within the available time frame.

The documents for managing health and safety were reviewed to get information on available measures put in place to ensure safety and conformance with legal and other requirements.

2. 3. Data collection

The documents include health and safety policy, risk assessment procedure (and a sample of a conducted risk assessment exercise), company's health and safety statement and accident statistics. The policy and mission statements were reviewed against the OHSAS 18001:2007 standard and the International Labour Office guidelines.

2. 4. Results

2. 4. 1. Policy Statement

A policy statement on health and safety has been described as a “documented account of how a business will effectively manage and ensure (as reasonably as possible), the health, safety and welfare of its employees and others who are not (its employees)”.

The Health, safety and environment policy statement was reviewed against international standards as proposed by OHSAS 18001:2007 and the International Labour Office (ILO).

In line with the provisions of sections 4.2 and 3.1 of the OHSAS 18001 and ILO guidelines respectively, the findings are in the table below with the scoring key being 1 for no compliance, 2 for partial compliance and 3 for full compliance.

Table 1. Policy review conformance with OHSAS 18001 and ILO Guidelines

Provisions for policy	Scoring	Remark
Endorsed by senior accountable person	3	The policy statement was signed by an accountable person (in this case, the managing director)
Concise, clearly written and dated	2	The policy is straight to the point, clearly spelt out but has no date
appropriateness to the nature and scale of the company’s occupational health and safety risks	1	The statement is generic and does not specify the nature (which is the type of risks encountered) and scale (which relates to severity) of the company’s risks. It doesn’t mention the principal risks of the organization.
commitment to prevent injury and ill health	3	There is a commitment to create an accident free work environment
commitment to continually improve in the management and performance of occupational health and safety	1	The policy statement has no specific commitment to this regard
commitment to comply with applicable requirements (national laws and others) to which the company subscribes	1	There is no commitment to comply with national laws or any other requirements
framework for setting and reviewing health and safety objectives	1	The policy statement does not include a commitment to regularly review and revise it
documented, implemented and maintained	3	This statement is documented, implemented and maintained as can be seen in the risk assessment (appendix 2)
communicated accessible by workers and other stake holders under the control of the organization	3	There is proof of communication and accessibility as evidenced by its presence on the wall of the reception area

employee encouragement and consultation on health and safety matters	2	The policy statement shows a commitment to encourage workers to carry out their duties safely through training but does not state its desire to involve the employees in the health and safety decision making process.
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From the table above, it is observed that the policy document (which is a document that, simply put, defines an organization’s way of doing things) was found wanting in areas of stating that it will serve as the foundation on which continual improvement in the management and performance of occupational health and safety can be built, appropriateness to the nature and scale of the company’s occupational health and safety risks and willingness to comply with relevant health and safety laws. The document was found to conform partly to the aspects of employee encouragement and consultation on health and safety matters, and it (the policy) being concise, clearly written and dated. A partial score was given to these two elements because the policy statement did offer a commitment to encourage employees to adopt healthy and safe lifestyles as well as the document being concise and clearly written but did not statement its commitment to consult employees on matters affect their health and safety and it was not dated.

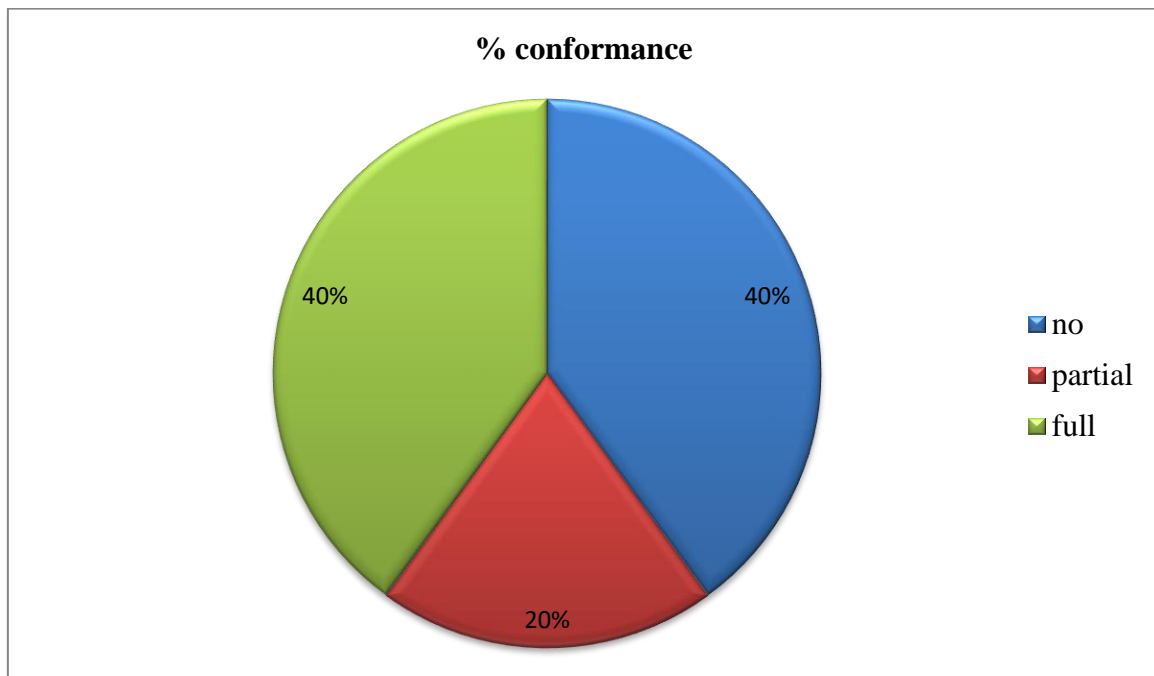


Figure 1. Graphical Representation of percentage Policy Statement’s Degree of Conformance.

It did however conform to the aspects of being documented, implemented and maintained (as can be observed risk assessment document), communicated to and accessible by workers and other stake holders under the control of the organization (as confirmed from a phone

interview), a commitment to prevent injury and ill health, and most notably, it carries the signature of a senior and accountable person.

The table below gives a summary and percentage scores of policy statement’s degree of conformance to the standards as stipulated in OHSAS 18001 and the ILO guidelines.

Table 2. Summary and percentage scores of Policy Statement’s Degree of conformance.

	Conforming summary (in table above)	%
Non conformance	4	40
Partial conformance	2	20
Full conformance	4	40
Total	10	100

2. 4. 2. Risk Assessment

There is a detailed procedure for conducting operational processes safely and are categorized as general (e.g. above ground protrusions, mobilizing and de-mobilizing equipment, electrical safety, working from elevated surfaces, working with hand tools, hot environments, scaffolding, task lighting, torch cutting), hazardous materials (e.g. asbestos and lead abatement), heavy equipment (e.g. crane operations, demolition/loading and hauling, elevated lift operations, excavating, excavator with grapple attachment, forklift operations, loading and hauling equipment, universal waste, water truck operations) and tools (e.g. ladders).

This document states the job sequence, identified hazards and critical behaviour and recommended procedures for executing the respective tasks in order to prevent harm. In addition, it also provides a list of safety equipment required to effectively and safely carry out the job. They have a wide range of activities, so a sample document on how risks are assessed was reviewed against the provisions of section 4.3.1 of the OHSAS 18001 and the findings can be seen in the table below with the scoring key being 1 for no compliance, 2 for partial compliance and 3 for full compliance.

Table 3. Risk Assessment conformance with OHSAS 18001 provisions

OHSAS 18001 Provisions	Scoring	Remark
Activities of all persons having access to the workplace (including stakeholders), with respect to nature and scope of the activity.	3	The risk assessment takes into account all the activities involved in the project as observed in the ‘task breakdown’ section.

human behaviour, capabilities and other human factors	3	This is accounted for, as recommended control points to the activity being undertaken by competent personnel
identifying external hazards that could affect the health and safety of those within the organization	3	In this case, bad weather. This is accounted for and adequate measures are in place
work place hazards created by work processes	3	Poor communication, poor visibility as well as well as equipment malfunction have been identified.
applicable legal requirements relating to workplace safety	3	As seen in the ‘control measures/ recommendation’ the legal requirement of ensuring worker and stake holder safety has been addressed.
routine and non-routine activities	1	No indication if that’s how the activity will always be carried out
infrastructure or materials provided	1	No indication on who provides equipment or infrastructure.

The table shows a great degree of conformance to almost all the requirements for consideration when conducting a risk assessment. Considering the actions and activities of everyone gaining access to the work site as evident in the work breakdown section of the risk assessment document, human factors and capabilities was addressed by the statement that only competent personnel would operate machinery, the identification of external (wind) and internal (poor communication, poor visibility and malfunction of equipment) threats to both employees and stake holders (visitors, clients etc.), as well as legal requirements were the elements within the requirement of 18001 that were given full marks for conformance because they were satisfied within the contents of the conducted risk assessment exercise.

On the other hand, the risk assessment document failed to address two elements. Firstly, it failed to specify if the equipment used during the operation was provided by the company or others. Secondly, there is nothing stated on the risk assessment document if the activity (under risk assessment) is a routine or non-routine activity.

The percentage summary is thus:

Table 4. Summary and percentage scores of risk assessment’s degree of conformance

	Conforming summary (from the table above)	%
Non conformance	2	28.57
Partial conformance	0	0

Full conformance	5	71.43
Total	7	100

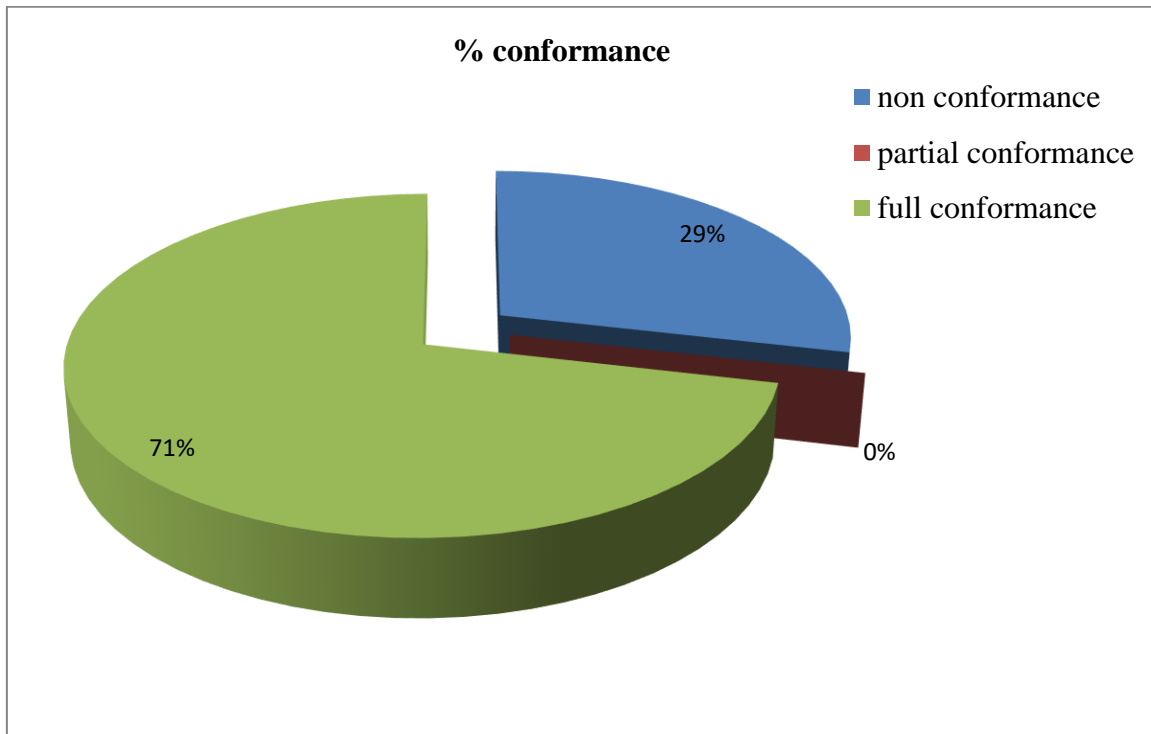


Figure 2. Graphical Representation of percentage Risk Assessment’s Degree of Compliance

2. 4. 3. Accident Statistics.

The accident statistics were measured and weighed against the requirements as dictated by RIDDOR. RIDDOR, which stands for Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, is applicable in Great Britain with the exception of Northern Ireland, having separate regulation for reporting (HSE, 2009). RIDDOR was chosen because of the high standards of health and safety exhibited in the country (United Kingdom), hence would be a very valid tool for comparing the elements in the Key Performance index section presented by the company under investigation.

RIDDOR exerts a duty on the ‘responsible person’ (employer or any one in control of the premises) to report incidences and diseases related to the job. The reportable elements of RIDDOR was used to score the key performance index presented in the accident statistics. The findings after comparing is shown in the table below with the scoring key being 1 for no compliance, 2 for partial compliance and 3 for full compliance.

The table above shows an equal divide between the elements to which there is full and no conformance. The elements in the accident statistics presented by the company, in line with the reporting criteria proffered by RIDDOR show full conformance to two of the elements dictated

by RIDDOR to be reported; the two elements include dangerous occurrences (near misses) and fatalities.

The key performance index section of the accident statistics fail to address the issue of occupational diseases (e.g. dermatitis, asthma etc.), agents capable of causing cancer, gene mutation and toxicity (all associated with the oil and gas industry). The elements also scored a low in the gas incidence section. According to the HSE (no date), incidents involving gas applies to gas distributors, fillers, importers and suppliers of flammable gas, hence does not apply in this case.

Table 5. Key performance index conformance with RIDDOR elements.

RIDDOR Provisions	Score
fatal workplace accidents	3
occupational diseases	1
carcinogens mutagens and biological agents	1
dangerous occurrences (near misses)	3
specified injuries including amputation, injury that could easily lead to reduction in or permanent loss of hearing, crash injury causing brain or organ damage, and burns.	1
gas incidents	1

The accident statistics paper work appears to be very good. There are however, two things to consider:

Firstly, the statistics generated suggest they lead the way in terms of health and safety compliance with an absolutely close to flawless auditable trail. The facts show that they are running or operating very good systems to ensure workplace safety, with very robust and professionally looking procedures for assessing risks and ensuring worker and stakeholder safety within and around the work environment.

Secondly, being that they have a very healthy looking risk assessment procedure, they could easily have balanced it up with good statistics. The statistics appear so much more favourable than comparable, bringing its validity into question. The level of accidents expected from an oil and gas company (dangerous occurrences and near misses), in a dangerous industry is not reflected.

Included statistics in the key performance index are Lost Time Incidents (LTI), non compliance to HSE policy as well as completed assessment on process impact on the environment. Each index element (except the environmental impact assessment) have two columns, one being the company target, the other, how the company is performing in relation to the target (actual happenings).

The percentage summary is thus:

Table 6. Summary and percentage scores of key performance index’s degree of conformance

	Conforming summary (from table 4.8 above)	%
non conformance	3	50
partial conformance	0	0
full conformance	3	50
Total	6	100

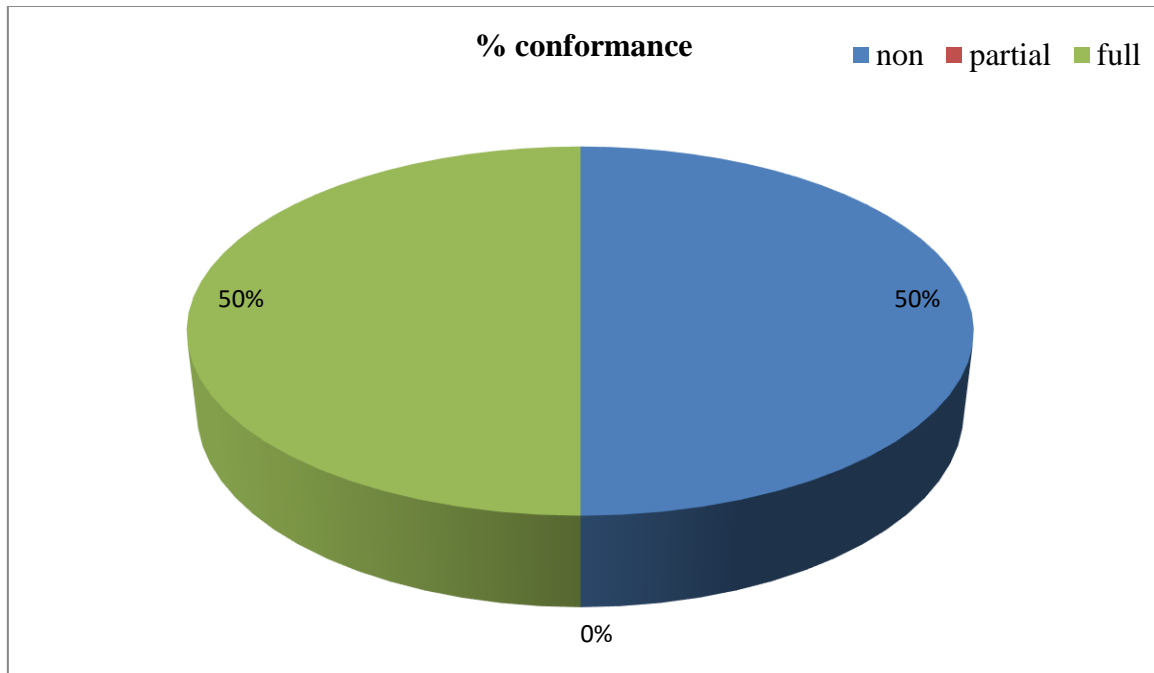


Figure 3. Graphical Representation of percentage key performance indicators’ Degree of Conformance.

3. CONCLUSIONS

The available data needed to carry out this study was analysed. The policy document, though it did conform with some of the provisions as given by OHSAS 18001 and the ILO, it however failed to address certain aspects of the standard and guidelines (18001 and ILO respectively).

The risk assessment procedure contained all the essential elements expected of a company that is focused on ensuring the safety of its workforce as well as its stakeholders (clients,

visitors, etc.). Looking at the risk assessment procedure in detail from certain aspects of it e.g. the risk assessment methodology, it is a well detailed document and the methods contained within can be adopted for use in similar companies as well as other industries. It explains who is responsible for doing anything as far as the job in question is concerned.

The risk assessment procedure review was closely followed by the statistics of accidents which as should be expected, balances the robust nature of the risk assessment exercise and procedure. The company prides itself in its commitment to report incidences and accidents. The elements of RIDDOR (a reporting regulation in the United Kingdom) was used to benchmark the company's reported key performance indicators and some elements (e.g. diseases and specified injuries) which ought to be have been reported were missing.

Conclusively, on the basis of available facts (documents reviewed), The Company has expressed a high level of commitment towards issues relating to health and safety of both employees and stakeholders. It has however recommended that the policy statement, which is an indicator of how health and safety is being driven in a company, should be modified to reflect a commitment to improve continually, the performance of health and safety. It should show a commitment to comply with all available laws (national and international) and regulations.

The statement should state how it would form the basis for continually setting and reviewing the company's health and safety objectives and should be dated. Some companies however, might not be focused on brandishing a healthy, well written health and safety policy statement, yet they have a very good operational system which addresses matters relating to health and safety, in most cases down to the presence of good directors and managers. However, this could become a problem in future because if the approaches to health and safety have not been formalized, then change in personnel would mean change in systems.

But if the system is formalized and well written down (especially in relation to the nature and scope of the company's operations), then change in personnel would not affect the likelihood of consistent working procedures, as they (procedures) would be down to systems rather than individuals. A reflection of the harmony between a formalized system and actual happenings is therefore recommended; as it gives confidence that the company is capable of sustaining its current apparent good performance. Another recommendation is that the key performance indicators for the accident statistics should have reports on diseases and specified injuries (in addition to those already existing) and workers should be encouraged to report all incidences within and around the work environment.

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