

Occupational health and safety of the frontline healthcare workers in Nepal in COVID-19 pandemic

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Occupational health and safety (OHS) is essential for every professional especially healthcare workers who work day and night serving patients. According to the WHO, health workers should not face any kind of workplace violence during their professional activities.¹ Attention should also be paid to the mental and psychological health of healthcare workers and their protection should be of paramount importance. OHS related policies, rules and regulations have been formulated in Nepal. According to the law, the responsibility of the OHS of the employees has to be taken by the concerned organization.²

In Nepal, during the COVID-19 pandemic, health workers have to take the risk of infecting themselves while providing care for the patients. This has led to the infection of thousands of health workers and we have also lost quite a few healthcare workers in the line of duty in Nepal.³ On one hand, there is a psychological fear of acquiring COVID-19 infection in healthcare workers despite adopting health and safety measures, while on the other hand, in case of infection they will have to pay for the treatment from their own pockets.^{4,5} Sometimes ICU and ventilator services are not available not only in their working hospital but also in government referral health institutions which have given rise to incidences that healthcare workers themselves have to be admitted to other hospitals for the treatment.⁶ In such a situation, not just mental but also a financial burden has been added to the healthcare workers.⁷

According to the World Health Organization (WHO), the number of health workers in the world comes down to about three percent (3%) of the population, however, the number of infected health workers reported to the WHO has now reached as high as 14%.⁸ Keeping this fact in mind, WHO has recommended five levels of health care measures for the safety of the healthcare workers while treating patients.⁸ It is necessary to link the health and safety policies and regulations of the patient with that of healthcare workers. Covid-19 is not recognized as an occupational disease for healthcare workers working in Nepal, which is truly a sad occurrence as they are getting infected while they fulfilling their duty, serving patients who are battling COVID-19. It has been decreasing the morale of the healthcare workers working in the health sector and this is the bitter reality.

Occupational health and safety programs for healthcare workers must be implemented effectively and the Government of Nepal should ensure protection for all healthcare workers working with patients infected with the Covid-19. If any health worker is infected during doing their duty, the government or the working organization should treat their health worker free of cost. Health workers who are tirelessly working in the pandemic should not be allowed to be financially burdened.

The present legal system

The Labor Act, 2048 BS (1992 AD) did not make any provision regarding occupational diseases in Nepal. There was no provision in the act on where to seek healthcare services in case of any occupational-related disease. There was no mention in the Act on who

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would treat the employees if they fell ill due to their profession and who would manage the healthcare-related expenditures, subsistence and compensation.⁹

In 2017 AD, a new Labor Act was enacted. The Act added some important provisions on occupational diseases. After the enactment of the Labour Act 2074 (2017 AD), the Labor Regulations, 2075 (2018 AD) and the Occupational Safety and Health Policy, 2076 (2019 AD) was also enacted.¹⁰ The regulations made detailed arrangements for occupational diseases. It included in the regulations that the list of the occupational diseases needs to be published in the Gazette. However, the government has not yet classified the occupational diseases and published the list in the Gazette, but instead published it in the 'Social

Security Scheme Operation Procedure, 2075.¹¹ It led to the weakened implementation of management of the occupational diseases as it was not published in the Gazette. The procedure states that in the event of an illness or accident while working, the company or the organization should protect such a person. However, due to ineffective implementation, healthcare workers are in great peril.

The World Health Organization has also emphasized the occupational health and safety of healthcare workers and it also uses the slogan - "Keep Health Workers Safe to Keep Patients Safe".⁸ Health workers cannot serve patients without safety. Therefore, the government needs to pay adequate attention and prioritize this issue on time.

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