UNIVERSITY OF GHANA

THE CONTRIBUTION OF MARITIME AND DOCKWORKERS UNION TO THE SAFETY OF GHANA DOCK LABOUR EMPLOYEES

BY

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14TH DECEMBER, 2010
DECLARATION

I, FRANK AMPONG, hereby declare that except for reference to other peoples' work which have been duly acknowledged, this M.A. thesis is entirely my own work and that no part of it or the whole has been presented for another degree elsewhere.

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DEDICATION

I dedicate this work to Almighty God for His Grace and Guidance. To my children Kwaku Amoateng Ampong and Ama Amoakoah Ampong, my wife Francisca Owusu Ansah as well as my dear sister Cecilia Manu and very good friend Cherub Kwarteng.
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I gratefully acknowledge my indebtedness to the Almighty God who through His grace has seen me through to this level.

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LIST OF ABBREVIATIONS

*MDU*: Maritime and Dockworkers Union.

*ILO*: international labour organisation.

*SC*: Safety Committee

*TUC*: Trades Union Congress

*MOWCA*: Maritime Organisation of West and Central African States.
ABSTRACT

One of the most important assets in an organization is its labour force of which the port is no exception in this regard. Therefore it is important for a port to maintain a healthy workforce. The port should also try to be free from accident in order to be competitive. This is because nobody would like to do business with a port prone to industrial action which often leads to the stoppage of work and employees are left at the mercy of the machinery and equipment they work with. In this regard the interest of the researcher was to find out the contribution of Maritime and Dockworkers Union in Ghana towards the safety of The Ghana Dock Labour Company where most of the physical work of the port takes place.

The total population for the study was one thousand four hundred and forty (1,440) consisting of management members and local union leaders as well as the various categories of employees in the company. Stratified sampling was used to select the sample because of the different categories of workers. Survey method and questionnaire were used to select and interview eighty (80) out of the one hundred and forty four (144) questionnaires sent out. This was because most of the employees had little or no formal education while some of them did not return them.

A majority of the employees indicated that they witness an injury once in every month. It was also revealed that the employees have no say in the safety measures that are usually put in place since the port safety is under a special unit of the Ghana Ports and Harbour Authority. Another major finding was the knowledge of the respondents about the ILO Convention C152. The main regulation above shows how the port should be kept with respect to safety but the respondents appeared to have heard it for the first time.
Recommendations by both the respondents and the researcher included the need to give employees some form of training before they are finally handed the job. Employees be provided with the safety equipment to ensure their personal safety and also first aid should be made available since it is inevitable in the port business. It was agreed that if all these measures are put in place they will reduce industrial accidents and promote industrial peace and make the port very competitive.
CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Historically employment laws have always been referred in terms of master and servant relationship. The servant was always expected to serve the master. Time and latest developments have changed this relationship into one of employer and employee relationship. The relationship between the employer and the employee is brought about by the contract of employment. The contract of employment spells out clearly the rights and duties of both the employer and the employee. As part of the contract of employment a collective agreement may be required between one or more trade unions on one hand and representatives of one or more employers or employers association on the other hand. The collective agreement confers the rights and obligations of each party and they were required to honour. Under the contract an employee was required to render faithful and loyal service to the employer. The employer also had a duty to take reasonable care for the safety of the employees by providing a safe place of work, as well as safe machines and equipment to work with. The case of Mr. English, a miner injured at work when he was crushed by haulage plant. He claimed damages from his employer, the mine owner. But the employer argued that, at the time of the accident, responsibility for the safety of the mine had been delegated to his agent.

Trade unions were first established in the Great Britain in the middle of the 18th Century by skilled workers. The numbers grew during the industrial revolution which caused a large number of people to move into towns and cities to find wage experiences. In an action by the miner against his employers for damages for personal injury alleged to be due to the negligence of the employers in that they had failed to provide a reasonably safe system of working the colliery, questions were raised (1) whether the employers were liable at common
law for a defective system of working negligently provided or permitted to be carried on by a
servant to whom the duty of regulating the system of working had been delegated by the
employers, the employers' board of directors being unaware of the defect, and (2) if they were
liable, whether the employers were relieved of their liability in view of the prohibition
contained in the Coal Mines Act 1911, s2(4), against the owner of a mine taking any part in
the technical management of the mine unless he is qualified to be a manager.

The case was held by the House of Lords that (1) the employers were not absolved from their
duty to take due care in the provision of a reasonably safe system of working by the
appointment of a competent person to perform that duty. That means that although employers
might, and in some events were bound to, appoint someone as their agent in the discharge of
their duty, they remained responsible. (2) The doctrine of common employment does not
apply where it was proved that a defective system of working has been provided. That is, to
provide a proper system of working is a paramount duty, and, if it is delegated by a master to
another, the master still remains liable.

Lord Wright stated that the whole course of authority consistently recognises a duty which
rests on the employer, and which is personal to the employer, to take reasonable care for the
safety of his workmen, whether the employer be an individual, a firm, or a company, and
whether or not the employer takes any share in the conduct of the operations. The obligation
is threefold, "the provision of a competent staff of men, adequate material, and a proper
system and effective supervision".

The employer must: provide a safe place of work with safe means of access and egress,
provide and maintain safe appliances, equipment and plant for doing the work, provide and
maintain a safe system for doing the work and provide competent co-employees to carry out
the work. (Wilson and Clyde Coal Co. Ltd versus English (1938) AC 57).
Notwithstanding the above illustration it appears very important that for maintaining and improving the conditions of their working lives employees formed trade union, an association of wage earners.

However in the British colonial Gold Coast in Ghana most grievances of workers were settled by chiefs under the supervision of Colonial Districts Commissioners.

In 1943, the Railway workers union with the encouragement and guidance of the Labour Department took the initiative to form the Gold Coast Trade Union Congress which was inaugurated in 1945 with its headquarters in Sekondi. There were fourteen unions with a numerical strength of 6,030 at the time of its inauguration. Mr. C. W. Tachie-Menson and Manfred Gaisie were the president and the secretary respectively. In 1950 the Trade Unions Congress became prominent due to the Positive Action of the Convention Peoples Party (CPP). The colonial government ended the strike and most of the leaders were arrested. A year or two earlier, the Mine, Workers Unions were engaged in a struggle with their employers, which resulted in the stoppage of work for about a month. By 1951 trade unions have been reconstituted with the help of the labour department. Towards the end of 1952, a group of unemployed in the Sekondi area also formed a trade union congress with Mr. Isaac Kumah as the president and Turkson Ocran as the general secretary. The two unions were merged between July and August in 1953 with John K. Tetegah as the general secretary.

In 1958, Mr. Ako Adjei, the Minister of Labour introduced a bill which was given a royal assent in 31st December, 1958 and became the Industrial Relations Act 1958. The act provided for a statutory body called the Trades Union Congress (TUC). The Trades Union was given powers to determine its relationship with other unions and also coordinate the activities of other unions. The unions were subordinates to the Trades Unions Congress and an application for certificate to form a trade union was required through the Trades Unions
Congress. The Trade Union Ordinance provided that, any five workers could form a trades union but were to be sponsored by the government and did not confer bargaining rights on trade unions and eventually the Labour Act 2003, Act 651, which defined and confirmed trade union privileges. The union could be formed freely on the submission of their constitution and rules to the Chief Registrar of trade unions who was also the Chief Labour Officer.

In 1958 the Maritime and Dockworkers Union (MDU) previously known as the Maritime and Seafarers’ Union was formed. It became an independent union in 1966 as a result of the split which saw the seafarers joining the national union of seamen. The MDU at present encompasses workers in the construction and services sector in the maritime industry, seafarers, inland water employees, dry dock workers involved in loading and unloading operations at the various sea and inland harbours. The Maritime and Dockworkers Union (MDU) was first formed to respond to the felt need of maritime and seafarers for a united action to bring better working conditions under the Gold Coast colonial regime. The total members were 100,000 with SK Agbo and J R Baiden as the chairperson and the general secretary respectively. The main activities of the union revolved around the erection of workplace structures to protect the working rights of its members as well as the creation of safe and healthy working environment. Other activities included organising, education and training programmes and negotiating on behalf of members. But the union has lost a sizeable number of members as result of the ports and harbour reforms in 1990 as well as the privatisation and merging of enterprises in the same year within the sector that the union organises which resulted in retrenchment and loss of jobs for several workers. The reduction of port labour remained one of the most contentious components of Tema port’s quest to increase private sector participation. During the licensing of the stevedoring companies between 2001 and 2002 the port applied a strategy of voluntary and mandatory retirement.
The privatisation was meant to enable the Ghana ports and harbour authority to assume the land lord status under the gateway project. The privatisation project was driven by the need for capital intensive, better cargo handling equipment and the introduction of growth policies. Most of the redundant employees were employed by the private stevedores after receiving redundant packages from the Ghana Ports and Harbour Authority. The Ghana dock labour company was then formed to serve as a dock labour pool to cater for the needs of GPHA and other private companies.

The Ghana Labour Act 2003, Act 651, provided that two or more workers employed in the same organisation may form a trade union and more specifically gives labour unions the right to,

a. draw up its constitution and rules; elect its officers and representatives.

b. organise its administration and activities and formulate its own programmes.

c. take part in the formation and become a member of any federation of trade unions or employers organisation and participate in its own lawful activities and

d. affiliate to and participate in the activities of or join an international workers organisation.

They also have the right to apply to the Chief Labour Officer in writing for registration to be issued with a certificate of registration to permit them to exercise their rights as a union according to section 80(1) and 81.
1.2 Statement of the Problem

Workers at the port are usually prone to accidents some of them result in serious injuries and render them incapacitated for life. Therefore there is the need for them to form an association to cater for their interest. Their united front will to enable them to go to the negotiating table for better conditions and increasing compensation for injured union members. The union therefore make sure that all safety requirements and standards agreed upon during negotiations are enforced to prevent possible danger that will result in accidents.

Even though the Maritime and Dockworkers Union (MDU) has promoted the safety rights of their members but there continues to be accidents which results in injuries some of which render employees incapacitated for life. Most of the accidents however can be laid at the door step of the employer even though they have been able to put a monitoring team in place to ensure the employees adhere her to safety regulations.

1.3 Research Objectives

The main objective of this study is to assess the contribution of the union in helping its members improve their working conditions.

a. Examine the knowledge of the workers on the functions of the union and their rights under the International Labour Convention (ILO), Convention152 as well as the Ghana Labour Act, Act651 2003.

b. Assess the form of training given to workers and how often it is conducted.
c. Ascertaining the performance of the safety inspectors as against the nature of accidents at the site.

d. Find out mechanisms put in place for personal safety of workers and punishment for non compliance by the workers.

1.4 Research Questions

a. What is the knowledge of the workers about the functions of the union with respect to safety?

b. What is the knowledge of the union leaders on the Labour Act 2003, Act651 as well as the ILO Convention 152?

c. How often is the machinery equipment as well as the premises inspected?

d. How often do they encounter accidents and the nature of the injury?

e. How often do they conduct training for the workers?

f. What measures have been put in place for their personal safety and possible sanctions for breach to avert any possible injury?

1.5 Relevance of the study

If conditions at the work-place are not congenial, they are most likely to have negative effects not only on the workers but the dependants of the workers and the society at large. Therefore this dissertation will contribute to knowledge on the contribution of trade unions towards the welfare of its members. This dissertation also will assist parties involved in the conduct of
industrial relations to know how to structure their safety measures in the organisation to reduce accidents in order to achieve job satisfaction and job control. It will also help prospective port employees to know the risk associated with the industry so that they will go by the safety standards that have been laid down. Furthermore it will enable me acquire my Master of Arts degree.

1.6 Scope and limitation of the study

With Maritime and Dockworkers Union (MDU), as the case, the focus will be on dock labour since it consists of both skilled and unskilled workers who work for the various departments of the companies. The study area was the Port of Tema which encloses 410 acres (166 hectares) of sea and Africa largest man-made port and also a bigger port as compared to the Port of Takoradi which can be located in the Western Region of Ghana. The Port is located on the Greenwich Meridian and Latitude 5.4 north of the equator. Tema Port is under the administration of the Ghana Ports and Habours Authority (GPHA), and handles 80% of the country’s total imports.

There are 3 miles (5km) of breakwaters, 12m deep water berths, an oil tanker berth, dockyard warehouses fishing harbour and transit sheds. Addition, Tema port covers 3.9 million square meters of land and 1.7million square meters of water. The Port has a good anchorage of about 1.5 km and 4 km East North East (ENE) to South West (SW) off the main harbour entrance with a depth of 9 meters to 18 meters with good holding ground. The harbour entrance is 240 meters wide with a depth of 12.5 meters. The port of Tema was chosen for the study because of its attributes and also ahead of the Takoradi port and also proximity since dockworkers of the two ports undertake almost the same functions.
1.7 Operational Definition of Terms

**Welfare:** safety of employees at the work place during both working and non working hours.

**Trade union:** an association of wage earners

**Trade Union Tools:** strikes and collective agreements.

**Knowledge:** awareness or familiarity with a subject.

**Workplace:** Dock yard

1.8 Organisation of the Report

The study is structured into five main chapters as follows;

Chapter One of the study covered the background to the study, the objectives and related research questions of the study, the research problem, the significance of the study and the research questions as well as the organisation of the work.

Chapter Two reviewed relevant literature and other important information to get secondary data for the study.

Chapter Three presented the research methodology showing the various methods used to collect primary data and involved other aspects like study area, sample size, the research design and instrument.

The fourth Chapter presented the research findings. The findings were tabulated, analyzed and interpreted and discussions were followed.

Chapter Five examined the findings, recommendations and conclusions of the study.
CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

There has been a lot side and written about the safety of employees both during working and non working hours and the unions they join. Thus, whether the union is playing the role as is expected of them. A trade union as an association of wage earners for the purpose of maintaining and improving their working lives has a lot of roles to perform so as to ensure that employees will always feel secured to join the various unions at the work place.

Therefore this chapter looks at the historical development of trade unionism and the tools available to a trade union in the conduct of industrial relations. Also this chapter looks at trade unionism in Ghana and the ILO Convention 152 as well as the various acts that have been enacted to enhance the conduct of industrial relations.

2.2 Trade Unions and Their Tools.

According to web and web, a trade union is an association of wage earners for the purpose of maintaining and improving the conditions of their working lives. Trade unions were first established in Great Britain in the middle of the 18th century but it was mostly among the skilled workers since that of the semi-skilled and the unskilled made little progress. The number of unions grew during the industrial revolution which caused a large number of people to move into towns and cities to find jobs. Trade unions became so powerful that they always had their way since a strike meant a huge loss to the employer because of the development at that time. As a result of this they were later frowned upon and criminalised since they thought their activities were hindering development. Trade unions in the United
Kingdom were first decriminalised under the recommendation of a Royal commission in 1867, which agreed that the establishment of the organisations was to the advantage of both employers and employees. Legalised in 1871, the Trade Union Movement sought to reform socio-economic conditions for working men in British industries, and the Unions' search for this led to the creation of a Labour Representation Committee which effectively formed the basis for today's Labour Party, which still has extensive links with the Trade Union Movement in Britain.

There was serious industrial unrest between the 1910 and 1914 and an enormous increase in trade union membership, which affected all industries, though to differing extents. World War 1 resulted in a further increase in union membership, as well as widespread recognition of unions and their increased involvement in management.

In 1926 the Trade Union Congress called a general strike in defence of the pay and conditions of coal miners. After a nine-day industrial dispute, two unions took the TUC to court to prevent them being called out on strike. The subsequent court decision, the so-called Astbury judgement, ruled the general strike illegal. The ruling forced the TUC to capitulate as it resulted in the TUC being directly liable for huge fines from employers, and simultaneously gave the government the ability to confiscate all union funds. Ultimately many miners returned to work, and were forced to accept longer hours and lower pay. Additionally, in 1927 the Government passed sweeping anti-union legislation under the Trade Disputes and Trade Union. This imposed major curbs on union power, including outlawing sympathetic strikes and mass picketing, and ensuring that civil service unions were banned from affiliating with the TUC.

Major strike actions by British unions during the 1978-1979 Winter of Discontent are widely acknowledged to have contributed to the downfall of the Labour government of James
Callaghan. Callaghan, himself a trade-unionist, had previously appealed for unions to exercise pay restraint, as part of the British Government's policies at the time to try and curb rampant inflation. His attempt to try and limit unions to 5% pay rise led to widespread official and unofficial strikes across the country during the winter of that year. Official and unofficial strike action by lorry drivers, rail workers, nurses and ambulance drivers precipitated a feeling of crisis in the country. Memorable scenes of picketed hospitals, mounting piles of coffins, and heaps of unburied rubbish accumulating in public parks were embedded deeply in the public psyche. The effects of the union action caused a major swing in voting intention.

Trade unions in Britain experienced a serious decline during the reign of the Conservative government in 1979. They passed new union legislation which was largely seen as a direct response to the actions of trade unions during the previous year. At that point the level of union participation in the UK was around 80% of the workforce. By 1997, that number had declined to 30%, most of which was in the public sector. Union participation in the private sector hovers around 12% of the workforce.

In the enforcement of their right there basically two tools available to a trade union in the maintenance and improvement of their working lives. The first tool available to a trade union is the collective bargaining agreement and the second tool is strike and lockouts. These are the two basic tools available to a trade union in the performance of their duties.

**Collective Bargaining**

Collective bargaining is specifically an industrial relations mechanism or tool, and is an aspect of negotiations applicable to the employment relationship. Collective bargaining has the advantage of settlement through dialogue and consensus rather than through conflict and
confrontation. It differs from arbitration and litigation where the solution is based on the decision of a third party, while agreements resulting from collective bargaining usually represent the choice or a solution of the parties themselves. The term collective bargaining was coined by the Webbs and was used to refer to negotiations concerning pay and conditions of employment between trade unions on one hand and either employers or employers' organisation or association on the other. It could be seen that where workers are willing and able to combine, they preferred it to bargaining as individuals with their employer because it enabled them to secure better conditions or terms of employment by controlling competition among themselves and the greater the scale of the bargaining the greater the advantage of securing better terms of employment.

According to Flanders, collective bargaining is a rule making activity which regulates but does not replace individual bargaining and it is best seen as a method of job regulation which should compared to unilateral regulation by employers, employees or the state rather than to individual bargaining. This is because individual bargaining stipulates in detail the terms and conditions of trade, whereas in collective bargaining, only the minimum terms and conditions are specified. To Flanders, the development of collective bargaining has three major stages. The first views collective bargaining as essentially a means for the sale of labour. That is, it is an avenue where labour goes to the employers to sell their working hours in exchange for wages so as to improve the conditions of their working lives. The second views it as a form of industrial government that is to lay down the rules and set up the machinery for the government of industry. Thus, it stipulates that with labour on one hand with their interest in maintaining and improving the conditions of their working lives and the employers on the other hand with interest in making profit and the expansion of their industries or companies, it seeks to balance the various interests to enhance industrial peace. The third views it as a method of management which stresses the functional relationship between unions and
companies and suggests that they combine through collective bargaining to make decisions they can both benefit. That is, the relationship fosters industrial peace since it stipulates the time frame that they can go back to the negotiation table. According to Flanders, early negotiations were mainly a matter of fixing terms for the sale of labour; the agreement must consist of no more than standard piece work price lists.

Later came the need for procedures for settling disputes on these and other disputes between the parties, which sometimes took the form of setting up joint bodies possibly with an independent chairman; this provided a foundation for the government theory. Only when agreements were made on subjects that entered into the internal decision-making process of a business enterprise, was there a basis for the management theory of collective bargaining. The content of a collective agreement is not concerned with only economic matters, but it is concerned with other issues; it is concerned with for example, workers rights, and the control of industry and so on which help them set limit on management action since every worker has the right to form or join a trade union of his or her choice for the promotion and protection of the workers economic, environmental and social interests.

A trade union issued with a certificate shall nominate their representatives to conduct negotiations on their behalf, and the representative shall constitute a standing negotiating committee to negotiate on matters referred to it and make rules regarding its procedures. The negotiating committee negotiates on all matters connected with the employment, non-employment, with the terms of employment or with the conditions of employment of any of the workers of their class. When an agreement is reached and signed by the representatives then it shall be binding on all the workers and the rights conferred on the workers cannot be waived. The negotiating committee normally negotiates on the general conditions of employment such as leave entitlement, hours of work, their salary, unfair termination of
appointment, continuity of service etc and more importantly the conditions under which they work. Thus, a member of a trade union who is duly appointed by his or her union may conduct negotiation on any matter connected with the employment or non-employment or terms of employment or conditions of employment of any worker who belongs to the class of workers specified in the certificate. A person conducting negotiations under this section may give notice to the parties requiring them to enter into negotiations on any matter which may be properly dealt with by the person and it shall be the duty of both parties to make reasonable to come to an agreement on the matters to which the notice relates and an agreement concluded between the parties shall be in writing and signed by the parties conducting negotiations.

**Strikes and Lockouts**

According to Webb and Webb, a strike can be defined as a concerted and spontaneous stopping of work until some demand is met or granted. Hence it may be justified when the demand is believed to be just, when all means of solution have failed, when there is reasonable means of success and when the eventual benefit exceed the harm or inconvenience caused. The decision to resort to a strike or lockout comes about when the dispute remains unresolved at the end of arbitration proceedings or the parties fail to agree to refer the dispute to voluntary arbitration. The right to strike is recognised in almost all democratic societies if only it is properly done. It is during despotic rule that strike actions are not allowed. There are various types of strikes depending on the nature of the strike action, for example, sympathetic strike, economic strike, general strike etc. A sympathetic strike occurs when a trade union which is not concerned with a dispute strike in support of another union whose members are on strike. A strike or lockout becomes illegal if it is in sympathy with or in support of another action taken by another worker or group of workers against their employer.
on account of an industrial dispute with the employer. But a strike or lockout in sympathy with another body or organisation shall be in a form agreed with the management of the sympathisers and shall not disrupt the operational activities of the enterprise whose workers are sympathisers. A person who declares or instigates incite others to take part in a strike or lockout or acts in furtherance of a strike or lockout which is illegal is liable for any damage, loss or injury suffered by another person as a result of the illegal strike or lockout. A union embarks on an economic strike when they use their power over the members to secure economic advantage particularly in the area of wages, retirement benefits etc. A general strike results when all trade unions strike at the same time thereby completely dislocating the economic life of a country.

There are so many causes of strikes in Ghana. When parties fail agree to refer the dispute to voluntary arbitration or the dispute remain unresolved at the end of the arbitration proceedings. That is, in most cases, strike actions are normally recorded in situations where the laid down procedures have been exhausted. The causes of strikes are due to several factors. These are;

i. Demand for wage increase
ii. Non-payment of wages
iii. Demand for better service condition
iv. Delay in the signing of collective agreement
v. Delay in the implementation of collective agreement
vi. Demand for the payment of all allowance
vii. Claiming of yearly bonus
viii. Demand for removal of management staff
ix. Demand for arrears in pay
x. Demand for the payment of minimum wage

xi. Dismissal and demand for re-instatement of dismissed colleague.

2.3 Dock Safety Requirements.

There are so many ways of improving safety at the work place and most importantly the dock because of the nature and volume of activities that takes place there. Therefore it is easy to come to the conclusion that the loading dock area is very likely to be the most hazardous part of your operation when you consider the combinations of hazards and the volume of activities that occur in this area. For the lift truck operator, ramps and inclines, overhead obstructions, dissimilar surfaces often wet and slippery, poor lighting in trailers, other vehicular traffic, pedestrian traffic, restricted views, sheer drops, trailer creep, congested staging areas, and accumulations of empty containers, pallets, and debris are hazards which can all be present at the same time within a very confined area. Many ports and establishments fail in providing detailed hazard assessment, operational procedures, and day-to-day enforcement of safety issues. In addition, those employees that do not operate lift trucks are rarely trained on dock safety issues even though they share many of the same risks as the lift truck operators.

The biggest reason to put a priority on dock safety is not so much related to the frequency of accidents in dock areas as it is to the potential severity of injuries that can occur in these types of accidents. Injuries sustained when lift trucks tip over or fall from docks, or those that occur when pedestrians are impacted by a lift truck, falling load, or tractor-trailer, tend to be very serious and sometimes fatal. Prevention of these types of accidents can be achieved through proper equipment, proper training, and enforcement of safe operating procedures.

Dock safety is firstly associated with the wheel chock. Wheel chocks are wedge-shaped blocks placed in front of the rear wheels of a trailer to prevent the trailer from moving away
from the dock while the trailer is being loaded. Trailer creep (also known as trailer walk, dock walk) occurs when the lateral and vertical forces exerted each time a lift truck enters and exits the trailer cause the trailer to slowly move away from the dock resulting in separation from the dock leveler. Factors that affect trailer creep are the weight and speed of the lift truck and load, the grade of the drive the trailer is parked on, the softness of the suspension, the type of transition or if it is still connected to the tractor. Separation from the dock also occurs when a driver prematurely pulls away while the truck is still being loaded or unloaded.

There are additional requirements that can improve safety in your dock operation. Some of these are equipment related while most are simply procedural.

a. The use of jack stands in addition to the forward landing gear of spotted trailers when loading and unloading to prevent potential tipping.

b. Make sure lift trucks used to load/unload trailers are equipped with spotlights, also use dock mounted lights to supplement the lift truck lights or when manually loading/unloading trailers.

c. Highly recommend side shifts as standard equipment of forklifts since they also help to prevent product damage and also able to work with fewer minutes.

d. Have all equipment maintained in accordance with manufacture’s recommendations and also not allowing pedestrians while truck is loading or unloading.

e. Use physical barriers at open edges of docks and ramps and to protect pedestrian walkways.

f. Use paint or tape to designate staging areas, through aisles, and loading lanes. Make sure employees recognize the designations.
g. Keep the dock areas clean and free of debris. Now I’m not one to tell you that the floor should always be spotless and that employees should immediately pick up every little scrap of paper that may appear. Loading areas should be completely swept at least once per day or once per shift, large pieces of debris such as broken pieces of pallets should be picked up immediately.

h. Designate areas for storage of used pallets, containers, and trash. Also limit the stacked height of used pallets and containers.

i. Limit the stacked height of materials in staging areas, especially if pedestrians will be working around the material. Also leave sufficient access aisles between rows of staged material if employees may be required to inspect or otherwise access the material.

j. Special attention should be given when large loads are being handled that may obstruct the view of the lift truck operators. While normally a lift truck operator would be driving in reverse with these loads, this option is not available when loading trucks. Both lift truck operators and pedestrians working in the loading area must be aware of this.

k. Instruct employees not to climb on docks or to place any part of their bodies outside of the dock door. I recently read a story about a local warehouse worker who was crushed between a trailer and the dock seal. Apparently he was hanging out of the dock probably trying to signal a driver or get a view of another dock when the trailer backed up.

l. And more importantly other safety equipments that may help reduce the risk of accidents like helmets, safety boots; nose mask etc has to be provided so as to avoid accident as a result of not providing these.
2.4 ILO Convention 152

The international labour organisation which is the body in charge of labour issues has the ILO Convention 152 which is titled ‘Occupational Safety and Health (Dock Work) convention, 1979’.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Sixty-fifth Session on 6 June 1979, and

Noting the terms of existing international labour Conventions and Recommendations which are relevant and were in particular, the Marking of Weight (Packages Transported by Vessels) Convention, 1929, the Guarding of Machinery Convention, 1963, and the Working Environment (Air Pollution, Noise and Vibration) Convention, 1977, and Having decided upon the adoption of certain proposals with regard to the revision of the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32), which is the fourth item on the agenda of the session, and Considering that these proposals must take the form of an international Convention, adopts this twenty-fifth day of June of the year one thousand nine hundred and seventy-nine the following Convention, which may be cited as the Occupational Safety and Health (Dock Work) convention 1979.

The convention also give prescribe certain requirements that should be adhered to so as to ensure safety at the dock or the work site. Article 4 of the ILO convention C152 provide that any national law shall prescribe measures as regards dock work with a view to;

a. providing and maintaining workplaces, equipment and methods of work that are safe and without risk of injury to health; thus, there should be proper structures put in place and well maintained so that it does not become a death trap for the workers. Since activities carried
out at the dock are usually of heavy and bulky nature the structures there should be strong enough and well maintained as well as fire and explosion protection and prevention measures put in place to avoid any possible danger. All parts of machinery shall be effectively guarded unless they are in such a position or of such a construction as to be as safe as they would be if effectively guarded. There should be the existence of a safety committee that will see to it that the place of work as well as the machinery and equipment meant for work are usually in place by making sure that they are well maintained at the right time to avoid possible danger to health.

b. Providing and maintaining safe mean safe access to any workplace. There should be the provision of safe means of transport for workers and also safe means of access to ships, holds, staging, equipment and lifting appliances and opening and closing of hatches, protection of hatchways and work in holds and the maintenance and use of lifting and other cargo handling equipments. If these things are well taken care of it will help prevent accidents at the workplace.

c. Providing the information, training and supervision necessary to ensure the protection of workers against risks of accident or injury to health arising out of or in the course of their employment. That is there should always be effective training so that the employees will be able to have more knowledge on the happenings around him or her and also well trained in terms of the use of equipments at the work place.

d. Providing workers with any personal protective equipment and protective clothing and any life-saving appliances reasonably required where adequate protection against risks of accident or injury to health cannot be provided by other means. That is, there should be the provision of protective clothing, safety boots and helmets so that there will be the aversion of possible danger.

e. Providing and maintaining suitable and adequate first-aid and rescue facilities. Since
accidents are inevitable at the workplace the convention provides that there should be the
provision of first aid so that in case of any injury to any employees the person can be
attended to before the person can be finally taken to the hospital for further treatment.
Developing and establishing proper procedures to deal with any emergency situations which
may arise at the workplace. Where goods or materials are stacked, stowed, unstacked or
unstowed, the work shall be done in a safe and orderly manner having regard to the nature of
the goods or materials and their packing.

Section 6 (2) of the ILO Convention C152 also stipulates that workers shall have a right at any
workplace to participate in ensuring safe working to the extent of their control over the equipment
and methods of work and to express views on the working procedures adopted as they affect safety.
In so far as appropriate under national law and practice, where safety and health committees have
been formed in accordance with Article 37 of this Convention, this right shall be exercised through
these committees. That is, this is usually done through the union by making sure that they have
representatives that make sure that they also participate in ensuring that there is maximum safety at
the workplace. This is usually achieved by making sure that there is a representative who goes to
negotiate on behalf of the other workers through the collective bargaining process.

2.5 The Bargaining Process in Ghana.

There have been a number of statutes that have been enacted in Ghana to make sure that the
bargaining process is not disrupted so as to ensure industrial peace. According to the industrial
relations act 1965, act 299, a contract of employment is a voluntary agreement under which a person
of eighteen years and above and of sound mind called an employee renders services to an employer
in return for the payment of consideration called the salary or wages. Since the collective agreement
is that which creates the relationship between the employer and the employee, it is also subject to
change.
According to the Labour Act 2003 Act 651, any two persons employed in the same establishment can come together to form an association to improve their working lives. A trade union shall make an application to the chief labour officer for certificate with all the relevant information like, the class of workers in respect of whom the application is made and their number, so that the union become the appropriate representative to conduct negotiations on behalf of the class of workers specified in the collective bargaining certificate with the employers of the workers. The trade union appointed in a certificate issued and the employer of the class to which the certificate relates shall nominate their representatives authorised to conduct negotiation on their behalf, and the representative shall constitute a standing negotiating committee to negotiate on all matters referred to it.

The committee shall make rules governing its procedure and shall have the power to appoint sub-committees to which it may delegate any of its functions. According to section 102 of the Labour Act, 2003 Act 651, all negotiations shall be conducted through the standing committee or the joint standing committee as the case may be. Either party represented on the committee may give notice to the other party requiring them to enter into negotiations on any matter which may be properly dealt with by the committee. If a party on whom a notice is served does not within fourteen days after service of the notice take any step to enter into negotiations immediately, the National Labour Commission shall direct the party to enter into negotiations immediately and the party shall comply with the directive. An agreement concluded between the parties shall be writing and signed by an authorised member of the committee representing each party and two copies of this agreement shall be deposited with the commission and the chief labour officer. The parties to the negotiations shall bring the terms of the concluded collective agreement to the notice of all the workers concerned.

One of the basic effects of a collective agreement is that, when an agreement is concluded by a union through a standing negotiating committee or a joint standing negotiating committee it shall
apply to all workers of the class specified in the certificate and the terms concerning employment and termination of employment and personal obligation imposed on, and rights granted to a worker or employer shall be regarded as terms of a contract of employment between each worker to whom the provisions apply and his or her employer. An agreement shall continue to have effect after the expiration of the agreement so long as they have not been varied by an agreement between the parties.

The rights conferred on a worker by collective agreement shall not be waived by the worker and if there is any conflict between the terms of a collective agreement the collective agreement shall prevail unless the terms of the contract are more favourable to the worker. He it is immaterial whether or not the contract was concluded before the collective agreement. Also when the certificate of a trade union is withdrawn it shall not affect the validity of a collective agreement made by the trade union before the certificate was withdrawn.

A collective bargaining when concluded has a lot of advantages to both the employer and the employee or worker. First of all, bargaining has the advantage of settlement through dialogue and consensus rather than through conflict and confrontation. This is because it represents the interest of both parties as against arbitration and litigation which may incur the displeasure of one of the parties since it is usually a win or lose situation.

Collective agreements are required to institutionalise conflict through dialogue. This is because it provides for methods by which disputes between the parties will be resolved. Thus, the parties know beforehand that if there are any disagreements there is an equal method by which the will be resolved. It limits the settlement of disputes through union action thereby guaranteeing industrial peace for the duration on all matters captured in the agreement.

It is also a form of participation since it involves the sharing power between employers and union in
areas like transfers, promotion redundancy etc, which in time past were regarded as management prerogative. This therefore prevents non-confrontational process in the settlement of disputes which may arise between employer and employees.

It contributes towards mutual understanding by establishing a continuing relationship. Once the relationship of trust and understanding have been established, it creates an attitude of attacking together rather than by each other, also where there is multiplicity of unions and shifting union loyalty quality collective agreement tend to stabilise union member.

Collective agreements have the effect of improving industrial relations. The improvement can be at different levels. The continuing dialogue with the subsequent agreement tends to improve relations at the workplace level between workers or union on one hand and employer on the other. It also establish a productive relationship between the union and the employer and also help management to plan ahead since the agreement has a duration which states when and how the two parties are expected to be at the negotiating table to make a new agreement.

CHAPTER THREE

RESEARCH METHODOLOGY
3.1 Introduction

This chapter is dedicated to the discussion of the processes involved in gathering the relevant data from the field. It describes how the whole research was carried out to arrive at the conclusion. The process comprised of the target population, sample size sampling, and research design including field problems and data analysis.

3.2 Target Population

The target population of this study consist of the management of Ghana Dock Labour Company, employees of the company as they have been categorised based on the kind of task they perform, and local union leaders of the maritime dockworkers union. That is, there were five (5) management members, three hundred (300) tally clerks, fifty (50) winch men, hundred (100) drivers, ninety five (95) plant operators, nine (9) union leaders and eight hundred and eighty one (881).

Table 3.1 target population for the study.

<table>
<thead>
<tr>
<th>CLASS OF TARGET</th>
<th>NUMBER OF PEOPLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management of Ghana Dock Labour Company</td>
<td>5</td>
</tr>
<tr>
<td>Local MDU Union Leaders</td>
<td>9</td>
</tr>
<tr>
<td>Employees of the company</td>
<td>1426</td>
</tr>
<tr>
<td>Total</td>
<td>1440</td>
</tr>
</tbody>
</table>

3.3 Sampling Procedure and Sample Size

Sampling is the technique for selecting a suitable sample size to determine the characteristics of a
population. The method gives each element in the population (target group) a chance to be selected or included in the sample size for the study. The stratified sampling method was used to select the sample. The random sampling technique was also used to select the sample size in order to ensure that all the sample units were representative of their target population. This is aimed at avoiding bias and also to reduce variability in the sampling groups. Thus, the sample size was obtained by adding the elements selected from each management of the company union leaders and employees.

Table 3.2 shows the sample size chosen from each sample size. The sampling procedure resulted in the selection of one hundred and forty four (144) respondents from the total population of one thousand four hundred and forty (1440) people. Three (3) management members were selected to form part of the sample size as well as five (5) local union leaders representing 2.08% and 3.47% respectively. Sixty respondents were chosen from the dockers also representing 41.67% seventy six (76) respondents were selected from the other category of workers, that is, winch men, plant operators, tally clerks and drivers representing 47.22%. This was achieved by selecting 10% of the total population of one thousand four hundred and forty four (1440). The researcher believes that the sample size chosen was large enough to represent the total population under study.

<table>
<thead>
<tr>
<th>Population group</th>
<th>Population unit (2)</th>
<th>Population in each group</th>
<th>Sample size</th>
<th>Percentages</th>
</tr>
</thead>
<tbody>
<tr>
<td>management</td>
<td>Ghana dock labour company</td>
<td>5</td>
<td>3</td>
<td>2.08%</td>
</tr>
<tr>
<td></td>
<td>Union leaders</td>
<td>9</td>
<td>5</td>
<td>3.47%</td>
</tr>
<tr>
<td>Employees</td>
<td>Plant operators</td>
<td>95</td>
<td>20</td>
<td>13.89%</td>
</tr>
<tr>
<td></td>
<td>Tally clerks</td>
<td>300</td>
<td>30</td>
<td>20.83%</td>
</tr>
<tr>
<td></td>
<td>Winch men</td>
<td>50</td>
<td>11</td>
<td>7.64%</td>
</tr>
<tr>
<td></td>
<td>Drivers</td>
<td>Dockers</td>
<td>Total</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>----------</td>
<td>---------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100</td>
<td>881</td>
<td>1440</td>
<td></td>
</tr>
<tr>
<td></td>
<td>15</td>
<td>60</td>
<td>144</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10.42%</td>
<td>41.67%</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>

3.4 Research Design

The survey method was used to collect data from the field. This is because the target population were located in different areas because of the nature of their work which did not permit anybody outside the working group get access to certain areas of the site. The questionnaire which is the main instrument for survey research was used. It is a set of questions that have been structured by providing answers for most of the questions. This made it possible to compare responses, their accuracy, minimise bias and encourage respondents to complete them. This instrument was validated through pilot testing so as to ensure adequacy and recurrence of information obtained from respondents. This involved review of the instrument by supervisors and colleagues.

The questionnaire was self administered. Both the open and closed ended questions were used to obtain the information and enabled respondents give their own answers to the questions.

The interview method was used for the management of the Ghana dock labour company as well as the local union leaders to learn firsthand what was practically being done to improve the safety of the workers at the site.

3.5 Field Problems

There were a number of problems that were encountered during the field work. One was the time to
get the management members of the company due to their tight schedule. Also there was the problem of meeting with the local union leaders. Because they usually come to the office during time for meetings or something important to be done in the office. Another setbacks was the return of the questionnaires because they work in gangs and usually close very late it was difficult to locate the selected respondents to collect the completed questionnaires because they took them away and they also start work early and close very late. Another problem was the level of education of some of the workers. Some of the workers were loaders and their work did not require any high level of education; some of them therefore found it difficult to understand the text of the questionnaire and to answer them appropriately. As a result of this some of the questionnaires were not retrieved because of their inability to answer them. There was also apathy from some of the workers because they have seen it all by answering so many questions without seeing any improvement in their conditions of employment.

3.6 Data Analysis

After the field work, the collected data was organized using both quantitative and qualitative techniques. A descriptive analysis including tables and graphs were paramount to discussion of the data from the field. Thus, a proper checking and editing of the data from the field had ensured that data were carefully analyzed. The next Chapter therefore presents the analysis of findings. It has been arranged into two sections, the first analyzing the questionnaires and the second present data collected through interviews with policy makers and some GPHA and Stevedore staff (operators). The analysis used the objectives of the research problem to better explain the data.

CHAPTER FOUR

PRESENTATION OF FINDINGS AND DISCUSSION
4.1 Introduction

This chapter is devoted to the presentation of research findings based on the information obtained from the field. The questionnaire was divided into the background, knowledge and attitude of respondents towards the safety of the environment and how to improve on it. The discussion is based on eighty (80) questionnaires retrieved from the field and interview with four officials of both management and union leaders.

4.2 Background of Respondents

The background of respondents consisted of gender, age education and their experience in the company or the port in general.

Table 4.1 indicates the gender of respondents. Thus out of the eighty (80) respondents 91.25% of them were males and 8.75% of the respondents being females. This shows that the port operations male dominated since the dock work is predominantly physical in nature.

Table 4.1 Gender of respondents

<table>
<thead>
<tr>
<th>Gender</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>73</td>
<td>91.25%</td>
</tr>
<tr>
<td>Female</td>
<td>7</td>
<td>8.75%</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100%</td>
</tr>
</tbody>
</table>

From table 4.2 thirty nine (39) respondents fell within 31-40 years representing 48.75%, twenty seven (27) fell within 20-30 years also representing 33.75%, while fourteen (14) fell within 41 years and above.
None of the respondents has a degree, thirty five (35) of them had basic education representing 43.75%, nineteen had no formal education also representing 23.75%, fifteen (15) had diploma certificate representing 18.75% and eleven had secondary education also representing 13.75% of the respondents. Thus, this clearly shows that the work does not require any high level of education to perform.

Table 4.3 Educational level of respondents

<table>
<thead>
<tr>
<th>Educational level</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>19</td>
<td>23.75%</td>
</tr>
<tr>
<td>Basic</td>
<td>35</td>
<td>43.75%</td>
</tr>
<tr>
<td>Secondary</td>
<td>11</td>
<td>13.75%</td>
</tr>
<tr>
<td>Diploma</td>
<td>15</td>
<td>18.75%</td>
</tr>
<tr>
<td>Degree and above</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Thirty seven (37) of the 80 respondents had up to five years experience representing 46.25%, nineteen (9) had 6-10 years experience representing 23.75%, twelve (12) had 11-15 years experience representing 15%, seven (7) had 16-20 years experience representing 8.75% and five (5) also had 21 years and above experience which also represent 6.25%
Table 4.4 working experience of the respondents

<table>
<thead>
<tr>
<th>Years of experience</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-5</td>
<td>37</td>
<td>46.25%</td>
</tr>
<tr>
<td>6-10</td>
<td>19</td>
<td>23.75%</td>
</tr>
<tr>
<td>11-15</td>
<td>12</td>
<td>15%</td>
</tr>
<tr>
<td>16-20</td>
<td>7</td>
<td>8.75%</td>
</tr>
<tr>
<td>21 and above</td>
<td>5</td>
<td>6.25%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

4.3 Knowledge of Respondents

This section contains the summary of respondents' knowledge on the functions of the MDU and their rights as contained in the ILO Convention C152 and the Labour Act 2003, Act 651 respectively.

From the table twenty nine (29) of the respondents knew the main functions of the MDU representing 36.25%, seven (7) of the respondents do not know the functions of MDU representing 8.75% and forty four (44) respondents knew other functions of MDU also representing 55%.

Table 4.5 Knowledge on the main functions of the union.

<table>
<thead>
<tr>
<th>Functions</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main</td>
<td>29</td>
<td>36.25%</td>
</tr>
<tr>
<td>Others</td>
<td>44</td>
<td>55%</td>
</tr>
</tbody>
</table>
Forty six (46) rated the performance of the union very poor representing 57.5%, twenty five (25) rated the union average representing 31.25% while seven (7) rated the union good representing 8.75%, two (2) rated the union very good also representing 2.5% and the union was zero rated for excellent.

### 4.6 Knowledge of the performance of MDU bargaining for better safety conditions

<table>
<thead>
<tr>
<th>Performance Level</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excellent</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Very good</td>
<td>2</td>
<td>2.5%</td>
</tr>
<tr>
<td>Good</td>
<td>7</td>
<td>8.75%</td>
</tr>
<tr>
<td>Average</td>
<td>25</td>
<td>31.25%</td>
</tr>
<tr>
<td>Poor</td>
<td>46</td>
<td>57.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Sixty seven (67) of the respondents knew the existence of the labour representing 83.75% and thirteen (13) respondents do not know anything about the labour act also representing 16.25%

### 4.7 knowledge of respondents on the Labour Act 2003, Act 651.

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>67</td>
<td>83.75%</td>
</tr>
</tbody>
</table>
Three (3) respondents knew of the existence of ILO Convention C152 and seventy seven (77) do not know of its existence at all also representing 96.25%.

4.8 Knowledge on ILO Convention C152

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>3</td>
<td>3.75%</td>
</tr>
<tr>
<td>No</td>
<td>77</td>
<td>96.25%</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100%</td>
</tr>
</tbody>
</table>

Sixty eight (68) respondents know of the existence of safety committee representing 66.02%, twenty three (23) respondents are aware of the functions of the safety committee representing 22.33% and twelve (12) respondents do not have any idea of the existence of safety committee.

➢ Here respondents were allowed to choose more than one answer
<table>
<thead>
<tr>
<th>What is a safety committee?</th>
<th>68</th>
<th>66.02%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Awareness of functions</td>
<td>23</td>
<td>22.33%</td>
</tr>
<tr>
<td>No idea</td>
<td>12</td>
<td>11.65%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>103</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

4.9 Knowledge on the existence of safety committee.

Twenty eight (28) of the respondents rated their performance average representing 35%, twenty two (22) rated them good representing 27.5%, thirteen rated them poor representing 16.25%, eleven (11) rated those very good representing 13.75% and six (6) rated them excellent representing 7.5%

4.10 Knowledge on the performance of the safety committee.

<table>
<thead>
<tr>
<th>Performance</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excellent</td>
<td>6</td>
<td>7.5%</td>
</tr>
<tr>
<td>Very good</td>
<td>11</td>
<td>13.75%</td>
</tr>
<tr>
<td>Good</td>
<td>22</td>
<td>27.5%</td>
</tr>
<tr>
<td>Average</td>
<td>28</td>
<td>35%</td>
</tr>
<tr>
<td>Poor</td>
<td>13</td>
<td>16.25%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>
Out of the total number of respondents twenty seven (27) indicated they go for training yearly representing 33.75%, nineteen (19) indicated monthly representing 23.75%, fifteen (15) indicated quarterly representing 18.75%, ten (10) indicated no idea representing 12.5% and nine (9) indicated weekly also representing 11.25%.

4.11 Assessment of the frequency of training for respondents

<table>
<thead>
<tr>
<th>Time for training</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly</td>
<td>9</td>
<td>11.25%</td>
</tr>
<tr>
<td>Monthly</td>
<td>19</td>
<td>23.75%</td>
</tr>
<tr>
<td>Quarterly</td>
<td>15</td>
<td>18.75%</td>
</tr>
<tr>
<td>Yearly</td>
<td>27</td>
<td>33.75%</td>
</tr>
<tr>
<td>No idea</td>
<td>10</td>
<td>12.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Twenty nine (29) of the respondents rated the training poor representing 36.25%, twenty four (24) rated it average representing 30%, seventeen (17) rated it good also representing 21.25%while eight (8) rated it very good representing 10% and two (2) rated it excellent representing 2.5%.

4.12 Rating of the training by respondents

<table>
<thead>
<tr>
<th>Rate</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excellent</td>
<td>2</td>
<td>2.5%</td>
</tr>
<tr>
<td>Very good</td>
<td>8</td>
<td>10%</td>
</tr>
<tr>
<td>Good</td>
<td>17</td>
<td>21.25%</td>
</tr>
<tr>
<td>Average</td>
<td>24</td>
<td>30%</td>
</tr>
<tr>
<td>Poor</td>
<td>29</td>
<td>36.25%</td>
</tr>
</tbody>
</table>
On the knowledge of the organisers of training fifty three (53) respondents indicated it was conducted by management represent 66.25%, seventeen (17) respondents indicated union representing 21.25% while ten (10) indicated no idea representing 12.5% and 0 indicated personal also representing 0%.

4.13 The Organisers of the training for respondents

<table>
<thead>
<tr>
<th>Organiser</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management</td>
<td>53</td>
<td>66.25%</td>
</tr>
<tr>
<td>Union</td>
<td>17</td>
<td>21.25%</td>
</tr>
<tr>
<td>Personal</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>No idea</td>
<td>10</td>
<td>12.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Out of the total number of respondents fifty four (54) respondents indicated the training was theoretical representing 67.5%, while sixteen (16) respondents indicated the training was practical representing 20% and ten (10) respondents indicated no idea also representing 12.5%.

4.14 Knowledge on the type of training given

<table>
<thead>
<tr>
<th>Type of training</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Practical</td>
<td>16</td>
<td>20%</td>
</tr>
<tr>
<td>Theoretical</td>
<td>54</td>
<td>67.5%</td>
</tr>
<tr>
<td>No idea</td>
<td>10</td>
<td>12.5%</td>
</tr>
</tbody>
</table>
Out of the total respondents thirty two (32) responded they were averagely exposed representing 40%, twenty seven (27) indicated their exposure to injury was high representing 33.75%, while twelve (12) indicated they were very highly exposed representing 15% and nine (9) responded they were very lowly exposed also representing 11.25% of the total number of respondents.

4.15 Assesses how respondents are exposed to injury in during operation.

<table>
<thead>
<tr>
<th>Injury exposure scale</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very High</td>
<td>12</td>
<td>15%</td>
</tr>
<tr>
<td>High</td>
<td>27</td>
<td>33.75%</td>
</tr>
<tr>
<td>Average</td>
<td>32</td>
<td>40%</td>
</tr>
<tr>
<td>Very low</td>
<td>9</td>
<td>11.25%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Twenty nine (29) out of the total number of respondents indicated that there is at least an injury once a month in their field of operation representing 36.25%, twenty (20) respondents indicated weekly representing 25%, fifteen (15) indicated yearly representing 18.75%, and eleven (11) respondents indicated no idea representing 13.75% while five (5) indicated quarterly representing 6.25% but nothing was indicated for daily.
4.16 Knowledge on the injury situation in the respondents’ field

<table>
<thead>
<tr>
<th>Injury situation</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Weekly</td>
<td>20</td>
<td>25%</td>
</tr>
<tr>
<td>Monthly</td>
<td>29</td>
<td>36.25%</td>
</tr>
<tr>
<td>Quarterly</td>
<td>5</td>
<td>6.25%</td>
</tr>
<tr>
<td>Yearly</td>
<td>15</td>
<td>18.75%</td>
</tr>
<tr>
<td>No idea</td>
<td>11</td>
<td>13.75%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Thirty eight (38) of the respondents indicated that the injuries that are usually sustained are of serious nature representing 47.5%, twenty four (24) indicated minor representing 30% and eighteen (18) indicated very serious also representing 22.5% of the total number of respondents.

4.17 Knowledge of respondents on the nature of injury usually sustained

<table>
<thead>
<tr>
<th>Nature</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor</td>
<td>24</td>
<td>30%</td>
</tr>
<tr>
<td>Serious</td>
<td>38</td>
<td>47.5%</td>
</tr>
<tr>
<td>Very serious</td>
<td>18</td>
<td>22.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>
Seven (7) of the respondents indicated that they know employees who sustained an injury that has rendered them incapacitated for life representing 8.75% and eighty seven (87) indicated no also representing 91.25% of the total number of respondents.

4.18 Knowledge of respondents on any worker who has sustained an injury that has rendered the employee incapacitated for life.

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>7</td>
<td>8.75%</td>
</tr>
<tr>
<td>No</td>
<td>73</td>
<td>91.25%</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100%</td>
</tr>
</tbody>
</table>

Seventy five (75) out of the total number of respondents indicated no representing 93.75% and five (5) respondents indicated yes also representing 6.25% also of the total number of respondents.

4.19 Employees willing to leave or not?

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>5</td>
<td>6.25%</td>
</tr>
<tr>
<td>No</td>
<td>75</td>
<td>93.75%</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>100%</td>
</tr>
</tbody>
</table>
4.4 Suggestions by Respondents

The respondents made a lot of suggestions that can help improve safety at the dock. Some of them are that,

1.0 Their involvement in making safety decisions. That is, the safety conditions determination has been left into the hands of a unit of which they do not have a say even though the decisions affect them. Therefore they should be involved in any decision that will be taken with respect to safety at their workplace.

2.0. There should be the constant monitoring of equipment. That is, since most of the accidents are caused by the equipments they work with they recommended that the machinery and equipment should be inspected regularly so that anything that may be a potential danger to their safety is avoided.

2.1 There should be the continuous provision of safety equipments such as helmets safety boots etc, to help to improve the safety conditions at the work place so that safety can be enhanced.

2.2 There should be constant monitoring of the use of safety gear or safety equipments to help prevent a situation where some employees feel very reluctant to put on their safety gear which can also throw the safety measures of balance.

2.3 Since some of the workers are usually sent to the golden jubilee terminal there should be the provision of a sickbay so that if any of them gets injured the person can be sent there for first aid before taking the fellow to the hospital.
4.5 Interview Response

This section discusses the interview from management personnel from Ghana Dock Labour Company and local trade union leaders using an interviewer’s guide. Management personnel interviewed were four (4) comprising the head of administration and head of operations as well as chairman and the vice chairman of the local union respectively.

A. Interview with the Head of Administration

The head of administration has been working in the port for over ten years and rose through the ranks to the current position. He knows much about the Labour Act and its relevant provisions. He also demonstrated much knowledge on port safety as provided by ILO Convention C152 which stipulates how the dock should be kept so as to prevent accidents. According to him they do their best to ensure that all the regulations are adhered to by providing employees with the necessary safety equipments. He also indicated that they also make sure that the employees are given training to ensure that they perform their duties with maximum care. Again he reiterated that they have a monitoring team to ensure that safety regulations are adhered to at the port to avert possible dangers that may result in an accident to any of the employees. He stated that the collaboration between the union and the management is helping to improve safety at the port.
B Interview with the Head of Operations

The operations head has been in the port business for over ten years and is about two years in his current level. He demonstrated his knowledge in the provisions of the ILO Convention C152 which relates to safety of the dock and the employees to avoid injury. He indicated that even though there are certain minor accidents at the workplace they have put in measures to ensure that the premises are usually kept to prevent safety. The machinery and equipment are usually inspected to ensure that they are free from danger even though Ghana Port and Harbour Authority has the capacity and the authority to handle such matters. He also indicated that they have put measures in place to ensure that anybody who gets injured is well treated at the hospital. Again he indicated that one of their major problems was that since most of their core employees not educated but they monitor them constantly that to ensure that they adhered to safety regulations in their operation in order to avoid possible danger.

C Interview with the Local Union Chairman

The local union chairman has been working in the port for over fifteen years. He has much knowledge on the Labour Act 2003, Act 651 but indicated that he had less knowledge on the ILO Convention C152 even though it pertains directly to their job. He also indicated that most of the workers had little knowledge on safety regulations at the port and do not know the functions of the union and. He indicated they organise training for the workers to be abreast with current regulations and how to perform their work.

D Interview with the local union vice chairman
The vice chairman has been taking part in union activities for about three years. He knew the labour Act, 2003, Act 651 and a little knowledge on the provisions of the ILO Convention C152. Again he indicated that even though the port safety is not under their care they take responsibility for the safety of the employees. This is usually done through a monitoring team that ensured that the employees adhered to safety standards at the port with sanctions prescribed for breach of these safety regulations. For example, paying penalty and being excluded from work for a certain period.
CHAPTER FIVE

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSIONS

1. Background of Respondents

The background of respondents is made up of gender, age, education as well as their experience in the company and the port in general.

The dominance of males 91.25% over females 8.75% suggest that activities of the port is usually physical in nature as they have been represented by seventy three (73) and (7) respectively. It also revealed that a majority of the employees were in the bracket of the 20-40 years and very few were after 41 and above years because of the nature of the work which requires much strength and does not favour the aged. On education it was found that a majority of the workers constituting 67.5% fell within the category of either having no formal education or only up to the basic level. On the experience of the respondents in port operations it found out most of the workers do not do the work for along time because of the physical nature. It could be seen that because of the physical nature of the work most of the workers do not stay in the work for long since majority of the respondents had maximum experience of up to ten years in their fields of operation.

2. Knowledge of Respondents
Out of the total number of respondents forty four (44) appeared not to know the main functions of the union of they are members representing 55% of the total number of respondents. As a result they rated the performance of the union very poor. Thus, 46 of the respondents rated the union very poor representing 57.5% of the total number of respondents since some of them stated that what they normally do was the organisation of “may day” celebrations. On the issue of their knowledge of the labour act, 67 respondents stated in the affirmative representing 83.75% while an overwhelming majority of the respondents had no knowledge of the ILO Convention C152 since seventy seven (77) had no knowledge of it representing 96.25%.

On the issue of the safety committee, most of the workers knew of the existence of the safety committee but stated categorically that it was a unit under Ghana Ports and Harbour Authority. Thus, sixty eight respondents knew of the existence of the committee. But rated the performance of the safety committee a little above average since fifty (50) of the respondents rated their performance good and average.

On the issue of organising training for the employees most of them stated that it was no regular, thus, twenty seven (27) of the respondents representing 33.75% indicated it was a yearly affair while nineteen (19) of the respondents indicated monthly representing 23.75% with ten (10) respondents having no idea of any training being conducted. Twenty nine out of the total number of respondents representing 36.25% rated the training that is given to them very poor since they said it was the usual pep talk programmes that they go and twenty (24) also representing 30% also rated it average But stated that it was usually conducted by management.

On the issue of injury at the site it was revealed that most of the employees are exposed to injury on a high level twenty seven (27) and thirty two (32) of the
respondents rated it high and average respectively while twenty nine (29) of the respondents representing 36.25% indicated that they witness at least an injury once every month with the injury being of a serious nature with thirty eight (38) respondents representing 47.5% indicating that.

2.4 Summary of Management Members and Union Leaders Interview

This section talks about the finding made from the interview with management officials and union members.

It was revealed that even though they do their best to provide them with safety equipments it is usually not enough for the employees. It also revealed that because of the low level of education of some of the employees they usually do not want to use the safety equipment for their own safety even though they have been provided but with the introduction of the monitoring team to ensure personal safety there is improvement as there have been measures put in place to ensure strict compliance with safety standards at the workplace.

From the interview it was revealed that since there is a special unit at the port in charge of the safety at the dock they do not have control over the yard and the equipments that are used at the dock. Hence their contribution in that respect is very low. That is, they do not have so many stakes in what happens but can only recommend and the rest will be in the domain of the fire and safety unit who have oversight responsibility of all the safety regulations at the port.

It was also revealed out of the interview that even though they conduct training for them there is no transfer of learning it is usually not effective since most of the workers prefer to work to going for training that will not earn them anything. Also
because the work at the port is usually done in six out of the seven days it was usually
difficult to get most of the employees to attend the training.

2.5 Conclusion

The port as it is and the dock work is predominantly men since over ninety percent of
the respondents were male as against very few females. Most of the employees of the
dock labour were had little or no formal education constituting 64% of the total
number of respondents. Majority of the of the employees were within the age of 20-40
years which gives the indication that they work is of physical nature hence the need
for young people to perform it.

On the basis of the performance of the union with respect to ensuring safety at the
dock most of the workers appeared not to know the main reasons for the formation of
trade unions as coined by the Webbs to mean “an association of wage earners for the
purpose of maintaining and improving the conditions of their working live” this is
because they are usually do not go for training and not often briefed on what was
happening and also tell them what is being done to ensure that they are free from
danger as well as the machinery and equipment that are being used at the work place
also inspected and maintained to avert any possible danger or injury to employees so as
to ensure efficiency in the port.

2.6 Recommendations

Even though the objective of this research work has been fully addressed with
conclusion drawn there is still the need to make recommendations. This is because the
respondents made recommendations that should be well noted and also that of the
researcher.
Respondents

a. One of the recommendations is that there should be the constant provision of safety and should also be adequate since they usually do not get all that is needed.

b. There should also be effective monitoring the employees to ensure strict compliance to safety regulations.

c. The employees should also be involved in any safety decision that will be taken since it affects them directly.

Based on the work done the researcher wish to make the following recommendations

a. Since most of the employees have very low level of education they should first be trained well to appreciate the need for safety before they are employed and ensure strict adherence to safety rules with the appropriate sanctions defined.

b. Since most of them do not see essence of the training there should be the provision of incentives to the employees who go for the training.

c. The employees should be very educated on the functions of a trade union as well as the provisions in the Labour Act, 2003, Act 651 and the ILO Convention C152.

d. They employees should be involved in any safety decision since it affects them directly but not left in the only hands of a specific unit so as to avert any possible injury at the workplace.
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• Wilson and Clyde Coal versus English (1938) AC57
APPENDIX I

QUESTIONNAIRE

I am a student of Regional Maritime University and researching into 'the contribution of Maritime and Dockworkers Union towards the safety of Ghana Dock Labour Company employees'. This is in partial fulfilment for the award of an MA degree in port and shipping administration. Your assistance will be much appreciated while the completed form will be used solely for academic purpose and would be treated confidentially. Thank you.

1) Gender: male [ ] or female [ ]

2) Age in years (a) 20 – 30, (b) 31 – 40, (c) 40 and above

3) What is your level of education?
   a) None  b) Basic  c) Secondary  d) Diploma  e) Degree and above

4) What is your job title? .................................................................

5) How long have you been working in the port? ............... 

6) State the main or other functions of MDU? .................................................................

7) How do you rate the performance of MDU?
   a) Excellent  b) Very good  c) Good  d) Average  e) Poor

8) Have you heard of the Labour Act 2003, Act 651 or the ILO Convention 152? (Yes  No)

9) Through what means?
   1. Management
   2. Union
   3. Personal effort
10) Do you have safety inspectors at your area of operation? (Yes  No)

11) What do you know about the safety committee?.
   a) what it is  b) Awareness of its functions  c) No idea

12) What is your assessment of the safety committee?
   A) Excellent  b) Very good  c) Good  d) Average  e) poor

13) Do you normally go for training?  Yes  No

14 If Yes how often?
   a. Weekly
   b. Monthly
   c. Yearly.

14) Which people organize it?
   a. Management
   b. Union

16 How do you assess the training?
   A) Excellent  b) very good  c) Good  D) average  e) poor

17) What is the nature of the training? a) theoretical  b) practical  c) no idea

18) How exposed are you to injury in your field of operation?
   a. Very low
   b. Average
   c. High
   d. Very high

19) How often do you encounter accidents at the workplace?
   a. Daily  b) Weekly  c) Monthly  d) Quarterly
   e) Yearly  f) no idea.
20) Are you usually provided with safety equipment? (Yes  No)

21) By who? .................................................................

22) What is the nature of the injury?
   a. Minor
   b. Serious
   c. Very serious

23) Do you know anybody who has suffered any life incapacity?  (Yes  No )

24) If yes how many have you witnessed? ................................

25) What was the cause of the accident? ................................

26) What are some of the causes of accident at your workplace? ..............

27) How do you think safety can be improved at your workplace? ..............

28) How do you access the performance of the union with respect to negotiating for better safety conditions? ................................

54
29) How do you access the performance of the company with respect to providing safety at the work place?
APPENDIX II

Interviewer's Guide

I am a student of Regional Maritime University and researching into 'the contribution of Maritime and Dockworkers Union towards the safety of Ghana Dock Labour Company employees'. This is in partial fulfilment for the award of an MA degree in port and shipping administration. Your assistance will be much appreciated while the completed form will be used solely for academic purpose and would be treated confidentially. Thank you.

1. How do you conduct negotiations?
2. What are some of the major issues that usually come to the table during negotiations?
3. Which people constitute the safety committee?
4. How do they perform their activities?
5. How often do you conduct training for the employees?
6. What form does the training normally take?
7. How often do you encounter accidents at the workplace what is the nature of the injury?
8. What measures have been put in place to prevent this?