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## COMPARATIVE ANALYSIS OF HSE POLICY COMPLIANCES IN PUBLIC AND PRIVATE ORGANISATIONS IN PORTHARCOURT, RIVERS STATE OF NIGERIA

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### ABSTRACT

*Health, Safety and Environment (HSE) compliance is a crucial but still topical issue of workplace regulation in the industrial centre of Nigeria. In this policy analysis, the study focused on the execution of national policies governing HSE in both public and private organisations in Port Harcourt, Rivers State, Nigeria. Port Harcourt is a large city in Niger Delta, which has large concentrations of oil and gas, construction, manufacturing and healthcare services. The paper adopted Policy Triangle framework and implementation theory as a complementary theory to chart out the content, context, process, and actors that shape compliance outcomes in different sectors. Results indicate that there is a significant public-private compliance hierarchy. The formal and substantive compliance by the private organisations, especially the multinational oil and gas operators and the larger local enterprises, are significantly higher due to the availability of resources, international regulations (e.g., ISO 45001), reputation risks, and other internal accountability-related procedures. Public institutions such as state ministries, tertiary institutions, teaching hospitals and local government bodies are characterised by highly symbolic compliance, crippled by chronic under-investments, bureaucracy, and poor enforcement, as well as the limited presence of actors. The major gaps are the lack of PPE provision, lack of frequent risk evaluation, poor incident reporting, and regulatory fragmentation between the NESREA, NUPRC/NMDPRA and state agencies. The analysis attributes these differences to structural, political, and economic factors. Unstable financial frameworks and incompatible interests are detrimental to the government entities, whereas international corporations enjoy the advantages of international publicity and funding. The lack of compliance of the subcontractors and the infrequent regulatory capture also make the situation more difficult in the private sector. The paper concludes that addressing the compliance gap requires a focus on specific reforms like sector-based guidelines, Rivers State*

*HSE Development Fund, performance-based incentives, and online incident-reporting, empowering enforcement task forces, and legislative harmonisation to eliminate overlapping mandate. These recommendations offer a practical route to improved safety at the workplace, environmental integrity and sustainable development objectives in one of the industrial regions with the highest number of risks in Nigeria.*

**KEYWORDS:** *Safety and Environment (HSE) Health, Safety And Environment, Regulatory Compliance, Policy Analysis, Public And Private Organizations, Rivers State, Nigeria.*

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## **INTRODUCTION**

Rivers state is one of the Niger Delta regions in Nigeria and a key center of economic activities, which are oil and gas exploration, production, refining, construction, manufacturing, ports and medical services. Being one of the most industrialized states in Nigeria, it hosts major activities of multinational oil companies (e.g., Shell, TotalEnergies, ExxonMobil), local companies, government institutions (government ministries, government hospitals, government universities), and businesses. These types of operations expose workers, communities and the environment to high health, safety and environmental (HSE) risks (like chemical exposures, explosions, oil spills, construction accidents, noise pollution, ergonomic hazards and infectious diseases in healthcare facilities) (Oyiborhoro et al., 2023; Irondi and Asogwa, 2023). The term Health, Safety and Environment (HSE) compliance is the legal, regulatory and organizational adherence to standards that are concerned with work place injuries, work related diseases, environmental pollution and the welfare of people. The national framework of Nigeria comprises Factories Act (Cap F1 LFN 2004), Employees Compensation Act, 2010, National Policy on Occupational Safety and Health (amended 2020) and the NESREA Act, 2007 and all its regulations (including National Environmental (Construction Sector) Regulations, 2011) and the Petroleum Industry Act (PIA) 2021, that requires vigorous HSE practices in upstream, midstream, and downstream petroleum. The National Upstream Petroleum Regulatory Commission (NUPRC) and the Midstream/Downstream Authority (NMDPRA) administer industry specific regulations, with the NESREA monitoring the rest of the environment not related to oil/gas (NUPRC, 2025). With these structures, there is still weak adherence in Rivers State. Bureaucracy, poor funding, and weak enforcement are common in the public organizations (e.g., state ministries, public universities, teaching hospitals such as University of Port Harcourt Teaching Hospital), and this results in gaps in the provision of PPE, training, and risk evaluation (Irondi & Asogwa, 2023). Corporate resources and international standards (e.g., ISO 45001, company HSE policies) can be applied to the benefit of the private organizations (oil/gas companies, construction companies, manufacturing plants), however, the companies are confronted with the pressures of cost-cutting, the lack of compliance of their subcontractors, and regulatory arbitrage, especially in high-risk industries (Thomas, 2024; Oyiborhoro et al., 2023). The major problems in Rivers State are:

- ▶ Frequent industrial accidents (e.g., rig accidents, chemical exposures in the laboratory/construction sites) because of the inadequate hazard controls.
- ▶ Oil spills and emissions, which cause environmental degradation and aggravate the health risks of the community.
- ▶ The lack of awareness and enforcement in non-oil areas (e.g., healthcare, education) where PPE discomfort, work pressure and poor monitoring still exist.
- ▶ Differential compliance: Multinational companies with a worldwide focus usually show increased compliance because of international attention, whereas other companies and government entities perform lower (Umeokafor, 2018; Anam, 2025).

These differences underscore the necessity of an implementation policy comparison of the public and the private sector to determine gaps in implementation, structural forces and channels of improvement. Sustainable development in Rivers State requires proper HSE compliance: it will lower the cost of accidents to the economy (excluding the projections of billions of compensation and other losses through downtimes), will safeguard the vulnerable workers/communities, will support SDGs in Nigeria (Goals 3, 8, 12), and will align with the theme of host community wellbeing and environmental cleanup found in the PIA 2021. This article is a policy analysis of the HSE compliance of the public and the private organizations in Rivers State. It analyzes the policy framework nationally/regionally, reality of implementation, structural difference amongst the sectors, challenges underlying (e.g., lapses in enforcement, scarcity of resources, regulatory capture), and offers a reform based on evidence. The analysis is based on the analysis of secondary sources (academic research, official reports, and regulations) to offer a desk-based review that is appropriate in policy advocacy.

Objectives:

- a) Identify primary HSE policies and their relevance to Rivers State.
- b) Access the level of HSE compliance and practice in public and private organizations.
- c) Identify institutional, economic, and cultural challenges to effective HSE implementation.

### **1. Policy and Legal Framework**

The policy and legal framework of occupational health, safety and environmental in Nigeria is anchored on the 1999 Constitution (as amended) of the country which under Section 17(3)(c) states that the state should provide that the health, safety and welfare of all persons who are in employment is protected and not compromised or abused (Federal Republic of Nigeria, 1999). This constitutional requirement is achieved by both employing national policies, statutes, sector regulation and institutional arrangements. The framework is applicable to both the public and the private organisations, but the implementation process and the compliance facts of the two sectors vary greatly especially in the high-risk states such as Rivers State. The national policy

that covers the matter generally is the National Policy on Occupational Safety and Health (revised 2020). As a continuation of the 2006 policy, this policy offers a broad-based system of work-related accident, injury, disease, and environmental protection measures in all sectors even in the formal and informal fields of work. It focuses on the tripartite cooperation (government, employers, and workers), risk evaluation, supply of personal protective equipment (PPE), training, and constant advancement in accordance with the ILO (Federal Republic of Nigeria, 2020; ILO, 2016). The policy has clearly addressed the various economic practices within Rivers State, such as oil and gas, as well as constructions, health and manufacturing.

The important laws in favor of the policy are:

- a) Factories Act, Cap F1 LFN 2004 - controls the registration of factories, general health and safety (ventilation, lighting, sanitation, fire prevention), and machinery safety as well as welfare facilities.
- b) Employees Compensation Act 2010 - it provides a compensation fund (Nigeria social insurance trust fund (NSITF)) on work related injuries, disabilities and fatalities applicable to both the public and the private workers.
- c) NESREA Act 2007 and subsidiary regulations NESREA agency implements the environmental standards beyond the oil and gas industry. The applicable laws to Rivers State are the National Environmental (Construction Sector) Regulations 2011 and National Environmental (Energy Sector) regulations 2014 that require environmental impact assessment, waste management, and pollution control (NESREA, 2007, 2011, 2014). One of the significant reforms is the Petroleum Industry Act (PIA) 2021 in the petroleum industry that is prevalent in Rivers State. The Act also has the creation of the Nigerian Upstream Petroleum Regulatory Commission (NUPRC) and the Nigerian Midstream and Downstream Petroleum Regulatory Authority (NMDPRA) that will have the mandate to set, monitor and enforce standards in HSE such as the eradication of gas flaring, environmental management plans, decommissioning funds, and host community development trusts (Federal Republic of Nigeria, 2021). Common health, safety, and environment provisions on all petroleum operations are included in Part VII of the PIA, and failure to comply with these provisions subjects one to penalties. The roles of the institutions are as follows:

▶ Federal Ministry of Labor and Employment ( Occupational Safety and Health Department): Manages the general policy coordination, inspection of factories, and other similar functions.

▶ NESREA: Manages environmental operations in the non-oil sectors.

▶ NUPRC / NMDPRA: It oversees the regulation of petroleum activities in the sector.

The following institutions are important at the state level:

▶ Rivers State Ministry of Environment: This is the body that is involved in monitoring and regulation of the environment in the state.

► Rivers State Ministry of Health: It is concerned with the state level of monitoring public health and compliance with the health regulations. The same national legislations apply to public organisations (state ministries, universities, teaching hospitals, and parastatals) but they are usually restricted by further civil services regulations and budget limitations that restrict HSE investment. The laws equally apply to the private organisations (multinational oil companies, construction firms, manufacturers) who are also affected by the international standards, including ISO 45001 and corporate group policies. Practically, the indigenous, private firms and government bodies are often less compliant, which can be explained by the lack of resources and weaker control in Rivers State and the global reputational risks and internal control systems of private multinationals (Ironi & Asogwa, 2023; Oyiborhoro et al., 2023; Akpobire et al., 2025). Although there is a strong legal framework on paper, there are still a number of structural weak points. General environmental standards are mostly outside the scope of NESREA enforcement (with a few exceptions for the oil and gas industry), posing a regulatory void that the industry is almost entirely self-regulating and controlled by NUPRC. The enforcement capacity is also low in all agencies because of insufficient funding, inefficient number of inspectors and overlapping mandates. The issues that are River state exclusive are that the high-hazard activities are concentrated in only the Niger Delta, historical conflicts between communities, and the presence of influential non-state actors that in some cases lead to regulatory capture or selective enforcement (Ebikake-Nwanyanwu, 2025; Attih et al., 2022). It is based on this policy and legal architecture that the following comparative analysis were anchored upon with specific focus on the implications of these provisions to practice in both the public and the private organisations in Rivers State and location of the critical gaps of implementation that erode effective HSE compliance.

### **3. Analytical Framework**

To conduct a systematic discussion of HSE compliance in both the public and private organisations in Rivers State, the health policy triangle (HPT) by Walt and Gilson (1994) is used as the main analyzing instrument in this paper. The HPT, initially intended to be used in developing countries on health sector reform, has been extensively implemented in other areas of the population, including occupational safety and health (OSH), environmental regulation, and workplace regulation in low- and middle-income countries (O'Brien et al., 2020; Zahidie et al., 2023). What makes it so strong is that it goes beyond the analysis of the policy content to question the complex interaction among four interrelated factors: context, content, process and actors. This renders it especially well adapted to a comparative public-private study within a high- risk, resource-limited setting such as Rivers State in which national HSE policy engages with sector-specific realities, factors of the political economy, and gaps in implementation.

Context dimension refers to the larger political, economic, social, cultural and institutional context in which policy is developed and enforced. Here is the oil-dependent economy of the Niger Delta, historical environmentally degradation by the oil activities, unemployment rates, the dynamics of hostility of people towards the communities, and the presence of strong

multinational companies and weaker institutions of the state (Ebikake-Nwanyanwu, 2025; Attih et al., 2022). Compliance incentives are varied between sectors due to economic pressures (cost-cutting in private firms) and bureaucratic inertia (in the public organisations).

The content dimension is concerned with the content of the policies themselves, their aims, tools and the design characteristics. These cover National Policy on Occupational Safety and Health (2020), Factories Act (2004), Employees Contemplation Act (2010), NESREA regulations, overall the Petroleum Industry Act (2021). The analysis will assess the suitability of these provisions to meet the unique risks of Rivers State (e.g., oil spills, construction hazards, healthcare exposures) as well as the suitability of these provisions in distinguishing or accommodating the capacities of the public and private sector.

Process dimension looks at the way the policies are made, shared, put to practice, monitored, and appraised. In the Nigerian case, it frequently shows the top-down creation with a low number of stakeholders, the lack of a proper enforcement mechanism, duplication of responsibilities between federal and state agencies, and the lack of feedback loops (Ironi and Asogwa, 2023; Oyiborhoro et al., 2023). Budgetary cycles and bureaucracy of the civil service often cause delays in public organisations whereas deliberate compliance with international standards may be among the methods employed by a private firm to comply or face penalties.

The actors dimension brings out the roles, interests, power, and relationship of the involved individuals and institutions. The important actors in Rivers state are:

In addition to the aforementioned regulators, the environment and health ministries in Rivers State are also regulators (NESREA, NUPRC, NMDPRA, Rivers State Ministries of Environment and Health).

- ▶ Employers (multinational oil companies, local, private companies, public parastatals, universities, hospitals)
- ▶ Workers and trade unions
- ▶ Civil society organisations and host communities.
- ▶ International organizations (International Labor Organization, International Organization Standards or ISO certification organizations)

The contrast between the role of the government and the enterprise is also dramatic here: the political and economic power of private multinationals can be substantial here (regulatory capture risks), whereas the government agencies are limited by the lack of funds and political connections (Akpobire et al., 2025).

In an effort to further elaborate on the HPT and implement the analysis gaps, this paper also utilizes the aspects of implementation theory, specifically the ambiguity-conflict model developed by Matland (1995). This can be used to understand why there can be very uneven effects of national HSE policy: when there is a lot of policy ambiguity and a lot of conflict

(e.g. between profit motives and safety standards in the private sector, or resource shortage in the public sector), the result of policy will be symbolic but not substantive compliance.

#### **4. HSE Compliance in Government Organizations in Rivers State.**

The types of public organizations present in Rivers state include state civil service ministries, parastatals, public universities (University of Port Harcourt and Rivers State University), teaching hospitals (especially the University of Port Harcourt Teaching Hospital -UPTH), primary care centres in each of the local government areas, and local government secretariats. These institutions have thousands of employees who work in administrative, academic, healthcare, and technical posts and are subject to the entire range of national HSE policies that are defined in Section 2. Nevertheless, the levels of compliance are usually low and uneven, which are disclosed by the existing empirical research and official evaluation.

Applying the Policy Triangle by Walt and Gilson, the situation within the public sector can be described as the constant underfunding, bureaucratic stagnation, and the clash of political interests. The oil revenue volatility and high recurrent expenditure put under strict budgetary constrained conditions on Rivers State public organisations. This leads to slow acquisition of PPE, unequal protection training, and old-fashioned infrastructure (e.g., poor ventilation of the laboratory and inadequate sanitation of offices and clinics). The socio-political environment of the Niger Delta (such as unrest within the community and degraded environment legacy) additionally distracts the administrative focus on ordinary HSE issues (Irondi & Asogwa, 2023; Ebikake-Nwanyanwu, 2025).

Regarding content, national policies like the National Occupational Safety and Health Policy (2020) and the Factories Act are applied uniformly, although they are seldom tailored to the risks of a particular employee who works in public (e.g. chemical exposures in university laboratories, biological hazards in teaching hospitals, ergonomic problems among administrative workers). The vast majority of institutions do not have their institution-specific HSE policies or standard operating procedures.

The implementation process is poor. Risk assessment is performed unsystematically, incidents reporting is not being fully used as there is a fear of victimisation and monitoring by internal HSE committees or external controls (Federal Ministry of Labour inspectors or Rivers State Ministry of Environment) is rarely done. Whenever they are carried out, the training programmes are usually one-time and theoretical as opposed to practical and continuous (Irondi and Asogwa, 2023).

The actors dimension unveils very great power imbalances. Trade unions are present but they are usually political affiliated and hardly set the HSE issues as a priority. The culture of safety management in the system of public institutions is more of a cost centre, not an investment, and the frontline workers (lecturers, laboratory technologists, nurses, administrative staff) have little voice or bargaining power. The responsibility of regulatory bodies is plagued by lack of personnel and logistical problems resulting in reactive, as opposed to proactive enforcement.

These gaps are confirmed by empirical evidence. A survey of public universities in Rivers State by Irondi and Asogwa (2023) revealed significant difficulties in the implementation of the National OSH Policy such as unease with the provided PPE, selling or misuse of PPE by staff, too much workload, a lack of sanitary facilities, and ineffective supervision by the corresponding agencies. The type of ownership (federal vs state universities) played a great role in the intensity of these challenges. The pattern is also observed in the sphere of public medical care: research on UPTH and primary health centres in Etche LGA show that standard precautions are not followed, PPE are not used consistently, and healthcare personnel does not understand occupational hazards (Unkwo et al., 2024; Erowo-Obed-Ojukwu et al., 2024).

Bad performance on HSE is also seen in the public construction and maintenance works (roads, school buildings, government offices) and there are frequent reports of unguarded plant, the absence of safety signs and minimal supervision of the contractors. All in all, there is a high level of compliance that is symbolic on paper policies but below what the law requires in real-life practice. This has put workers at the risk of avoidable injuries, occupational illnesses, and environmental hazards and compromised service delivery in the education, health, and government.

To conclude, the systemic resource limitations, weak institutional processes, and disengagement of actors influence the HSE compliance of the public organizations in the Rivers State state. These facts are in stark contrast to the private sector (which is analyzed in the following section) where corporate resources and external forces tend to generate greater formal compliance, but with limit of their own.

### **5. HSE Compliance in Private Organizations in Rivers State**

The state of Rivers is controlled by the high-risk economic environment by the private organizations, and it is mainly upstream and midstream oil and gas operations, construction, manufacturing, and healthcare in the private setting. Key participants comprise multinationals ( Shell Petroleum Development Company, total energies, Exxon Mobil, Chevron), and domestic/ private companies ( Seplat Energy, Aradel Holdings, Niger Delta Petroleum Resources, construction and engineering companies). Such organizations have the same national HSE legal framework as their public counterparts (Section 2) however generally have greater heights of formality compliance owing to financial capacity, international best practice exposure and because of international reputational and regulatory pressure.

With the Policy Triangle developed by Walt and Gilson, the situation facing private organizations is that of a high commercial interest, supply-chain scrutiny at the global level, and the unstable Niger Delta socio-political context. International investors, stock exchange, and home-country regulations (e.g., HSE reporting requirements of the EU and the USA) actively pressure the private firms to ensure their high HSE performance. Yet, it is within the same context that counter-pressures emerge, namely, cost-cutting in an industry where rivalry

is a matter-of-course, dependence on subcontractors, and community historical tensions regarding environmental harm and benefit-sharing (Josiah et al., 2022; Thomas, 2024).

Regarding content, the private organizations fit very well with not only the national legislation (PIA 2021, NESREA regulations) but also the international standards, including ISO 45001 (Occupational Health and Safety Management Systems) and IPIECA guidelines. Most multinationals have extensive corporate policies on HSE that are above minimum legal standards, such as state of the art risk management procedures, real-time monitoring and zero-harm objectives. Native domestic firms are increasingly using such structures, but usually at a less developed stage (Nene et al., 2024).

The private sector is characterized by a stronger process of implementation. Internal audits, behavioural safety programmes, tools of identifying hazards (e.g., job safety analysis, permit-to-work systems), and lifelong training are commonplace. Multinationals and larger indigenous operators regularly receive impressive safety statistics: e.g. Aradel Holdings has 10 million lost-time injury (LTI)-free man-hours of its activities as of December 2025, and Seplat Energy has done major flaring-reduction projects throughout 20242025 (Aradel Holdings, 2025; Seplat Energy, 2025). Technology (drones, AI-powered surveillance) and specific HSE departments with certified specialists are the investments made by private companies as well.

The actors dimension depicts the major power benefits of private organizations. The multinationals also have a significant economic and political power, which allows them to bargain with the regulators and occasionally, play selective compliance or regulatory arbitrage. They also have a good relationship with the international certification bodies and apply down pressure on the subcontractors to comply with HSE standards. Nevertheless, this asymmetry in power may cause loopholes: subcontractors and smaller indigenous contractors often have poorer adherence, which causes accidents and environmental accidents to be blamed on a third party (Thomas, 2024; Oyiborhoro et al., 2023).

It has been empirically discovered that there is a strong pyramid of compliance in the private sector. Local private organizations, as well as, the public are always in the losing position with the multinationals. Recent research in the Niger Delta shows that organizational variables like management commitment, safety leadership and resource availability have strong predictive power on an increased level of safety performance in multinational oil and gas firms than native firms (Nene et al., 2024; Okezie et al., 2023). The construction sub-sector has the highest proportion of hazard control and the use of PPEs by the private firms compared to the public projects, but human-factor factors (fatigue, bad supervision) and the pressure of the cost still produce the incidents (Thomas, 2024).

In spite of these strengths, there are still major gaps. According to Josiah et al. (2022), multinational oil companies in Rivers State engage in frequent policy breaches and environmental harm, such as the delay in responding to oil spills and poor community cleanup. Non-compliance by contractors, under-reporting of near-misses and regular regulatory capture

are still issues, especially among smaller private operators. Profit motives also contribute to inconsistency in following the standards of infection control and waste management in the context of private healthcare facilities (Erowo-Obed-Ojukwu et al., 2024).

Overall, the evidence presented in this paper shows that formal HSE compliance is significantly higher in the case of private organizations in Rivers State as opposed to the international standards, resource availability, and reputational risks. Nevertheless, non-compliance is still found to be unequal in firm size, sub-contracting chains and operating versus reporting standards. These facts precondition the comparative analysis in the next section, questioning themselves the issue of the existence of the public-private compliance gap and what it tells about the overall failure in policy implementation in Rivers State.

## **6. Comparative Analysis: Gaps, Challenges, and Drivers.**

The use of the Policy Triangle by Walt and Gilson (1994) on the evidence as is in Section 4 and 5 above shows clearly that there are stark differences in HSE compliance between the public and the private organisations in Rivers State. Although both industries have the same national legal framework (National OSH Policy 2020, Factories Act 2004, PIA 2021, NESREA regulations), their consequences vary greatly, and there is a visible hierarchy of compliance as multinational private industry actors are even more successful than local private industry actors, who are even more successful than state institutions. This section summarises the comparative gaps, challenges underlying and key drivers.

**Context** The larger operating environment in Rivers State is in favour of the private organisations. The global capital, international reputational risks, and home-country sustainability requirements help Multinationals to invest heavily in HSE despite the volatile situation in the Niger Delta. Conversely, the public organisations are subjected to endemic fiscal strain, oil-dependent budget, and bureaucratic stasis, and added by warring political agendas and historical erosion of the environment due to decades of petroleum operations (Ebikake-Nwanyanwu, 2025; Irondi & Asogwa, 2023). This contextual asymmetry implies that the private firms are able to consider HSE as a strategic investment whereby the public entities frequently consider it as unnecessary spending.

Formatting of the Policy design is more or less standardized, but the private organizations enhance and surpass the minimum standards by corporate HSE manuals, ISO 45001 certification, and IPIECA guidelines. Public organisations seldom work out institution-specific policies or risk-register in relation to their specific hazards (laboratory chemicals in university, biological risks in teaching hospitals). The provisions of the National OSH Policy and PIA are neither operationalised nor practical in the government (Irondi and Asogwa, 2023).

The most gap is observed in Process Implementation processes. Regular auditing, behavioural safety programmes, permit to work systems and real time monitoring are practiced by private multinationals, which record remarkable injury free lost time records (e.g., Aradel Holdings and Seplat energy reports, 2025). There is a low frequency of risk assessment and ineffective

incident reporting (because of fear of victimisation) and haphazard training by public institutions. Both industries have lackluster enforcement that is weak, whereas private businesses do so more efficiently due to the internal accountability systems, with the government enforcing it through under-resourced external inspections (Thomas, 2024; House of Representatives, 2024).

Power dynamics are favoured by the private sector very much by the actors. MNCs have a high level of influence on regulators (regulatory capture risks), have robust internal HSE departments, and may apply pressure on subcontractors. The political patronage, lack of funds, and the insufficient bargaining power impose limitations on the activities of the public sector actors, including the management, unions, and workers. The civil society and host communities have pressure on the private oil companies (in the form of litigation and protests) than the public institutions, which makes the private sector more accountable externally (Josiah et al., 2022).

### **Key Gaps**

a) **Resource and Capacity Inequality:** Private organizations usually invest in superior personal protective equipment (PPE), new technology, and qualified HSE workers. Conversely, government facilities usually do not have the necessary PPE, operational safety gear, and well-training personnel (Irondi & Asogwa, 2023).

b) **Symbolic and Substantive Compliance-** Public institutions usually have the HSE policies pinned on notice boards and do not apply them in their routine activities. By contrast, the larger multinational corporations operating privately are more notable in compliance, even though they are often sabotaged by subcontractors.

c) **Enforcement and Accountability Gaps** — Regulatory authorities are more willing to exercise less vigilant probing on public organizations since there is a tendency of the government inspecting government, though on the other hand, there is local and international regulatory checking and balancing on the individual companies.

d) **Subcontractor Cascade Effect** - In the case of lower-level contractors, the risk is handed over by the higher-level contractors, and this results in compliance leakage, which is less severe in a government setting.

### **Underlying Challenges**

Government agencies also have serious funding limitations and budgetary pressures, and have historically underinvested in health, safety, and environmental (HSE) compliance. Conversely, the HSE activities of private companies usually have a certain budget, which guarantees more focused investments in safety and compliance.

Regulatory fragmentation and inability to enforce is another significant challenge. The overlapping of the mandate of different agencies, including NESREA, NUPRC, and state

ministries, as well as the few number of inspectors in both the government and non-government are both contributing factors to poor implementation of the HSE regulations.

The political economy and regulatory capture is also one of the causes of the enforcement gap. In other instances, interests of influential people in the private sector make an important impact on the implementation process. At the same time, the influence of politics in the public institutions will be an impediment to their decision-making process and will prevent them taking impartial decisions on matters of safety and take effective measures to tackle HSE.

Lastly, the two sectors have challenges which are influenced by human and cultural factors. Low safety culture is common and is aggravated by fatigue and cost pressures in the public and the private organizations. But in the case of the public institutions, it is even greater because motivation is low and powerful leadership commitment does not exist, which only adds to the problem (Thomas, 2024; Nene et al., 2024).

### **Motives to Differential Compliance**

The three key motivators of the differences in compliance include access to resources, external accountability, and structure of incentives. Profit protection, reputational risks, and compliance with international standards, including ISO 45001, are some of the reasons why private multinational firms are motivated. Institutions of the state, in contrast, do not have such incentives, and are guided by civil-service systems which emphasis expenditure regulation rather than safety investments. Community pressure and international attention in the case of the Niger Delta region of Rivers state increase the performance of the private sector even higher, whereas the public organization is fairly isolated against such pressure. In summary, the problem of the public-private compliance gap in Rivers State is not something technical only, but rather structural and politically-economic in nature. To close this gap, it is necessary to discuss the particular issues of the public institutions, reinforce the implementation processes, and address the systemic factors, which lead to the unequal compliance. The next section gives specific policy suggestions that can help address these gaps.

### **7. Policy Recommendations**

As the comparative analysis in Section 6 shows, the gaps in HSE compliance in Rivers State are structural, political-economic, and entrenched in unique contexts, capacities, and incentives of both the public and the private organizations. Based on the Policy Triangle framework and the drivers defining Walt and Gilson, the specific actionable recommendations listed below are offered on the basis of four main pillars: reinforcement of policy content, enhancement of the practices of policy implementation, re-balancing the incentives of actors, and overcoming contextual limitations. These are specific recommendations that are customized to the challenges in the Nigerian and Rivers State situation and are ranked in terms of their feasibility. The policy content should be strengthened by creating effective policies that guarantee that every individual in DHS is educated about these essentials (DHS, 2010). Based on the findings from the study, the following recommendations are made:

### **1. Develop Sector Specific HSE Guidelines.**

Federal Ministry of Labour and Employment with NESREA and NUPRC must formulate and enforce obligatory and sector specific HSE standards of the government institutions in Rivers State that encompass universities, teaching hospitals and local government such as local government institutions. Such guidelines ought to be on the specific risk of each industry including laboratory chemicals, biological agents, and ergonomic issues instead of being based purely on national provisions.

### **2. Reforms on National OSH Policy to Add Binding Standards.**

National Occupational Safety and health (OSH) Policy should be amended to come up with binding minimum standards such as the mandatory risk assessment, replacement of PPE, and the provision of mental health. The needs of the resources by the public and the private sectors should be well-distinguished, and both the sectors in question must comply with the applicable safety and health practices.

### **3. Introduce HSE Compliance to Public Procurement and Licensing.**

HSE performance should be incorporated into all the public contracts, and private licenses in Rivers State as an aspect of the evaluation criterion, with a minimum 30-percent compliance weight. A company that has a history of systematic violations should not be able to tender or license again and this will stimulate the maintenance of HSE standards.

### **4. Form a Joint HSE Enforcement Task Force.**

This should form a task force comprising of NESREA, NUPRC and respective state ministries. This task force is expected to undertake an unannounced inspection, release annual compliance reports as well as monitor performance in both the public and the private sectors. The task force should also use the digital platforms to improve real-time reporting and compliance.

There should be a dedicated HSE Development Fund that would be financed by the contribution of the operating budget of oil companies of 0.5 percent and the contributions of the state government. The fund ought to pay PPE, infrastructural, building capacity on public institutions and SMEs. It must also aim at eliminating the disparity in resources between the state and non-state institutions so that every industry can acquire the necessary safety gear and education.

## **8. CONCLUSION**

This policy analysis has discussed HSE compliance in both the public and private organisations in Rivers state, Nigeria, according to the policy triangle by Walt and Gilson. The paper presents a systemic and long-standing compliance gap between the public and the private in one of the most industrially intensive and ecologically sensitive states of Nigeria. Although the sectors are regulated by the same national legal and policy framework, such as the National Occupational Safety and Health Policy (2020), Factories Act (2004), Employees'

Compensation Act (2010), NESREA regulations, and the Petroleum Industry Act (2021), the results of the implementation vary significantly. The private organisations, especially the multinational oil and gas companies and the large local companies, are characterised by significantly greater formal and substantive compliance rates due to the availability of resources, the international standards and reputational risks, as well as enhanced internal accountability procedures. Organisations of this kind, or rather those that are publicly based, show a much more symbolic compliance with limited underfunding, poor institutional processes, bureaucratic sluggishness, and minimal actor involvement (Ironi & Asogwa, 2023; Thomas, 2024; Ebikake-Nwanyanwu, 2025).

This analysis has indicated that the existence of such disparities cannot be simply seen as a failure of technical or administrative policies but rather these disparities have their foundation in the greater political-economic environment of the Niger Delta. Global capital flows, technological advantages and external pressure give advantages to the private multinationals, which works to benefit the investment of safety as opposed to the public institutions which are hampered by fiscal volatility, political patronage and other competing priorities. Fragmentation of regulations, inadequate enforcement capability, and regulatory capture, among others, further widen the divide, as preventable work-related injuries, work-related illnesses, environmental accidents, and health hazards to communities continue to occur (Josiah et al., 2022; Nene et al., 2024).

The paper contributes to the literature on policy in three significant ways. First, it offers one of the few systematic comparative studies on HSE compliance with a narrowed down concentration on Rivers State to go beyond generalised national studies to point out sector specific dynamics within a high-risk environment of the Niger Delta. Second, it provides a subtle understanding of why effective national policies still yield disproportionate results using the Policy Triangle by Walt and Gilson and the aspects of the implementation theory. Third, it produces useful, differentiated recommendations that deal with the special limitations of the public sector but make use of the strengths and mechanisms of accountability already existing in the private sector.

These results have more implications on workplace safety. Constant HSE non-conformity impedes the realization of the Sustainable Development Goals by Nigeria, especially SDG 3 (Good Health and Well-being), SDG 8 (Decent Work and Economic Growth) and SDG 12 (Responsible Consumption and Production). It also continues to perpetuate environmental injustice in the host communities, undermine public trust in both government and industry as well as cost a lot of financial resources in terms of lost productivity, compensation claims and remediation expenses in Rivers State.

Sealing the gap between the public and private compliance of the HSE in Rivers State is not just a regulatory requirement, but a developmental need. The proposals made in Section 7 - a special state HSE enforcement task force, a Rivers state HSE Development Fund, performance-based incentives, digital reporting and legislative harmonisation provide a valid

future roadmap. Implementing them will need authentic political commitment, long-term three-way partnership, and the engagement of host societies and the civil society.

Finally, a change in HSE compliance in Rivers State should go beyond a paper-based policy and performance audits to be integrated into organisational culture and practice both in the public and the private sector. It is only at this point that the state will be able to realize its massive economic potential and concurrently safeguard the health, safety, and dignity of its workforce and integrity of its environment. This policy analysis offers the diagnostic background and the roadmap that must be taken in order to realise that transformation.

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