

## 28 Occupational health in Yemen

Paper handed over by the Federation of Workers Unions, written by an unknown author.

### **Introduction**

One of the most important objectives of vocational health and safety and what it targets achieving is the protection of worker against risks and work conditions and to improve the work environment for the importance of that on the human, social and economic levels. The worker represents a key element in the production process and its success depends not only on the provision of advanced industrial techniques, sufficient training and experience yet, the protection of worker from work hazards and prevention of detrimental effects existing at the work environment to avail the worker with appropriate and suitable climate through which he achieves good and high productivity and enjoys good health and physical and psychological integrity.

The exposure of workers to vocational accidents and psychological illnesses in high percentages in the developing countries is a call to give attention to this issue. It became evident from the statistics of the international labor organization that nine million accidents happened in the year 1983 of which 2.4 million death cases annually in sixty four countries for which data was collected in this field. Studies evidenced the death of one worker each three minutes globally as a result of a work accident or vocational illness in a study conducted in 1985 and in the latest statistic of the international labor organization for the year 2000 it indicated the following:

- 125 million annual accidents globally
- 220 thousand death cases in a rate of 611 death cases daily
- 10 million physical disability cases annually in addition to 500 million disability cases originally existent

This situation aggravates annually with the increased labor force entering the work field each year especially in developing countries where training and experience is lacked in addition to the absence of appropriate conditions of work environment or the use of techniques and resources not provided with safety conditions. International and Arab organizations were established to realize the human safety in general and the working humans as well such as the international health organization and the international labor organization at the international level and the Arab labor organization at the Arab level where they gave a great importance to the issue of health and vocational safety to upgrade the standard of their services to secure appropriate work circumstances and conditions and setting agreements and recommendations targeting restricting vocational accidents and illnesses as well as designing employment standards and conditions and work environment and setting safe limits for the use of chemical materials and natural physical factors in addition to highlighting the role of statistics and statistical data concerning vocational accidents and illnesses and strengthening the systems of work inspection and necessary co-operation between employment parties (governments, employers and workers) to realize and provide conditions of vocational health and safety and a safe and secure work environment.

### **National and international laws and regulations:**

In a number of countries work conditions are subjected to laws and regulations which depend on the concept that improving work conditions must be applied in cooperation of workers and employers. If the task of improving vocational safety and health and the work environment conditions are performed in a spirit of cooperation, yet the employer remains the main responsible about the practical application of laws and regulations related to work and workers affairs and reaching an effective and good work to improve the conditions of work place unless the employer, workers and their trade union organizations feel that the applicable legislations protect both the worker and employer.

Laws, regulations and ministerial resolutions contained by the tasks and competencies of vocational health and safety:

- Labor law No. (5) of 1995 and amendments by law No. (25) of 1997, chapters (9), (10) and (11).
- Civil Service law no. (19) of 1991 in chapter (8) – law no. (25) of 1991 concerning insurances and pensions in chapters (3) and (5).
- Law no. (26) of 1991 concerning social insurances in chapters (3) and (4).
- Republican resolution no. (19) concerning the Ministry of Labor and Vocational Training regulation.
- General regulation No. (78) concerning vocational health and safety.
- The Council of Ministers Resolution No. (229) of 1995 concerning the affiliation of vocational health in the Ministry of Public Health to the Ministry of Social Affairs and Labor.
- The Council of Ministers Resolution No. (13) concerning the formation of the High Committee for Vocational Health and Safety which included the two parties of production and relevant parties in its membership.
- The Council of Ministers resolution No. (257) of 2000 concerning the vocational medical care.
- The Ministerial Resolution No. (38) of 1995 concerning the sanction of the vocational illnesses tables.
- The Ministerial Resolution No. (39) concerning hazardous works in which women may not be employed.
- Ministerial resolution No. (40) of 1996 concerning works, carriers and industries in which minors may not be employed.
- Ministerial resolution No. (112) of 1996 concerning the penalties regulation of the violators of the labor law provisions.
- Ministerial resolution No. (71) of 1998 concerning the means of the medical first aid and contents of the books from medicines.

### **Responsibility of the Ministry of Social Affairs and Labor in the field of vocational health and safety:**

The Ministry of Social Affairs and Labor is the authority responsible for the safety and care of workers in all production facilities and to protect them from hazards of chemical, physical and bio hazardous pollutants of work environment through conducting the necessary measurements for these pollutants through inspectors of vocational health and safety with a view of creating safe work environment as well as tending the health of workers by conducting clinical and laboratory medical examinations before employment and periodical examination after employment.

Therefore, article No. (113) of the labor law provided that upon operation of any new plant the employer must provide health and safety conditions therein and the competent ministry which is the Ministry of Labor must ensure the existence of those conditions.

Hence, article No. 116 of labor law addressed the undertaking of the Ministry of Labor to implement the following tasks:

- 1- Provide consultancy and advice to employers.
- 2- Provide them with all applicable regulations and legislations.
- 3- Organize seminars and education guidance of workers.
- 4- Provide industrial installations with warning posters of work hazards.
- 5- Organize and implement introductory training courses in the field of vocational health and safety for production managers in industrial installations.
- 6- Instruct the employer about the best methods to register work accidents, vocational illnesses, deaths and ways of reporting.
- 7- Conduct inspection of all production sectors through work and vocational health and safety inspectors who have the capacity of judicial control in enforcement of labor law.

- 8- Coordinate with the two parties of production to form vocational health and safety committees within installations which assume the instruction and education of workers about the best safe methods during operation of machines which lead to the increase of production.
- 9- Coordinate with the two parties of production to settle labor disputes concerning work accidents, vocational illnesses, deaths and material compensations.
- 10- Coordinate with the two parties of production to enact legislations, regulations and review the Arab and international conventions of vocational health and safety and ratify them in addition to direct supervision of the practical application of these legislations.
- 11- The Ministry should assign a medical team from the work environment section to visit installations which show vocational illnesses and take necessary measures in light of examinations results.
- 12- The Ministry should conduct field studies of work environment pollutants in hazardous installations in which work is still ongoing.
- 13- The Ministry is currently preparing a book about the national legislations of vocational health and safety which shall be published by the end of this year as this constitutes the essence to practically apply legislations.
- 14- The Ministry shall prepare warning and guidance posters for workers which shall be published beginning of next year.
- 15- The Ministry prepared and published the national guidebook of vocational health and safety which contained all matters related to vocational health and safety.
- 16- The Ministry prepared key information document about vocational health and safety in the Republic of Yemen which was printed in a book by the international labor organization and was distributed to all members of the organization and this document may result in the preparation of cooperation project with the international labor organization to raise and improve the vocational health and safety services.
- 17- The Ministry annually trains the students of Mukalla University for Science and Technology, Sana'a University, National universities and some health institutes in the field of vocational health and safety and the number of students trained during the years 1999 and 2000 amounted to 166 male and female students.
- 18- Article (158) provided that the provisions regulating vocational health and safety stipulated by this law overrule the relevant sections in the civil service law and any other laws.

#### **Responsibilities of the Employer in the field of vocational health and safety:**

The employer has responsibility in accordance to labor law of providing complete protection to his workers and therefore article No. (114) provided that the employer should abide by and observe the following rules:

- 1- Maintain a health and safe workplace.
- 2- Sufficiently ventilate and enlighten the work place during working hours.
- 3- Protect workers from work environment pollutants.
- 4- Provide protection means for workers from light, noise, heat and moisture hazards.
- 5- Provide sufficient potable water.
- 6- Provide separate toilets for men and for women.
- 7- Provide sufficient number of fire extinguishers.
- 8- Ensure emergency exits and make keep usable.
- 9- As provided by article (115) the employer must provide work cloths, goggles, caps, boots, belts, masks and gloves ... etc free of charge for all laborers without deducting any amount against such items from their wages.
- 10- Instruct and educate the worker before employment of work risks and protection means.
- 11- Disseminate awareness among workers through the vocational health and safety supervisor about the aspects of health and safety.

Measures taken against the employer in case of non compliance to the instructions and the vocational health and safety conditions:

#### **Paragraph (2) of article (118) provided the following:**

The vocational health and safety inspector may procure a decision from the Minister of labor to stop the machine which is a source of hazard, part or parts of the work or to stop the work totally if there is eminent risk threatening workers safety until the cessation of risk and the Minister should refer the matter to the competent arbitration committee to extend the stoppage duration and in this instance workers have the right to get full wages by reason of stoppage but paragraph (3) provided that the employer has the right to appeal the decision of partial or total stoppage issued against him if it appears that the decision was abusive.

### **HEALTH CARE**

Article (119) provided the obligation of the employer to provide health care to the workers in accordance to the following:

- 1- Undergoing medical examination before employment.
- 2- Undergoing periodical examination after employment.

This task is undertaken by the General Department of Vocational Health and Safety after the issuance of the Council of Ministers resolution No. (257) of 2000.

- 3- Bear the expenses of treatment and requirements for workers whatever their number may be in accordance to the employer medical regulation approved by the Ministry and workers have priority of payment for their entitlements in case of insolvency.
- 4- Employ a qualified nurse at work sites if the number of workers is 50 but if the number exceeds this treatment should be commissioned to a physician or a medical institution.

### **Old age, disability and death insurance:**

The insurances and pensions law No. (25) of 1991 provided the following:

#### **Article (12):**

The insurance is funded as follows:

- 1- Employer 6% of basic wages.
- 2- Employee 6% of basic wages.

Medical and Work accidents Insurance:

The law defined 1% of the total wages but for health care the law stipulated that the entity in which the employee is working should assume his health care.

### **Work accidents and death compensations:**

- The employee or worker is compensated pursuant to this law in an amount of 39,000 YR only whatever the accident may be.
- The employee or a worker is entitled to his salary upon death or total disability.

### **Law No. (26) of 1991 concerning social insurances (Private sector):**

#### **Old age, disability and death insurance:**

- A percentage of 9% of the total wages is borne by the employee.
- A percentage of 6% of the total monthly wages is borne by the worker.

#### **Work accidents insurance:**

Defined by law in a percentage of 4% only and is borne by the employer.

#### **Medical care and compensations:**

- The insurance corporation undertakes the treatment of workers.
- Payment of material compensations in accordance to the percentage of disability and the corporation abides by payment or treatment only for installations which abide by payment of the above indicated percentage.
- Payment of one month salary in case of death or total disability caused by work.

Retirement age and referral to retirement pension:

Law no. (25) of 1991	Law no. (26) of 1991
Reaching either instant of death or retirement age	
Upon completion of 35 years of actual service	Upon completion of 35 years of actual service
A man reaching 60 years of age	A man reaching 60 years of age
A woman reaching 55 years of age	A woman reaching 55 years of age

**Sick leaves**

Labor law	Civil service law
Sick leave Payment as follows: 100% of the salary for the first two months. 85% of the salary for the third and fourth months. 75% of the salary for the fifth and sixth months 50% of the salary for the seventh and eighth months Full salary if the illness is vocational until the health case is decided by a medical report and in accordance to insurance law.	Leave for 60 days per year intermittent or continuous in accordance to medical report from the competent authority with full salary. Leave for the vocational illness with full salary decided by a physician until the health case is decided in accordance to insurance law.

**Efforts exerted to develop better safety and work conditions:**

There are continuous efforts to reach wide improvement in the field of vocational health and safety which may be reached through full and mutual cooperation between interested parties through the following:

- 1- Cooperation and coordination with the two parties of production to develop vocational health and safety legislations.
- 2- Train national cadre in vocational health and safety locally and abroad.
- 3- Prepare a draft bill of the tasks and form medical committees.
- 4- Form branches for the high committee of vocational health and safety in the governorates.
- 5- Complete supplying the work environment laboratories, hospitals and clinics with modern equipment to develop the work.
- 6- Provide transportation means for inspection purposes.
- 7- Activate the practical implementation of international and Arab conventions.
- 8- Prepare a developed statistical system of work accidents, vocational illnesses and death.
- 9- The vocational health and safety development project with International Labor Organization.

**International Conventions ratified by the Republic of Yemen**

<b>Convention No.</b>	<b>Subject</b>	<b>Convention No.</b>	<b>Subject</b>
14	Related to weekly rest.	100	Related to equality of wages
15	Related to minimum age	111	Related to discrimination in employment
16	Related to medical examination of minors	131	Related to minimum limit of wages
19	Related to equality in treating accidents	135	Related to workers representatives
29	Related to forced work	158	Related to termination of employment
64	Related to work contracts	159	Related to qualification and employment of the handicapped
65	Related to work inspection	155	Related to vocational health and safety
87	Related to unionist freedom	182	Related to child labor
94	Related to work environment conditions	7	Related to vocational health and safety
95	Related to wages	182	Related to child labor 2000
98	Right of organization and collective negotiations		

**Statistics issued by the General Department of the Vocational Health and Safety for the years  
1992 until 2000**

	1992	1993	1994	1995	1996	1997	1998	1999	2000
Number of visited installations	195	170	240	270	285	290	143	150	187
Number of work accidents	185	621	242	163	213	141	156	133	221
Number of death cases	2	5	3		6	1		3	4
Number of vocational illness cases			1						
Number of food poisoning cases	27								
Number of warning cases	95	50	40	43	39	26	35	25	56
Material compensations for work accidents and deaths		5616000	1873400	2700000	30520000	548000	2310000	270000	3600000
Installations fire disasters				2		1			
Material losses of disaster				46500000		2060000			
Workers awareness and education	46	38	25	39	37	48	23	23	36

Statistics of the number of individuals who underwent primary and periodical examination since the beginning of 2000 until 30-06-2001

<b>Yemeni workers and employees</b>	<b>5600 case</b>
<b>Non Yemeni workers and employees</b>	<b>2700 case</b>

## 29 Institutions contacted

Category	Institution	Who
Government	Ministry of Public Health and Population: Counterparts	All
	MoPH&P: Minister	SK
	MoPH&P: DM Planning	SK
	MoPH&P: DM Primary health care	SK
	MoPH&P: DM Curative Care	SK
	MoPH&P: DM Population	SHG
	MoPH&P: Drug fund	G
	MoPH&P: Quality assurance	G
	MoPH&P: Costs sharing	C
	MoPH&P: Information and statistics	C
	MoPH&P: Private sector affairs	G
	MoPH&P: Community based health insurance	HS
	MoPH&P: Family services	C
	MoPH&P: Administration & personnel	S
	MoPH&P: Human resources	C
	MoPH&P: Committee for treatment abroad	G
	Ministry of Labour and Social Affairs: Minister	SH
	Ministry of Labour and Social Affairs: DM Labour	SH
	Ministry of Civil Services and Insurances	SD
	Ministry of Planning and Int. Cooperation	H
	Ministry of Finance	S
	Ministry of Defence: Medical Services	HS
	Ministry of Local Administration	
	Ministry of Interior	S
	Ministry of Endowment	S
	Ministry of Trade and Industry	SD
	National Statistical Bureau	S
	Parliament, Health Committee members	SGH
	Shura Council, Health Committee members	HSG
	Local government	Regional Health Authorities
Regional councils		HSG
Governors		HSG
District health authorities		HSG
District local councils		HS
Solidarity schemes	Education Office Fund of Co-operation	H
	Al Saba 'in Hospital Sana'a	H
Insurance institutions	Public pension authority	HS
	Private pension authority	S
	Military pension authority	SD
	Police pension authority	SD
	PHI of Hayel Saeed Group	HG
	PHI: Mareb	H
	PHI: Motachida	HG
	PHI: Yemen Islamic Insurance	H
	PHI: Med. Insurance Specialist (Adel al Ermad)	G
PHI: Watani Insurance	H	
Opinion makers	Politicians	SGH
	Islamic leaders	S
	Women Organisations	S
	Citizen organisations	S
	Political Party Al Mommart	DS
	Political Party Al Nassari	DS
	Political Party Al Islah	S
	Socialist Party	S
NGO	International Committee of Red Cross	C
	Yemeni Red Crescent	H
	Islah Charitable	G
	Other Islamic charitable organisation	S
Private sector	Workers syndicates	HS
	Chambers of Commerce	HS
	Watania Bank	H
	Commercial Bank	H

Category	Institution	Who
	Tadhamon International Islamic Bank	H
	Watania Insurance	H
	Yemen Islamic Insurance	H
	Mareb Insurance	H
	Arab Insurance	H
	Arab Bank	H
	Hunt Oil Company	H
	Yemeni Islamic Bank	H
	United Insurance	GH
	Hayel Saeed Group Taiz	HS
	Yemen Hunt Oil Company	G
Mixed sector	Yemenia Airlines	G
Public sector	Central Bank	H
	Yemen Oil Company Aden	H
	Yemen Re-Insurance Company	H
	National Bank of Yemen	H
	Public Telecommunication Corporation	HS
	Public Electricity Corporation	H
	TeleYemen	H
	Agriculture Co-operative Credit Bank	H
	Public Board for Meteorology & Aviation	H
	University of Taiz	HS
Providers	Outpatient care: Al Olofi	HS
	Elementary hospital	S
	Secondary hospital	HS
	Sabain Mother Child Hospital	G
	Tertiary hospitals: Al Thawra	HG
	Public III hospital: El Gumhuri	G
	Hadda Hospital	H
	Yemen German Hospital	G
	Medical Associations	SD
	Private Hospital: UST	G
	Private Hospital: Saudi-German	GH
	Al Saeed Hospital Taiz	HS
	Private Clinics	H
	Al-Khalifa Hospital Shamayatayn	HS
Donors Agencies	German Embassy	KS
	Friedrich Ebert Foundation	S
	GTZ	KS
	Dutch Embassy	W
	WHO	All
	ILO	W
	UNICEF	W
	UNDP	S
	EC: Civil services project	KS
	EC: Old health project	KS
	World Bank	S
	Oxfam	SH
Research / Training	Arab Institute for Strategic Studies	C
	Yemeni Studies and Research Centre	C
	University of Sana'a, Community Medicine	G
	U of Sana'a, Economics department	S
	National health management centre	C
	High Institute for health science	C
Abbreviations: C = Counterparts, D = Drupp, G = Gericke, H = Holst, K = Krech, S = Schwefel, V = Velter, W = during workshop		

## 30 Knowledge management towards national health insurance in Yemen

Interviews and the review of documents and files were converted into so-called knowledge items, i.e. short messages or lessons learnt. In the first column they were grouped according to the tentative table of content of the final report and in the third column the source was mentioned, either an abbreviation for the interview partner or a code for an interim list of documents. For full transparency of the proceedings of the study mission, a WORD file with all 1.297 knowledge items is handed over to the partners for internal and confidential use, only.

Examples of knowledge gained during interviews		
CHAPTER	KNOWLEDGE ITEM	SOURCE
324.1	Budget requests will be allocated by 50% only, 50% of the allocations will be spent only. Some districts and programmes do not get anything	Systems
324.1	Financing: 75 % directly transferred from the Ministry of Finance; 30 % rely on cost-sharing earnings administered by Min. of Finance staff and reimbursed to the hospital	Al-Ansi
324.1	State budget 2004: 19 BYR	S010 *
324.2	“Hospital case costs: 10% transportation, 64% drugs, 27% other costs”	S059 *
324.4	In 1996, the Aden Hospital started cost-sharing with the idea to give incentives to health workers.	Al-Khaira
324.4	Cost-sharing: they keep no records, collect little or no user fees, using it for other purposes. Might be added: collect it for themselves	Tarmoom
324.5	Cost-recovery started in Aden in 1992 with the drug fund; only 40-60 % of drug costs were recovered, and in hospitals only 20 % due to higher exemption rates and a higher share of emergency treatments.	Al-Khader
324.6	20 – 30 % of patients exempted (20-25 per day); income reduced in 15 – 20 % by total or partial exemptions; decision about exemption relies on a specific committee composed by a psychologist, a social worker and a financial expert	Atif/ Surayim
324.7	Olofi centre receives 167.000 Rial per month from MoF	Olofi
* This numbers hint at internal document codes		

### 31 Questionnaire answers on health benefit schemes of public companies in Yemen

The following shows just one filled questionnaire. On the CD all results are presented in one electronic file.

## المميزات الأساسية لخطط الضمان الصحي

### Some Characteristics of Health Benefit Schemes

1.	<b>Setting up the scheme</b> Set-up period. History	Yes
2.	<b>Membership</b> How is membership constituted How many members? Exclusivity of membership	Only 6600 members 1100 employees
3.	Definition of family members benefiting from scheme.	wife and children
4.	<b>Financing</b> Sources of finance - company? - contributions? - donations?	From the own budget
5.	<b>Benefits provided by the insurance scheme</b> Definition of benefits Access to benefits	Treatment in and out of the country + regular check up
6.	Benefit package Primary care	Yes 95 % by the company and 5% by the employee
7.	Preventive services	Yes 95 % by the company and 5% by the employee
8.	Specialist outpatient care	Yes 95 % by the company and 5% by the employee
9.	Laboratory services	Yes 95 % by the company and 5% by the employee
10.	Diagnostic services	Yes 95 % by the company and 5% by the employee
11.	Hospital care (boarding and lodging)	Yes 95 % by the company and 5% by the employee
12.	Hospital care (medical treatment) Minor operations	Yes 95 % by the company and 5% by the employee
13.	Major operations	Yes 95 % by the company and 5% by the employee
14.	Treatment abroad	Yes 100 % by the company
15.	Maternity	Yes 95 % by the company and 5% by the employee
16.	Drugs Drugs for acute conditions	Yes 95 % by the company and 5% by the employee
17.	Drugs for chronic diseases	Yes 95 % by the company and 5% by the employee
18.	Transport	Yes 95 % by the company and 5% by the

		employee
19.	Other benefits	There are clinics and doctors in the field and laboratories
20.	Excluded benefits	No
21.	Financial arrangements How are the benefits paid? Reimbursement rules Practical problems	
22.	How much did the company spent last year for the whole medical benefit package?	1000000 USD
23.	<b>Services</b> Other products offered by the insurance scheme	No
24.	<b>Legal issues, constitution</b>	No
25.	<b>Administration</b> Administrative tasks Administrative methods	-
26.	<b>Healthcare provision</b> General situation Availability of healthcare provision	No
27.	<b>Provider payment</b> Method	Check on bills to the providers
28.	<b>Health authorities – role of the state</b> Which authority is responsible for supervision the insurance scheme Regulation of the activity of the health insurance scheme	Administration
29.	<b>Plans for the coming years</b>	No
30.	<b>Further comments of interviewee</b>	-

To be filled by the interviewer:

Name of company اسم الشركة / المؤسسة	Oil Hunt company
Number of employees of the company who benefit from the scheme عدد الموظفين المستفيدين من النظام	1100
Name of interviewee اسم المدلي بالبيانات	Yahia Abdalla Al Moflehi
Place of interview مكان المقابلة	Office
Date of interview تاريخ المقابلة	25-9 – 2005
Duration of interview مدة المقابلة	30 minutes
Name of interviewer اسم جامع البيانات	
Comments of interviewer ملاحظات جامع البيانات	Excellent company providing all kinds of health services