

**Uganda Hotels, Food, Tourism, Supermarkets
& Allied Workers' Union
(HTS-Union)**

Union **Leaders' Guide**



3rd Edition



Mondiaal FNV

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FOR LOCAL RELATIONS, HTS-UNION WORKS WITH THE FOLLOWING ORGANISATIONS



Ministry of Gender, Labour and Social Development- as the supervisor to Labour Unions The Government line Ministries, including Ministry of Tourism Wild Life and Antiquities, and Ministry of Trade, Industry and cooperatives, among others.



National Organisation of Trade Unions (NOTU)
www.notu.org.ug



Federation of Uganda Employers (FUE)
www.employers.co.ug



Uganda Wildlife Authority (UWA)
www.ugandawildlife.org



Uganda Hotel Owners Association (UHOA)
www.ugandahotels.co.ug



The Union is also a life member with the, Uganda Red Cross Society (URCS)
www.redcrossug.org

FOR INTERNATIONAL SOLIDARITY, HTS-UNION IS AFFILIATED TO THE FOLLOWING GLOBAL UNION FEDERATIONS.



International Union of Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Worker's Association (IUF)
www.iuf.org



Union Network International (UNI)
www.uniglobalunion.org



IndustriALL Global Union
<http://www.industriall-union.org>

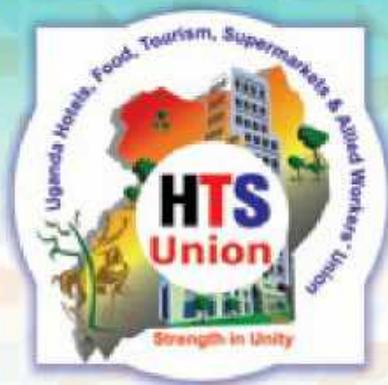


International Domestic Worker's Federation (IDWF)



HTS-Union also collaborates and networks with the, FNV - MONDIAAL





**Uganda Hotels, Food, Tourism,
Supermarkets & Allied Workers' Union
HTS-Union**

Union Leaders Guide

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FOREWORD

This book is Written to provide vital information on workplace issues, industrial relations and social dialogue among others to union leaders as a way to deliver for decent work in Uganda.

The development of every economy lies in the hands of the workers who immensely and directly contribute to the Gross Domestic Product (GDP). The attention given to labour matters determines the rate of the said development.



HTS-Union acknowledges and appreciates the participation of the Ministry of Gender, Labour and Social Development and other line Ministries, Employers Organisations, NOTU, and all Labour Unions in Uganda and actors who in one way or the other contribute to the reduction of workers' rights violations which is indeed a hindrance to development.

This Leaders Guide is intended to build the capacity of union leaders so as to promote sustainable action aimed at improving productivity of workers and the organizations using freedom of association for effective representation and collective bargaining through social dialogue.

It is also critical that industrial relations' matters are given the befitting attention by the tripartite partners at the work place for purposes of improving efficiency and effectiveness of the workers for better service delivery.

While it is not possible to mention every individual who played a role in the production process of the "Labour Union Leaders Guide", I wish to most sincerely register my acknowledgement to the following:.

High regards and recognition is here registered towards the National Executive Council for the general guidance they continue to render the union in its operations and administration.

Special thanks to HTS-Union Secretariat members for their devotion to the plight of workers and the inputs towards the development of this book.

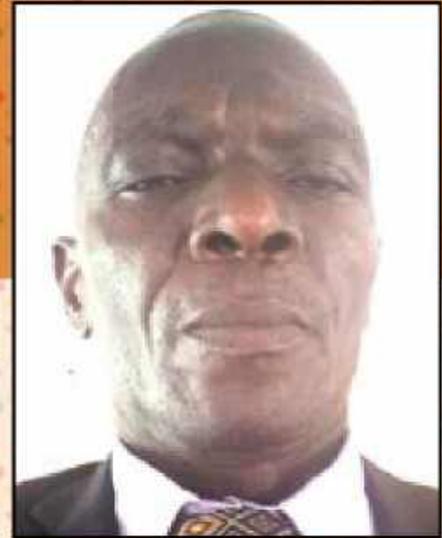
Special gratitude is directed to the technical working team headed by The General Secretary (author of this book) assisted by Kasobya Paul as the Layout Designer and Sabiti Elijah for editing this book.

I extend my sincere gratitude to our development partners for the cooperation and support that you have and continue to render the union both financial and otherwise.

A handwritten signature in blue ink, appearing to read 'Mauku R. Moses', with a stylized flourish at the end.

Mauku R. Moses
GENERAL SECRETARY

MESSAGE FROM THE NATIONAL CHAIRMAN



HTS-Union has a representative and competent leadership team at the national level, that should cascade downward among the shop stewards hence the strong call upon the branch leaders to read and put in practice the good information this book provides. I implore leaders to be democratic, transparent and cooperate with managers to foster improved productivity at work places.

Remember that labour is the most important factor of production (How to be an even better manager, Armstrong 1990). The tripartite partners; Government, Employers and the Workers need one another because none of them can do without the other and each ones' efforts and services complement each others interests directly.

The message in this book is to deliver leaders and the rank & file members from the bondage of fear and learn to do the right things at the right time.

Leaders should remember to do their obligations then demand for their rights at workplace as enshrined in the national constitution. Serve with utmost commitment, voluntarism, dedication and diligent.

Solidarity forever.

A handwritten signature in blue ink, appearing to read 'Muzaale Patrick'.

Muzaale Patrick
NATIONAL CHAIRMAN

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HTS-Union Profile

1. General/Preliminary Information

(a) Definitions:

Trade/Labour Union

A labour union is a workers **Representative, voluntary, continuous, permanent, independent and democratic** organisation **formed, run, managed and financed** by the workers themselves for the purpose of **advancing, advocating promoting, protecting and defending** their **social-economic interests** at work through **collective bargaining**.

2. Background & Brief history of Trade/Labour Unions

a. Background

Uganda Hotels, Food, Tourism, Supermarkets & Allied Workers' Union (**HTS-Union**) was formed in 1957 and first registered in 1959 as a Trade Union No.2 under its first name "Uganda Hotels and Domestic Workers' Union" It later changed to Uganda Hotels, Food & Allied Workers' Union (UHFAWU) in 1967. In 2004, the Union improved its name to Uganda Hotels, Food, Tourism & Allied Workers' Union (UHFTAWU) that evolved into its current name as Uganda Hotels, Food, Tourism, Supermarkets & Allied Workers' Union (**HTS-Union**).

The Union in the 1970s was affiliated to NOTU by the then Trade Union Decree until 2003 when it joined some other Unions that formed COFTU and continued as an affiliate until 2011 when for genuine reasons decided to de-affiliate its membership from COFTU along with (UTGLAWU) Textiles Union. From 2011 to the beginning of 2017, **HTS-Union** operated as an independent union not locally affiliated but internationally affiliated to the following Global Trade Union Federations i.e. IUF, UNI, IndusriALL and IDWF. End of 2016 into 2017, **HTS-Union** influenced and participated in the process to cause unity amongst all labour unions in Uganda, a process that led to 15 unions to affiliate to NOTU.

The Union was formed for the main purpose of **advancing, advocating, promoting, protecting and defending** the social-economic interests of the workers in the sector of its jurisdiction. To date **HTS-Union** continues to organise and represent workers in Uganda in accordance with the Labour Unions Act Cap 228 and its own Constitution.

Before COVID19, **HTS-Union** was one of the three biggest Unions in Uganda with over fifty (50) thousand members across the country which number

reduced to 24,800 members as a result of the effects of the pandemic. The Union membership is drawn from a wide range of jurisdiction that include; Hotels, Resorts, Lodges, Motels, Inns, Guests Houses, Restaurants, Bars, Pubs, Members Clubs, Health Clubs, Cafes, Bakeries, Confectionaries, Supermarkets, Supply Chain, Food Processing Plants, Meat Packers, National Parks, Conservation Areas, Sanctuaries, Tour Companies, Golf Courses, Immigrant Workers, Migrant Workers, Janitorial Firms and Domestic Workers for representation.

b. History of Trade/Labour Unions

Unions were first introduced between 1831 and 1833 by six brothers (Farm workers) in the Tolpado village in the Southern England as a result of the gross discontent of the servants/workers with the way their masters/employers were treating them at work let alone the very low pay. The six were arrested and imprisoned in 1834 but this did not stop the Trade Union Movement and Solidarity to continue till now.

Trade unionists suffered a great deal to grow in different countries where many of them lost their dear lives in the process of fighting for workers' rights.

The relationship between the employers and workers before 1831 was Master for employers and Servants for the workers as employment then had the characteristics of slavery, everything at workplace was by and for the Master and no say by the servants.

Trade unions were at first misconstrued by the masters/employers to mean a movement where the savants/workers wanted to acquire power over them and this brought a lot of brutality by the masters/employers to try and suppress the so called savants/workers that time.

The workers move to secure their rights was not stoppable and had to continue after the employers/masters realised that they were the one losing more on their business objective and had to succumb to the workers' demands for their rights at work which were thereafter recognised and legitimised by both employers and governments.

After many things evolving between Governments, Employers and Workers they all realised that they need each other in development of economies and agreed to officially regulate their relations as tripartite partners in development. To this end, the International Labour Organisation was started in 1919 that forms one of the three arms of the United Nations.

1st May was one of the days when workers/trade unionists in struggle for their rights, were killed in the biggest numbers hence making it the

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International Labour Day in commemoration of those who died for that noble cause of toiling to earn a living as they contribute towards the development of their respective States.

In Uganda, trade/labour unions started way back in 1937 during the construction of the railway line under the East African Cooperation. They were introduced by the Kenyan workers who had already acquired trade union experience from their country.

HTS-Union was consequently started in 1957 in Lake Victoria Hotel Entebbe and first registered in 1959 as Trade Union No. 2. under its first name as Uganda Hotels and Domestic Workers' Union which has been changing over the time to the current name that fairly covers our jurisdiction.

3. Vision and Mission



VISION

All men, Women and Youth employed under HTS-Union jurisdiction in Uganda working under Decent Work environment.



MISSION

To fully organise and represent workers employed under HTS-Union jurisdiction to have their social-economic rights and interests well-articulated, advanced, advocated, promoted, protected and defended by the Union in accordance to the existing legal framework.

4. Mandate of Labour Unions in Uganda

Uganda Hotels, Food, Tourism, Supermarket & Allied Workers' Union (HTS-Union) like any other Labour Union, exists by Articles 29 1. (e) and 40 3. (a), (b), (c) and (d) of the Constitution of the republic of Uganda, 1995 as amended 2005 and operates and functions by the Labour Unions Act Cap 228 among other relevant Labour Laws of Uganda.

Function and Purpose for which Unions do exist;

To Advance, Advocate, Promote, Protect and Defend workers' social-economic interests at work through representation and Collective Bargaining.

Trade Unions are duty bound; To ensure job security, better terms and conditions of employment for good/harmonious industrial relations and improved productivity through social dialogue as a way to realize decent work for men and women in the union jurisdiction.

5. Union Membership

HTS-Union draws its membership from but not limited to; Hotels, Resorts, Lodges, Motels, Inns, Guests Houses, Restaurants, Bars, Pubs, Members Clubs, Health Clubs, Cafes, Bakeries, Confectionaries, Supermarkets, Food Processing Plants, Meat Packers, National Parks, Conservation Areas, Sanctuaries, Tour Companies, Golf Courses, Recreation Areas and Domestic Workers for representation. Ref: Sec. 5 of the Union Constitution. The Union had organised and representing over 50,000 members in Uganda before COVID19 whose effects reduced our numbers to nearly 28,000 members but again on the rise and recovering now standing at about 31,000 members.

Membership eligibility

All those people engaged in work or service within the above described employment sectors and/or subsectors are free to join the union in accordance to the Constitution of Uganda Article 40 1. a), b, and c; and the Labour Unions Act Cap 228, Sec 2, 3, 4, & 5 and the Labour Unions Check-off Regulations, 2011.

How to join HTS-Union as a member

It is important that you join the union when you start working

- You can ask the shops steward (union leader) at your workplace to help you join the union
 - You can call the HTS-Union Education, Organising and Grievance Handling department on **+256 414 272 903/+256 700 107 722**
 - You can request for the Membership Application/Declaration from our **Email: info@hts-union.org, Website: www.hts-union.org**
- Once a member, always a member;**

However, one may cease to be a union member upon the following circumstances.

- Death of a member
- Resignation from employment
- Termination/Dismissal from employment or any other form of formal cessation of employment
- Suspension/dismissal from the union
- Members' failure to subscribe to the union for four consecutive months

6. Summary of Union Objectives

Aims and Objectives

The Union was formed for the following aims and objectives:

- a) To regulate wages and other work terms of conditions of employment.
- b) To regulate the relations and settle disputes amongst parties at workplace.
- c) To provide for the members any benefits as the organs of the Union may from time to time determine.
- d) To promote social economic interests and educational programmes of the members.
- e) To promote and encourage establishment and involvement of workers in Savings and credit cooperative societies.
- f) To promote, aid and encourage viable economic projects to improve and strengthen the Union financial base.
- g) To establish and maintain and mobilize funds through lawful means to the Union.
- h) To seek and obtain legal advice and any other assistance on matters of union interest, protection and promotion of workers rights and interests.
- i) To co-operate with other organizations on matters of common interest.
- j) To acquire property or asset and manage the same in the best interest of the union.
- k) To pursue any other objectives which a labour Union may legally perform in furtherance of the interest of the labour movement.

7. Key strategic areas/Objectives



Basics of Trade/Labour Unions



WORKERS' RIGHTS & LIBERTY to

freedom of association

Constitution of Uganda
Articles
2(1&2), 20(1&2)

INCLUDING THE FOLLOWING RIGHTS

Right to social security

No Discrimination of workers for thier political affiliation, gender, race, creed or religion.

Freedom to Form or Join a Trade Union of your choice

Regulated Occupational Safety and Health conditions at work

Payable annual, sick, maternity, paternity & compassionate leave

Right to authorised working hours and public holidays

Constitution of Uganda
Articles 29 1 e &
40 3 a, b, c

Existence and functionality of Trade/labour Unions

Trade/Labour unions are legitimate workers' organisations that exist by Articles 29 1.(e) and 40 3.(a), (b), (c) and (d) of the Constitution of the Republic of Uganda, 1995 as amended 2005. Trade Unions operate and function by the Labour Unions Act Cap 228 and also provided as one of the implementation agencies of all other relevant Labour Laws of the land.

The existence of Labour or Trade Unions are a creation of International Standards Vide ILO Conventions, Protocols, Recommendations and Declarations among other instruments.

Pillars of Trade Unions

Effective and viable Trade Unionism is built and revolves around the following Pillars.

- 1) **Awareness**
- 2) **Commitment**
- 3) **Participation**

All union leaders and workers themselves should understand that they should be knowledgeable, appreciate and own trade unions as true union members.

Principles of Trade Unionism

For efficiency and effectiveness, Trade Unionism stands, and operate on the following principles;

- 1) **Representation**
- 2) **Voluntarism**
- 3) **Continuity**
- 4) **Independence**
- 5) **Democracy and Transparency**

Every union leader and or member need to know and appreciate the principles of trade unions world over so as to appreciate its purpose, functionality and importance to people and economies at large.

Roles and function of a Labour Union

Unions derive their functionality and roles from the legal framework of any given country which are derivatives of the international labour standards, hence the National Constitution, the Labour Unions Act Cap 228 in Uganda and the Union Constitution.

- To represent workers in their respective scope in all work related issues and interests.
- To organise workers into union membership for effective representation.
- To collectively bargain/negotiate with employers the terms and conditions of work for the employees.
- To engage in social dialogue with the social partners in the interest of workers
- To educate/sensitize workers on their obligations, roles/responsibilities and rights at work.
- To ensure creation and maintenance of an enabling and safe working environment.
- To participate in local and international decision making processes with effect to work, employment, labour standards and legislation.



Queen Elizabeth Conservation Area/Mweya Safari Lodge leaders' training

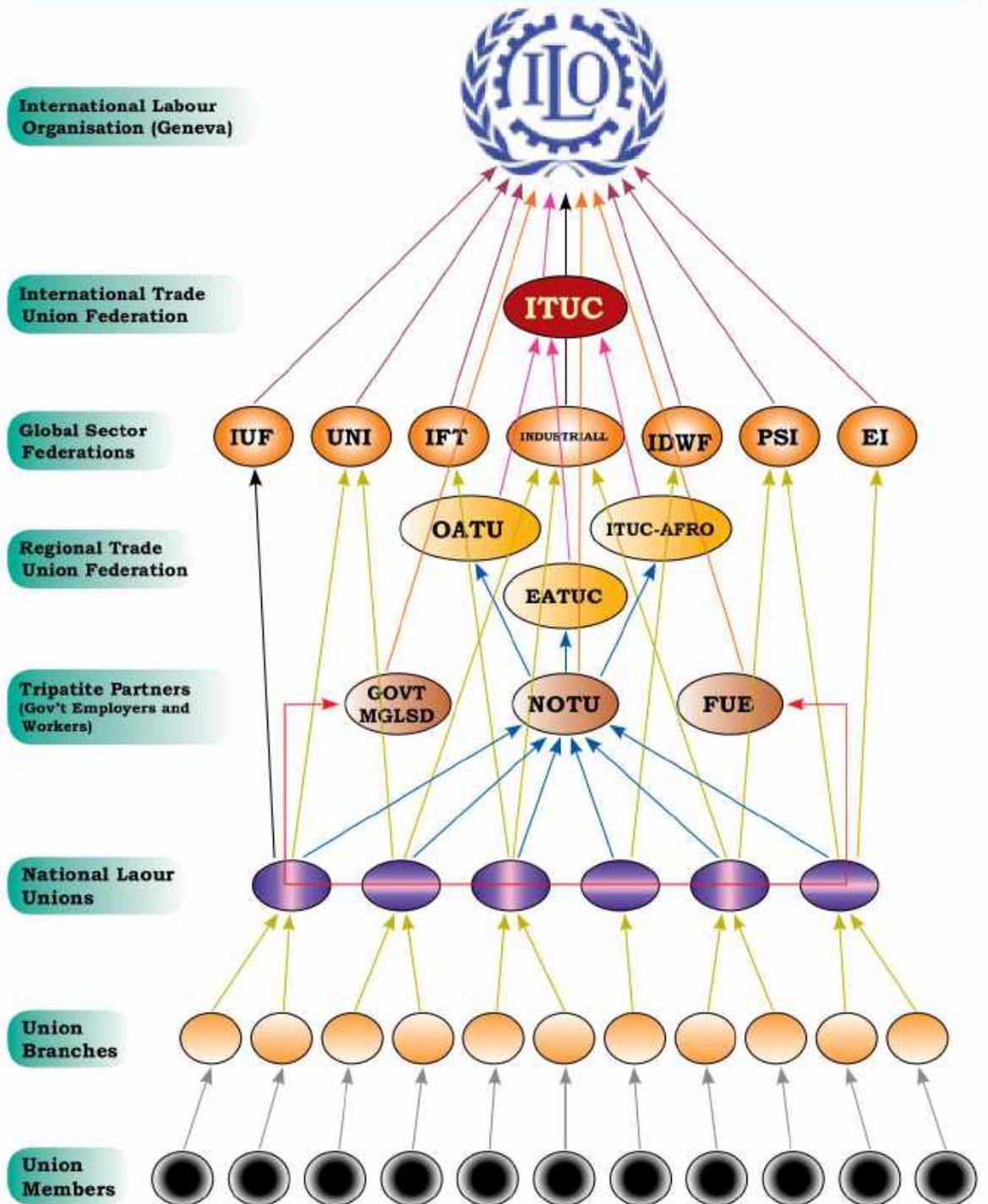
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Trade Union Structure and the line interlinkages

Trade Union local and international interlinkages; this shows how an individual union member is represented from a union branch up to ILO

Structure here below

Structural linkages and relationship of Workers and their Organisations, Employers and Governments (Local and International)





Uganda Hotels, Food, Tourism, Supermarkets & Allied Workers' Union
(HTS-Union)
NATIONAL EXECUTIVE COUNCIL MEMBERS - 2022



Muzinda Patrick
National Chairman



Mwaala Richard Moses
General Secretary



Sobiti Elijah
General Treasurer



Muhanguzi Alex
Vice National Chairman



Mbatika Carol
Deputy General Secretary



Chanda Christine
Deputy General Treasurer



Balala John Whyte
Director Planning & Operations



Agodi Jane
Chairperson Women Committee



Nalima Luka
Chairperson Youth Committee



Obato David
Deputy Director for Organising, Training & GH



Namaganda Assumpta
Deputy Director of Gender / SIGs



Nanguna Rosemary
Secretary Women Committee



Adong Immaculate
Secretary Youth Committee



Ajma Wilton
Council Member



Turyasingura Mirah
Council Member



Ssegwa Simon
Council Member



Ssemukama Ronald
Council Member



Kabakaba Daphine
Council Member



Lugolobi Geoffrey
Council Member



Bwanya Martin
Council Member



Jaisim Yvonne
Council Member



Soekatawa Julius
Council Member



Lopyo John
Council Member



Mwaneci Dawson
Council Member



Tabah Bunhan
Council Member



MUGARARA



Mugume William
Council Member



Nambuya Aasha
Council Member



Owallo Kenneth
Council Member



Ejobi Joseph
Council Member



HOMA

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About Union Leaders/Shop steward

1. Who is a Shop steward (Branch/shop union leader)

- ✓ He/she is a worker's representative/leader elected by the union members from among themselves to represent them on all matters of social economic interests at workplace.
- ✓ He/she is the Union leader in close contact with the employers and employees for the smooth running of the organisation in terms of industrial relations.
- ✓ It is important for a Shop steward to recognise and work with management and all members and mind the social – economic interests of both the company and the union members/workers at workplace.
- ✓ The usual positions of shop stewards at branch level include the Chief Shop steward/Branch chairman; Branch Secretary; Branch Treasurer and Women workers Representative, OSH & Youth Representatives.

2. Attributes and Qualities of a Shop steward

- ✓ Leaders should know and respect their union leadership structures.
- ✓ Leaders should know and respect the company's business interests, in house rules, CBA the law and their managers.
- ✓ Leaders should lead as examples to others and completely avoid mistakes that can lead them into facing disciplinary committees.
- ✓ Un-questionable integrity.
- ✓ High sense of responsibility.
- ✓ Sense of direction, think right before you act.
- ✓ One who makes the right, timely and informed decisions and judgements of situations as they occur.
- ✓ One who knows how to shift blame by referring matters or reporting in time.
- ✓ Calm leader – ready to listen then respond.
- ✓ Tolerant and patient.
- ✓ Willing to sacrifice/voluntarism spirit.
- ✓ One who consults for guidance and hence good management of situations.
- ✓ Good communicator who reasons and wins arguments.
- ✓ Resilient and consistent.
- ✓ Social and unifying in society.
- ✓ One who does not fear (not timid) especially when doing the right thing.

- ✓ Analytical and capable of making timely and right decisions.
- ✓ Trustworthy and does not make empty promises to members.
- ✓ One who relates well with his fellow workers.
- ✓ "Ideal Face" the three faces of a union leader; simple, moderate and tough.
- ✓ One who creates hope for those who he/she leads.

3. Roles of a Shop steward

- Representation of the members interests at work.
- Link the rank and file members to the management to bridge the gap between the two parties.
- Effectively communicate, vertically and horizontally between the management and the rank and file members with feedback.
- Handling grievances at a work place.
- Advise and counsel workers on matters that can affect ones performance at work.
- Advise management on matters that may or have caused discontent of the workers for harmonious solution finding.
- Knowing the process of negotiating the general terms and conditions of employment with management.
- To read and understand the Collective Agreements and the relevant labour laws so as to interpret and apply them accordingly.
- Keep record of all grievances and other issues of the union, members and management concern.
- Plan for training and social – economic aspects of the members.
- Get involved in the decision making processes of the organisation.
- To conduct him/herself in an extemporary manner that brings about respect and confidence by either party.

4. Roles of other Union Leaders

At national level, union leadership positions are described in the Union Constitution to include the following:- the General Secretary, is the CEO of the Union; the National Chairman; the General Treasurer with their respective deputies, the Chairperson Women Committee, Directors, Secretary for Youth; Sector Secretaries for different Sectors among others as provided for in the Union Secretariat Organogram.

5. Common Problems/challenges shop stewards face at workplace

- ✓ Too many expectations by members in the short run
- ✓ Too much pressure from members on what they expect
- ✓ Misconception of the unions' role by management
- ✓ Rigid and uncompromising managers who do not want to listen even to reason.

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- ✓ Managers who fall in love with junior staff and/or sexually harass workers
- ✓ Discrimination amongst the workers by management
- ✓ Lack of cooperation amongst the leaders, members and the management staff
- ✓ Weak membership; a few members who are not bothered by what happens
- ✓ Free riders and saboteurs to the union
- ✓ Uncompromising and rigid members who only enjoy criticising the union and the leaders thereof
- ✓ Lack of self-confidence by the workers and the leaders
- ✓ Lack of inter personal skills by the managers, leaders and the workers
- ✓ Lack of supportive staff/union members
- ✓ Hatred of some leaders from management
- ✓ Training inadequacies for the leaders and the members
- ✓ Intrigue, sabotage and lack of teamwork amongst the leaders and/or the members
- ✓ Rumours from the cheap populists for their selfish gains from managers

6. Solutions to some of the problems/challenges

- Education and training of leaders in leadership skills
- Education and training of the rank and file members in various disciplines
- One should have a plan e.g. emergency, urgent and important
- Cooperation with management and appreciating issues and situations
- Social dialogue ranging from meetings with both members, leaders and management.
- Mutual respect for each other at all times and in all aspects of social dialogue
- Exposing the rumour mongers after talking to them on the same
- Arrange meetings with both managers and the workers on confidence building
- Getting involved in the decision making processes and making the right decisions that are commensurate with the situations.
- Arrange sensitisation/awareness raising meetings with both managers and the workers on various aspects in Industrial Relations involving the union head office.

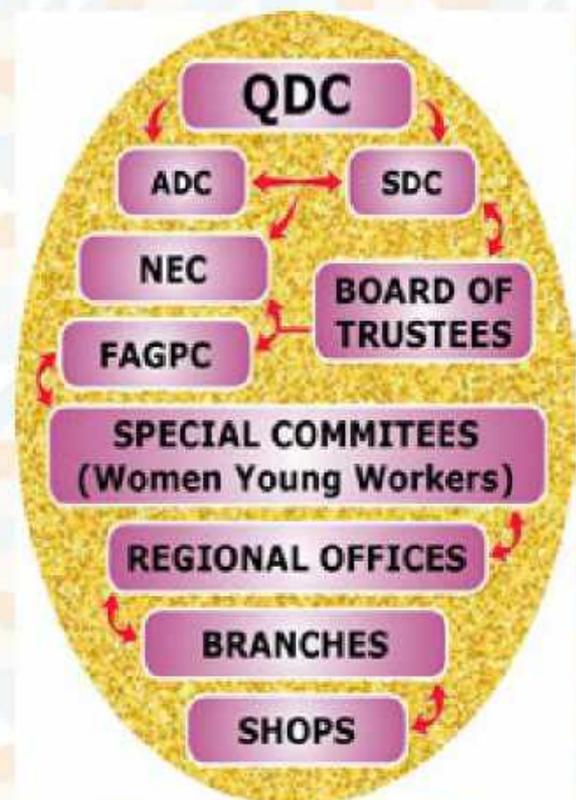
Key Information Union Leaders/ Shop stewards Must Know & Appreciate

1. About your Union and the National Centre/Federation

A leader should know, understand and appreciate issues about the following:-

a) Your Union and National centre

- ✓ Shop stewards should know the name, location, structures and the roles of the Union and National Centre that the Union affiliates to. **The Uganda Hotels, Food, Tourism, Supermarkets & Allied Workers Union (HTS-Union) is the union Head office located in Plot 477, Ssekabaka Kintu Road, Lubaga.** You may visit the office for more details.
- ✓ The Centre/Federation to which HTS-Union affiliate is "National Organisation of Trade Unions (NOTU)," located in Kyaliwajala, Kampala.
- ✓ The structure, function and roles of the Union and the National Centre can be found in their respective literature, Constitutions and the Labour Unions Act Cap 228 Sec. 23.



b) Union members (fellow workers)

- ✓ Union Leaders should know the following traits, concerns and issues about their members/workers:- mentalities, work performances, home problems, attitude & character etc. This gives you an indepth insight of their interests hence putting you in a better situation to prevent and handle their grievances and problems.

c) Management

- ✓ Leaders should know and cooperate with their employer's representatives and advise them as the workers representatives on matters concerning the agreements between union and employers. Management and workers should have mutual respect for each other

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so that good and peaceful industrial relations are maintained for improved productivity in the organisation.

d) Company's in-house Rules and Regulations/Human Resource Manuals

- ✓ These are internal operational guidelines set by management to workers concerning the procedures for their day to day duties at work place.
- ✓ Such guidelines should be consistent with the Collective Agreements between the union and the management (RA/CBA) and the law.
- ✓ They should be maintained by the company and hanged on the notice board for workers and a personal copy be given to each staff for the smooth operations and industrial relations of the organisation.

e) Collective Agreements (RA & CBA)

These are substantive, legally binding documents between the union and management; whose provisions, every leader should be well acquainted with. They are very important agreements which detail workers' terms and conditions of service hence, your daily working tool and guide.

f) Occupational Safety and Health

Whereas it is the employers' responsibility to provide safe and health work environment, the union leaders and the workers also have an obligation to look after themselves by knowing the occupational hazards both real and potential ones, report them in time including the accidents that occur.



g) Labour Laws

There are a number of laws governing the relationship between workers and employers from which we derive our rights and obligations at workplace. The most important of Acts are listed here below for your ease of reference:-

- The Employment Act Cap. 226
- The Labour Unions Act Cap. 228
- The Occupational Safety and Health Act Cap. 231
- The Labour Disputes/Arbitration and Settlement Act Cap. 227
- The Public Service (Negotiating, Consultative and Dispute Settlement Machinery) Act Cap. 93



- The Minimum Wages Advisory Boards and Wages Councils Act, Cap. 229
- The National Social Security Act Cap. 230
- The Workers Compensations Act Cap. 233
- The Pensions Act Cap. 89
- The Equal Opportunities Commission Act Cap. 7
- The Minimum Wages Act (Pending)

As a leader one should know the basic contents of labour Laws as above so that you give relevant legal references to the cases or situations as they arise.

h) Rights, Obligations of the workers and the employers

Both employers and workers have rights and obligations at work which are regulated by law. These are derived from the following instruments which both parties at the workplace need to be familiar with.

- company's in-house rules and regulations;
- Collective Agreements between the Union and the Company(s) or his representative;
- The Labour Laws as listed herein above;
- The National Constitution and;
- The International Labour Standards, Conventions, especially those ratified by Uganda.

i) We learn as long as we live

Never assume that you are fully trained, always be prepared to learn from others, books and work experience. It has been said that the best qualities inherent in a Shop steward are not discovered in books, but flow from the experience gained by him/herself while in service.

However: Do not let your knowledge make you big headed.

Don't boast, abuse or embarrass those who know less than you think you know, not the employer or his representative, the satisfaction of employer and employees of your services will make you an achiever.

Everyone at the workplace irrespective of the position should respect his/herself, his/her subordinates, peers and superiors at all times.

2. Why members subscribe to the Union

- To comply with the Labour Unions Act Cap 228 and the Employment Act Cap 2006 as a legitimate union member.
- For effective representation at all decision making levels locally and internationally i.e. The Tripartite Arrangement by ILO only recognises organised workers under the trade unions as social partners, even locally all forms of representation of the workers is by unionised workers.

Union Leaders Guide

(MPs for workers, NSSF Board, Industrial Court, Labour Advisory Board, Medical Health Board among many others).

- To facilitate the running, management and sustenance of the union activities
- Belonging; Members contribute 2% to the union which in turn pays back 5% to the branch/shop for branch operations. The Head office contributes monthly affiliation to the National Centre/Federation.
- The Head office contributes to Global Federations to which HTS-Union affiliated i.e. IUF, UNI, WTFU, IndustriALL and International Domestic Workers Federation in our case which in turn contributes to ILO.
- National Centre contributes to EATUC, OATU and International Trade Union Congress (ITUC) which links us to the International Labour Organisation (ILO) directly.
- Unity and solidarity for more effective cohesion, collaboration coordination and networking both locally and internationally among the workers' fraternity.

3. Trade Union Finances Application/Management

- ✓ HTS-Union funds are utilized in accordance to the Unions' Constitution Articles, 13, 14, 15, 16 and 17. These Articles are consistent with the relevant provisions of the Labour Unions Act Cap. 228 Sections 45–52.
- ✓ The union has developed a Financial and accounting policy that guides the management of the Union finances/resources.
- ✓ The Union also operates under a renewable 5 year Strategic Plan that best guides the management and allocation of its financial resources
- ✓ For further protection, Union finances are annually audited by external auditors appointed by the Minister responsible for labour in consultation with the Auditor General of government.
- ✓ Annual returns in form of audited reports and operational reports of the Union are filed with the Registrar of Labour Unions.

4. The Labour Union (Check-off) Regulation, 2011

- ✓ This refers to the Union dues which a union member is required to subscribe to the union on a monthly basis under normal circumstances
- ✓ Union Dues is one of the statutory deductions on a payroll and is collected in accordance with the union constitution and the law thus Sec. 48 of the Employment Act .Cap, 226 and the Labour Union Check-off Regulation, 2011 herein.

(Under section 57 of the Labour Unions Act Cap 228)

PART II-LABOUR UNIONS DEDUCTIONS

Labour Union monthly check off deductions

- (1) Upon the conclusion of a Recognition Agreement between an employer and a labour Union, the employer shall make monthly deductions, from the salary or wages of every employee who is a member of that union, of a sum equal to the monthly subscription required to be paid by the employee as a member of the union.
- (2) A deduction shall not be made from the salary or wages of an employee unless he or she has signified his or her consent in writing.
- (3) The system of deduction provided in sub-regulation (1) shall be known as the check off system.
- (4) An employer who deducts money under these Regulations shall give a pay slip to every employee from whose salary or wages the deductions are made.
- (5) An employer shall, at the end of every month and not later than the third day of the month following that in which the deductions are made, pay to the labour union by cheque or electronic funds transfer (EFT) all the money he or she has deducted from the salary or wages of his or her employees by way of the check off system.
- (6) Where payments are made to a labour union under this regulation, that labour union shall, not later than the tenth day of the month, pay to the centre ten percent of the total amount received.
- (7) Where a worker is not in the labour union but benefits from the negotiations of the labour union, the worker shall pay a levy of 1% of his or her wages or salary to the Labour union.

3. Withdraw from participating in the check off system

- (1) An employee may withdraw from participating in the check off system by giving thirty (30) days' notice in writing to the Secretary General and a copy to the Labour Officer.
- (2) The Secretary General shall within thirty (30) days from receipt of the notice in writing inform the employer in writing.
- (3) An employer on receiving a notice shall stop deducting money from the employee's salary or wages.
- (4) Where an employee withdraws from participating in the check-off system, he or she shall cease to be a member of the Labour Union.

PART III-MISCELLANEOUS

4. Offences and Penalties

A person who contravenes these Regulations commits an offence and is liable on conviction to a fine not exceeding six currency points or to imprisonment not exceeding three months or both.

5. Revocation of S.I. 223-3

The Trade Unions (Check off) Regulations S.I. 223-3 are revoked.

5. Effective Communication skills required of a Shop steward and members

Meaning

“Communication” is the ability to convey information and arguments clearly, positively and logically while also prepared to listen to the other side and to respond appropriately.

Communication has three forms in common:-

- 1) Interactive skills refers to ability to convey information and arguments clearly, positively and logically while also being prepared to listen to the other side and so respond appropriately; Also refers to the capacity to relate well with other people, to be persuasive without domineering.
 - 2) Documentation skills which refers to the ability to accurately convey and/or receive written messages
 - 3) Physical communication skills (body language), this can refer to facial expressions, sign language, body gesture, eye contacts etc.
- o Good communication skill is a key and very necessary in everybody's day today's interpersonal work relations and must be emphasised amongst the workers.
 - o Communication in trade union concerns more with matters of grievance handling, dispute settlement and collective bargaining.

Reporting and feedback to reduce on complaints

- ✓ Feedback is an essential process in good communication and it involves the following aspects; building/determining feedback mechanism, providing feedback on actual events, describing and not judging situations, referring to specific behaviours, asking questions, getting people to work out things for themselves, selecting key issues, focusing on aspects of performance and showing understanding among others.
- ✓ Union leaders/elected representatives representing workers on all matters and interests at workplace, are duty bound to always keep

those they represent in the know of what is happening especially that concerns the represented and also effectively coordinate the affairs of concern between the rank and file employees, the management and the Union Head Office.

- ✓ He/she must always get the right information that he/she should share at the right time with the concerned party. For instance if as a leader, you are engaged in negotiations with management on any of the workers concerns, you should always ensure that you provide the necessary information/feedback to your members on the matter under negotiation or when handling a grievance, you must keep the employee affected informed of the position of his/her matter most of the time. This will keep the affected person hopeful and also reduce on complaints by either party.
- ✓ Union Members must note that effective communication is both bottom-top and top-bottom, hence workers should always report to their branch leaders or management what they think affects them while at work, verbally, telephone or in writing and also where necessary ask for information from the Union head office.
- ✓ Employees also have the right as well as obligation to report on all key work issues which may include but not limited to; implementation or non-implementation of the CBA or the law, sickness, accidents, indiscipline, OSH issues among others.
- ✓ Always important to keep the people informed of the progress on matters of interest and concern e.g. grievances, CBA negotiations and any ongoing activities of the union.

6. Rights and obligations at work

- ✓ Whereas we have rights at work, what brings us to work is the obligation to work then our rights follow thereafter. To this end, it is important for workers to appreciate that the most important thing for everybody to consider are the interests of the employer/Company.
- ✓ However on the other hand it is also critical for the employer to note with concern that he/she can never realise his/her business dreams or get anything done in form of production without the workers;
- ✓ Also important to note is that for us all to work, government must undertake its obligations thus the enabling environment for work

Union Leaders Guide

before its agencies can attract its rights like taxes and payments for services; electricity and water.

7. Worker's Quotes and Slogans

- ◆ Labour is the most important factor of production
- ◆ Fords' Statement; *"you can take my Capital, land and everything else but leave me with my workers, I will be Ford again"*
- ◆ Trade Unionism is all about Conviction, Commitment, Struggle and Solidarity
- ◆ On every Labour Union leader's Menu, there is always a compulsory item called "criticism" as a trained leader, you must deal with this with the right attitude and approach so as to remain relevant to those you serve.

PRODUCTIVITY NORM

You can pay me the way you want & I will work the way I want

Or

You pay me the way I want & I will work the way you want

AND

Treat me badly on the job & I will poorly perform

Or

Treat me nicely on the job & I will work efficiently

SOLIDARITY SLOGANS:

- Strength in unity;
 - United we stand, Divided we fall;
 - United we bargain, Divided we beg;
 - United we negotiate, Divided we lament;
- Together we develop, Divided we languish in poverty.
- Join and/or support HTS-Union /Labour Union Movement in Uganda now.

General Information of Key significance to Union Leaders



Workers' Right to representation

- Labour Unions Act Cap.228, Sec.2 a, b, c & d, Sec.3 a, b, c, d & e, Sec.5 a & b, Sec.23 1.d)
- Employment Act Sec. 65

Sec.2. Right of employees to organise

- a) Assist in the running of the labour union
- b) Bargain collectively through a representative of their own choosing.
- c) Engage in other lawful activities for the purposes of collective bargaining or any other mutual aid practice; and
- d) Withdraw their labour and take industrial action

Sec.3. Employer not to interfere with right of association

Sec.4. Offence on contravention of section 4

Sec.23,1.d. The Employer shall be bound to recognise a trade union for the purpose of Collective Bargaining.



1. Representation

- ✓ Representation is a God given right to human beings as it is natural in humanity, there are people who represent others at different levels and settings at all times.
- ✓ All people everywhere in every setting be it family, society and or community live under representation setting of some sort. For instance, government and the people operate through representation thus election of representatives from Local Council one to five, Parliament the President and international representatives to of the country to other countries.
- ✓ There is representation in schools where prefects are elected and churches where leaders and wardens are elected among others.
- ✓ Important to note is the fact that just like the case is for representation in all situations where people live, the workers and employers (workplace) **have special representation separate from other settings** where they live that is constitutionally and legally provided for.
- ✓ International Standards that provide for representation of workers are ILO Convention 87 and 97.
- ✓ The legal instruments that locally provide for Representation of workers include; The Constitution of the republic of Uganda, 1995 as amended 2017
- ✓ Employment Act Cap, 226, Labour Unions Act Cap 228, and All other Labour Laws of Uganda



Hotels/Tourism tripartite stakeholders training workshop in Hioma



The core of worker's representation include the following:-

- Workers' participation in decision making processes at all levels thus, the law and policy making both local and international.
- Collective Bargaining for workers to continuously improve working terms and conditions of employment, safety and health and workers' benefits.
- Ensuring job protection for employees.
- Disciplinary procedures being followed adequately when dispensing off workers grievances, offenses and or issues.
- Ensuring that grievance procedures are put in place and implemented effectively.
- As stakeholders, follow-up on the implementation of the legal framework on labour.

2. Leadership principles and practices

In the trade union movement, good leadership like the case is with other organisations, entails the following aspects.

Good Governance like leadership **MUST** manifest in a manner here below described if you are to effectively represent your members.

Leadership that is premised on Transparency, Accountability and Participation principles is always appreciated by those being led and breeds growth and development of the organisation.





Leadership theory

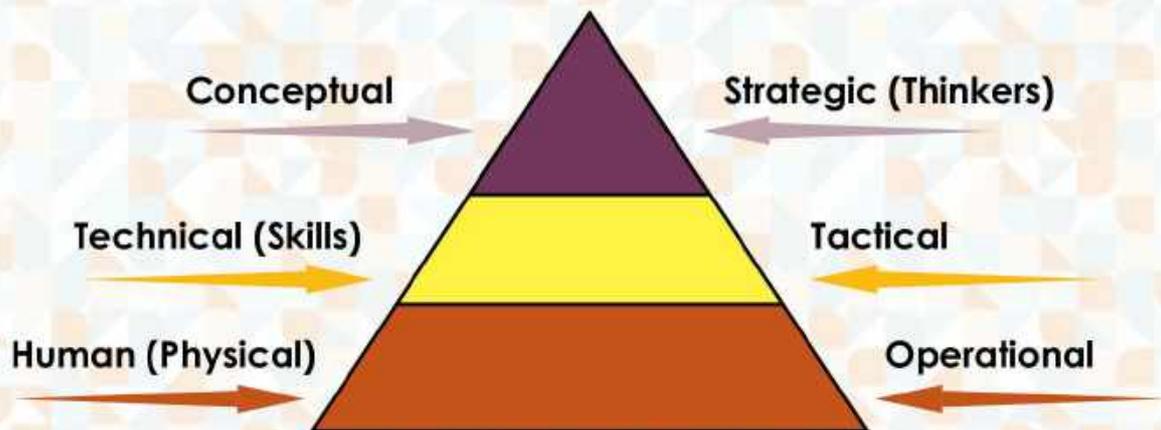
Good leadership is always premised on what other good leaders have done as we do not have to event our own wheels.

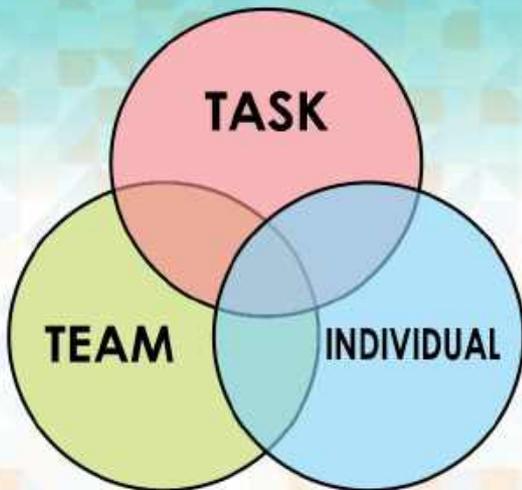
Management theory

The structure here below shows what a leader must appreciate so as to perfect in dealing with the organisational management systems both internally and externally.

Corporate governance 7 S framework

- 1) Strategy
- 2) Structure
- 3) Systems
- 4) Staff
- 5) Skills
- 6) Shared Values
- 7) Styles





Tourism Stake holders Workshop by HTS-Union & IUF at Kidepo Conservation Area

It is important and prudent for leaders to observe the following positive attributes while undertaking their mandate as representatives of workers.

- ✓ Honesty
- ✓ Self-awareness and direction
- ✓ Visionary
- ✓ Confidence
- ✓ Knowledge/social- awareness
- ✓ Intelligence
- ✓ Capability
- ✓ Fairness
- ✓ Respect
- ✓ Listening Skills
- ✓ Performance driven
- ✓ Strong Character
- ✓ Willingness/Compatibility
- ✓ Compassion
- ✓ People-oriented
- ✓ Seeks advice
- ✓ Accepts criticism
- ✓ Adaptive to change
- ✓ Ability to motivate
- ✓ Creates hope in situations



National Executive Council Sitting in Kampala

Union Leaders Guide

Leaders should avoid the following negative attributes whilst in the exigency of their work as representatives

- ✓ Ignorance
- ✓ Dishonesty
- ✓ Arrogance
- ✓ Selfishness/personal interest
- ✓ Conspiracy
- ✓ Rudeness
- ✓ Bossy
- ✓ Lying
- ✓ Stupidity
- ✓ Rules driven
- ✓ Aggression
- ✓ Dogmatic
- ✓ Indecisiveness
- ✓ Bullying
- ✓ Unwillingness
- ✓ Controlling

3. Industrial Relations (Tripartite Representation in the world of work)

i) Definition of Industrial Relations:

Refers to a science of how to best manage, handle and or deal with the interests of the "Tripartite Partners" & other stakeholders of any given company or organisation to normally perform its function and objectives.

Industrial relations is all about the interests of the government, the employer and the workers as parties that should and are present at any workplace at all times.

All tripartite partners in Industrial Relations have obligations and right which are in most cases spelt out by law.

ii) Industrial Relations/Tripartite Representation at work place

It is important for the union leaders/Shopsteward to know and appreciate the obligations and rights of each of the tripartite partners, namely Government, Employer and Workers at all times.

Government is represented through its line Ministries i.e. Ministry responsible for labour (Industrial Relations), Ministry of Finance (Revenue collection), Ministry of Local Government (Infrastructure and revenue collection) among others.

These are at the workplace environment all the time.

Employer is represented directly by the management team and/or the Federation of Uganda Employers (FUE) generally or the sector employer's associations e.g. UHOA, UBA, UMA, TEMAU, UFPEA, UPMA, etc.

Workers are represented by only one legitimate organisation, the Labour Union like HTS-Union among the 42 registered unions in Uganda.

4. Importance of a Labour Union to the tripartite partners

Tripartite Partners:

This refers to the government, employer & worker on their function, roles and relations at the workplace.

(a) Employees: -

- o Advance, Advocate, Promote, Protect and Defend workers' social – economic interests at work through representation and Collective Bargaining.
- o Promote social dialogue amongst the government, employers and the workers on all matters that in a way affects workers and ensuring job security and better terms and conditions of employment through negotiations of the collective Agreements (RAs & C.B.As)

(b) Employers:

Uganda is a law abiding state and in that regard has ratified many standards; the ILO conventions, treaties and domesticated them by enacting local legislations or laws including the labour Laws.

An employer to be considered law abiding and compliant should among other things allow workers to exercise their freedom of association by joining a labour union of their choice, right to representation and collective bargaining as stipulated under article **29(1)** and **40(3)** of the Constitution of the Republic of Uganda, 1995 as amended 2005 and Sections, 2, 3, 4, 5 and 23(1)d of the Labour Unions Act Cap 228 among other labour laws.

Labour Unions help in the following aspects at work:-

- o To build confidence and loyalty of workers in their employment hence becoming more productive.
- o Bridges the gap between the employer/managers and employees by unveiling the myth covered under the terms of employment to whose development workers do not participate.
- o Improves Industrial relations by dealing with work related issues more professionally and justly.
- o The union observes, maintains and regulates the working relationship between the employer and employees to the benefit and satisfaction of either party through social dialogue.
- o The Union negotiates and puts in place a Collective Bargaining Agreement (CBA) which then works as an agreeable management tool for the company.
- o The Union negotiates and puts in place a Disciplinary Code within the (CBA) which then works as an agreeable management tool for the company.
- o The union handles complaints/grievances and any other problems related to labour legislation, bargaining agreements, terms and conditions of service, established practices etc. hence improving employee's discipline.
- o The Union improves productivity through training, confidence building,

loyalty and involvement in the organisations' decision making processes.

- o The negotiated terms and conditions of service by the Union acts as a motivation and makes employees feel that they are part and parcel of the organisation.
- o Union trains its members in various disciplines; Leadership skills, Communication skills, Health and safety, Grievance handling, HIV/AIDS, other Global issues etc. which in turn improves the core competences of the workers to serve the employers better.
- o This training enhances the workers' efficiency, output, effectiveness and competences hence his/her productivity.
- o Union links its members to the rest of the organised workers in the world through representation at different levels.
- o Union representation in Disciplinary Committee hearings leads to avoidance of doubt in the dispensation of cases and also reduces on litigation in situations of employee discontention with disciplinary decisions by management.

(c) Government: -

- o Compliancy with the international labour required standards; the ILO Conventions 87 and 98 among others.
- o The tripartite arrangement under the ILO can only be constituted when the workers are allowed to be organised under labour unions in any one commonwealth member state through localisation of the said standards into local laws.
- o Contribution to the economic development of an economy in form of GDP attributed to collective bargaining that improves productivity and incomes of the workers hence improving the tax base and in addition, the international donations/grants to the labour unions. Contribution to the decision-making processes at different levels as stakeholders including national planning, legislation formulation and reforms among others.

NOTE: All the tripartite partners, the Government. Employers and the Workers need one another because not one of them can do without the other and each ones' efforts and services complement each other's' interests directly. **"Remember that labour is the most important factor of production"** never should one treat labour as a commodity in the production process.



Safety & Health

at Work is a Right

House Keepers do Strenuous Work

Hence the need to;

- Use Protective gears.
- Apply Preventive methods & Protective skills at Work.
- Apply Proper OSH measures during Work.
- Protect House Keepers against **SEXUAL HARASSMENT.**
- Reduce on their Retirement Age in the Law.



5. OSH policy, Responsibilities of the key stake holders (Government, Employers & Workers).

OSH Policy Objectives

Manage OSH hazardous situations to control subsequent implications at work.

Train employees and managers on all matters of OSH.

Heighten participation of workers in OSH issues at work.

Put in place OSH Committees at workplaces.

Promote formation of company based OSH policies.



**Uganda Hotels, Food, Tourism, Supermarkets
& Allied Workers' Union
(HTS-Union)**

HTS-Union OCCUPATION SAFETY & HEALTH POLICY STATEMENT

HTS-Union OSH policy is purposed to ensure that all workers conditions of employment are secure, safe, healthy and in tandem with the legal framework of Uganda as a way to ensuring realization of the Decent Work Agenda.

Recognizing that effective safety and health management is key priority at work, HTS-Union commits to spearhead efforts to continuously control industrial injuries, accidents, diseases, death and OSH hazards at work including; physical, chemical, ergonomics, radiation, psychological, biological and other OSH risks as a way to promote safe and healthy working environment.

The Union pledges to provide effective leadership, representation, guidance and information on OSH matters in all forms, at all times and levels.



Mauku R. Moses
GENERAL SECRETARY

OSH Policy Statement

OSH Responsibilities at workplace by different stakeholders

Workers' Responsibilities

- ✓ Take care of their own selves
- ✓ Report dangerous situations to immediate supervisors
- ✓ Workers' right to move away from dangerous situation
- ✓ Ensure workers not to be penalised for complying with the OSH Act Cap. 231
- ✓ Avoid reckless or intentional interference with safety measures

Union Responsibilities

- ✓ To work closely with the OSH Department of the Ministry for Labour
- ✓ To ensure the formation and supervision of Safety committees in all workplaces
- ✓ Provide a platform for employees participation and involvement in safety, healthy and occupational practices at work
- ✓ Sensitisation/ raise awareness of workers on OSH issues
- ✓ Ensure adequate implementation of the relevant legal instruments on OSH
- ✓ Provide leadership and support to the victims of OSH through the processes that may be involved.

Employers Responsibilities

- ✓ Provide a safe working environment
- ✓ Safe systems of/at work
- ✓ Plant and substances in safe condition
- ✓ Facilities for the welfare of all workers
- ✓ Any information, instruction, training and supervision needed to make sure that all workers are safe from injury and risks to their health
- ✓ Employer to provide protective gears
- ✓ Employer to consult with workers' organisations

Government Responsibilities

- ✓ Enact and where necessary review the OSH law (OSH Act)
- ✓ Administration & enforcement of the Act
- ✓ Appointment of inspectors
- ✓ Administration of the OSH Act Cap. 231
- ✓ Establishment of the Occupational Safety and Health Board
- ✓ Advisory panels & terms of reference
- ✓ Provide for the best regulations for the government inspectors to undertake their correct mandate on OSH

How to Implement the OSH Policy

- ✓ Awareness raising on OSH issues to stakeholders at workplaces
- ✓ Formation and monitoring of Branch/shops OSH Committees.
- ✓ Cause establishment of company based OSH policies
- ✓ Put OSH policies to adequate implementation
- ✓ Committees to always advise management and the Union on the arising issues on OSH at workplace
- ✓ OSH Committees to make and share periodic reports with the concerned parties.

6 Industrial Accidents, Diseases and Compensation

a) Legal framework

The Workers Compensation Act Cap. 233, the law that provides for all issues concerning the safety and health of workers in the work environment.

These issues include but not limited to the following:- life Insurance for workers; Industrial Accidents/injuries at work; procedures of handling OSH aspects; Treatment of workers under OSH situations, prevention of OSH accidents; treatment of OSH Hazards at work; responsibilities of the different actors at workplace thus Government, Employers and Labour Unions/workers.

b) What is an industrial accident/injury

The Workers Compensation Act Cap 233 defines an Industrial accident to cover for any accident that an employee meets one hour before the time of reporting on duty but while travelling to the place of work; the time the employee is on duty and one hour after signing off from duty but while travelling to his/her home. (Section 3, 4, 5)

c) What is industrial disease

The law defines an Industrial Disease as an ailment an employee suffers as a result of performing his/her duties assigned to him/her by the company. (Section 27)

d) Life insurance for workers (Sec. 18)

The Law provides that an employer is under obligation to insure all his/her employees for life with a registered Insurance company which then takes care of the expenses and compensations for workers who sustain injuries resulting from Industrial Accidents including the costs of medication for the affected employees of the company. (Section 18)

e) How do you report an industrial accident (procedures Sec. 3, 9 & 10)

- ✓ Report to management and the Union branch leaders immediately
- ✓ The Management or the Union leaders must report the accident to police immediately
- ✓ Management must report the accident to the District labour Office within fourteen days

- ✓ The victim should undergo treatment until he/she recovers at the company's cost
 - ✓ After the victim has recovered, he/she must be assessed by a medical doctor from a Government recognized hospital to award the degree of loss or incapacity the accident caused to the victim so as to be compensated adequately
 - ✓ During these processes, the management and the Union branch leaders should continuously help the victim.
- f) *Medical examination and treatment for workers of industrial accidents/injuries (Section 11)*
- ✓ Treatment of workers who get industrial accidents and are injured is the responsibility of the employer who then may recover his/her cost of treatment of the injured employee from the Insurance Company which covers the workers.
 - ✓ If for any genuine reason the victim pays for treatment, he/she should secure receipts so as to claim that money from the company.
- g) *Assessment/determination of claims of industrial accidents (Sec. 13 &14)*
- ✓ Assessment is done by a medical doctor from a recognized government hospital to ascertain the degree of loss or incapacitation that the accident may have caused the worker/victim so that the victim is adequately paid in compensation for what he/she has lost on his/her life.
- h) *Compensation for industrial accidents/injuries (Sec. 3, 4, 5 & 27)*
- ✓ Compensation for industrial accidents is only done by a qualified medical doctor from a recognized government hospital or one appointed or accredited by government for that purpose.
 - ✓ Compensation for industrial accidents is only done for genuine accidents and not intentional or forced accidents
 - ✓ Not every accident is compensated as compensation is for the loss one sustains from the industrial accident met.
 - ✓ They only compensate qualifying accidents not every accident hence for the workers to be careful at work and undertake their roles in OSH issues.



Climate Change and Just Transition

CLIMATE CHANGE refers to long-term shifts in temperatures and weather patterns. These shifts may be natural, but since the 1800s, human activities have been the main driver of climate change, primarily due to burning of fossil fuels (like coal, oil and gas), which produces heat-trapping gases.

JUST TRANSITION is broadly defined as ensuring that no one is left behind or pushed behind in the transition to low carbon and environmentally sustainable economies and societies so as to enable more ambitious climate action that provide the impetus to attain the sustainable development goals.

Climate change and just transition is a workplace issue and it's denoted as MDG no. 13

Goal 13: Climate Action

The change in climate and its social and economic consequences has necessitated the the urgent need for a shift to low carbon societies.

This requires massive change in how economies and industries are organised and operate.

Thus, national Just Transition Plans are needed to appropriately reorient workers in high-emission industries and provide appropriate adaptation measures to workers impacted by climate change.

Goal 16: Just and Inclusive Societies

Inclusive and just societies cannot be realized in the absence of functional social dialogue institutions.

- Social dialogue promotes consensus among social partners on socio-economic policies.
- Through the promotion of Freedom of Association & Collective Bargaining, Fighting against injustices in all forms trade unions fight for inclusive and just societies.

Policies towards a just transition for all

- Macro-economic policies towards full employment and greening sectors and economies. Investments. Employment creation in all supply chain in 8 key sectors.
- Industrial and sectoral policies based in social dialogue and collective bargaining. Push for formalization.
- Fiscal policies, public procurement. Regulatory framework. SMES special attention.
- Skill and occupational training (142 convention).

Effects of Climate Change on Employment

- Extreme weather events such as floods, droughts, wildfires and hurricanes will damage business assets, transport routes and industrial and agricultural infrastructure.
- Work productivity slows down once temperatures go very high or very low.
- Climate crisis affects the workers' health in terms of respiratory illnesses, heat-related ill-health, physical and mental health impacts.

Freedom of Association and the Right to Organising and Recruitment Legal framework;

Organising and recruitment of union members is legally provided for both locally and internationally;

1. International standards on freedom of association

ILO Convention No. 87, 1948 is the international standard that provides for freedom of association and protection of the right to organise, for all working people in the World and Convention No. 98, 1949 guarantees the right to organise and Collective Bargaining for workers by Trade Unions.

These Conventions and others were ratified by Uganda and are already domesticated as laws.



2. Local legal framework on Freedom of Association and the right to organise

In Uganda, Organising and Recruitment of workers into Union membership is legally provided for under the legal framework here below;

Articles 29(i)(c) and 40(3) (a) (b) and (C) of the Constitution of the Republic of Uganda, 1995 as amended 2005 and the Labour Unions Act Cap 228, Sections, 3 (a) (b) (c) and (d), 4(a) (b) (c) (d) and (e); 5(a) and (b), and 24 (d) among others.

All Labour Laws recognize, provide and stipulate the role and functionality of Labour Unions at workplace and outside work environment in representation of workers.

The Labour Laws in Uganda include the following:-

- ▣ The Employment Act Cap. 226
- ▣ The Labour Unions Act Cap. 228
- ▣ The Occupational Safety and Health Act Cap. 231
- ▣ The Labour Disputes/Arbitration and Settlement Act Cap. 227
- ▣ The Public Service (Negotiating, Consultative and Dispute Settlement Machinery) Act Cap. 93

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- ▣ The Minimum Wages Advisory Boards and Wages Councils Act, Cap. 229
- ▣ The National Social Security Act Cap. 230
- ▣ The Workers Compensations Act Cap. 233
- ▣ The Pensions Act Cap. 89
- ▣ The Equal Opportunities Commission Act Cap. 7

These laws are further regulated by other legal instruments i.e.

- ▣ The Regulations to the Labour Laws,
- ▣ The Employment Policy
- ▣ Tripartite Charter among others.

Workers, Union leaders and Employers/Managers need to appreciate the legal framework on freedom of association which is done through organising and recruitment of workers into the Union membership.

3. Organising and recruitment of workers into Union membership

Why organize

- To secure effective representation at work
- To create good and harmonious industrial relations at work
- To build strong membership
- To achieve recognition by management
- To make Unions financially viable
- To have an informed and enlightened membership
- To promote unity and speak with one voice

Roles of an organizer

In order for an organiser to perform his/her duties effectively She/he has to know her/his roles which are to:

- Recruit both men and women into Union
- Identify potential members
- Educate both organized and potential members
- Compile a membership list
- Recommend formation of shop/branch and National Women Committees.
- Maintain a membership register and know the exact number of women and men.

Techniques of organising

An organiser has to use techniques in order to achieve his/her goals while recruiting. Below are some of them;

- Study and understand the activities and background of none members
- Identify link person
- Sensitize link persons
- Approach potential membership and educate them about the Trade



Union movement. This can be done any point where workers can be gathered eg restuarant

- Publicize through mass media about Unions aims and achievements.
- Distribute Union literature/pamphlets Set up women recruitment committees. Avoid unnecessary confrontation and false promises to members.
- Avoid unnecessary confrontation and false promises.
- Explore existing opportunities and management weakness for example civil servants to retire at 50 years
- Use good language
- Contact other officers in case of difficulties

Hindrances in organising

In Recruiting, an organiser is bound to face problems which sometimes are:

- Anti-Union employers
- Management violation of the Recognition Agreement Union members pocketed by Management
- Poor Government policies for example lack of a minimum wages, mass retrenchment Lack of finance
- Lack of effective communication between Union branches and their headquarters Bad labour laws Poor leaders Poor Terms and conditions of service.

Conclusion

- Organisation is the life of the Unions which is built upon the commitment of membership, is therefore important that the recruitment exercise remains a continuous one. Recruiting members is not the end of the story but just part of the organisation exercise.
- The organiser must make sure that members are kept informed and involved in the Union activities. That can be achieved by holding meetings, writing leaflets, newsletters am organising social events. You have unionised the workers when you have converted them from mere recruits looking for wage increases into loyal and disciplined Union member; officers and shop stewards.
- Let us therefore organise for strength, educate for knowledge and use the combination of strength and knowledge to protect and improve the social and economic interest of union members.

Note: Both Union Leaders and Employers/Managers need to comprehend the legal framework on freedom of association which is done through organising and recruitment of workers into the Union membership.

**Industrial Relations Issues of Key
Significance to Union Leaders**



**WORKERS'
RIGHT
to
Collective
Bargaining**

&

Constitution of Uganda Article 40 1b
Employment Act Sec. 21
Labour Unions Act Sec. 23, 1.d & 23,2.

**Fair
Hearing**

Employment Act Sec. 65 &
Disciplinary Code Schedule I,,,
among other provisions in PART VII
on Discipline and Termination.



1. The Union and the workers

Well aware that the Union will effectively represent a worker by way of taking keen interest and determining the process and terms and conditions that govern the worker at the three critical aspects in employment which are the **ESE:-**

Entry (How you get the job)

Stay (How you continue in employment)

Exit (how you cease to work)

The Union is duty bound to ensure that the processes herein above are just, fair, conducive and consistent with the law to both the worker and the employer at all times through collective bargaining/social dialogue. This processes involve engaging, negotiating and signing collective Agreements, RAs and CBAs.

2. Key Aspects of Disciplinary Code

1. Important aspects of discipline and grievance handling

- Disciplinary Action should have the goal of correcting the conduct of employees and ultimately improving performance where breaches of discipline do not warrant summary dismissal/termination, informal warnings by management can suffice.
- Disciplinary rules and procedures are necessary for promoting fairness and order in the treatment of individuals and in conduct of industrial relations.
- Disciplinary rules and procedures should recognise the law and RA/CBA provisions relating to disciplinary actions hence guiding the disciplinary decision process and sanctions if need arises.

3. Key aspects of the law on Discipline

The Employment Act Cap 226 under PART VII, provides for the general procedures to be deployed while handling issues of discipline and termination of workers



Disciplinary procedures

Disciplinary penalties and procedures are provided for in PART VII of the Employment Act Cap. 226 to cover for the following aspects in employment:-

Sections; 62. Suspension. 63. Complaint by employees. 64. Termination. 64.(1b). 65. Notification and hearing before termination. 66. Probationary contracts. 67. Proof of reason for termination. 68. Summary termination. 69. Complaint to labour officer in case of summary dismissal. 70. Unfair termination. 71. Representation. 72. Criteria for unfair termination. 73. Role of workers in termination. 74. Reasons for termination or discipline. 75. Industrial action. 76. Remedies for unfair termination. 77. Compensatory order. 78. Calculation of weeks' wages. 79. Settlement of termination cases. 80. Collective termination.

Schedule One of the Employment Act Cap. 226 provide for a summary of the procedures for a lawful Disciplinary Code to handle grievances at workplace; here below indicated.

4. SCHEDULE 1 DISCIPLINARY CODE

1. Disciplinary rules

(1) All organisations set up in accordance with this Act shall have disciplinary rules, and the form and content of the rules may vary according to the size and nature of the organisation.

(2) Disciplinary rules shall be in writing and shall be expressed in a manner and a language which the employer's employees may reasonably be expected to understand.

(3) Disciplinary rules shall be non-discriminatory and applied irrespective of race, colour, sex, religion, political opinion, national extraction, nationality, social origin, marital status or affiliation or intended affiliation to a union.

(4) A disciplinary penalty shall not be imposed on account of an employee's participation or proposed participation in the activities of a union outside working hours or, with the consent of the employer, within working hours, or in the organisation or proposed organisation of a strike or other industrial action that is lawful.

(5) In cases of minor infringements of work discipline, the employer shall deal with the situation by way of informal advice and correction rather than invoking the formal procedures.

(6) Where the union is represented at the place of work by a union branch, the employer shall consult the union branch before initiating disciplinary proceedings and penalties involving dismissal against an employee who is a union member.

(7) Employers shall keep record of the nature of any offences, the consequential actions taken, the reasons for their taking action, the

lodging of an appeal, and the outcome of any such appeal, and any other further developments.

(8) Copies of disciplinary rules shall be made readily available by the employer to every employee and shall be on permanent and prominent display to all employees.

(9) Disciplinary rules shall clearly indicate— (a) the employees to whom they apply; (b) the circumstances when the rules shall apply; (c) the content of the rules, expressed clearly in a form and in a language which the employees affected may be reasonably expected to understand; and (d) the penalties for infringement of the rules and the consequences of future infringements of the rules.

(10) The employer shall inform employees of their rights when accused of any infringements and of the procedures that shall be followed in investigating and dealing with complaints.

(11) The employer shall ensure that an employee faced with disciplinary action is—

(a) fully aware of any complaints made against him or her and of the nature and consequences of any proceedings taken against him or her;

(b) Fully aware of the form the disciplinary proceedings shall take, including the possibility of appeals and the penalties for which he or she is liable if allegations are well founded;

(c) Given a reasonable length of time in which to prepare any representation which he or she may wish to make in answer to the allegations, or in explanation of his or her behaviour; and

(d) Given a reasonable opportunity to state his or her case, either personally or through a representative of his or her choice.

(12) In work places where there are a number of levels of supervisory and managerial posts, disciplinary rules shall make clear what level of management is authorised to initiate and implement any particular disciplinary action.

2. Disciplinary procedures

(1) Disciplinary procedures shall be implemented without unnecessary delay, after proper investigations have been completed.

5. Other Relevant Legal Provisions

Section 38 Repatriation

(3) Where an employee has been in employment for at least ten years he or she shall be repatriated at the expense of the employer irrespective of his or her place of recruitment.

Section 40 Entitlement to wages (6) An employee is not entitled to receive wages in respect of any period where he or she is absent from work without authorization or good cause except that, in the case of an employee who has completed at least three months' continuous service with his or her

employer, the following shall not constitute absence without good cause-

(a) Absence attributable to the occurrence of exceptional events preventing the employee from reaching his or her place of work or from working; also refer to (b) and (c) of this Sec.

(7) An employee who has completed at least three months' continuous service and is absent from work on account of one of the situations specified in subsection (6), is entitled to receive wages as though he or she had not been absent from work and had fully performed his or her duties under his or her contract of service throughout the absence, and his or her wages shall not, by reason of his or her absence, be subject to any deduction.

Section 41 Death of an employee (1) In the case of an employee dying during the term of a contract of service, his or her heirs or legal representatives shall be entitled to the wages and any other remuneration due to the employee at the date of death.

(2) Where any employee dies at his or her work place, or on the way to or from his or her place of work, the employer shall be required to notify the death to the District Labour Officer who shall notify the Commissioner.

(3) Where an employee dies while at work, or while travelling to or from his or her place of work, the employer shall be required to transport the employee's body to the place of burial notified by that employee's next of kin.

Section 42 Payment of wages (5) Where an employee is being housed by the employer, the employee shall not be required to vacate the premises until he/she has been paid all his/her due terminal benefits.

(6) On termination of ones' employment in whatever manner; an employee shall, within seven days from the date on which the employment terminate be paid his/her wages and any other remunerations and accrued benefits to which he/she is entitled.

Section 49 Pay statements

Every employee shall receive with each payment of his/her wages an itemised pay statement from his/her employer, in writing and in a language the employee is expected to understand.

Section 61 Disciplinary Penalties;

(5) *"Except in exceptional circumstances an employer who fails to impose a disciplinary penalty within fifteen days from the time he or she becomes aware of the occurrence giving rise to disciplinary action, shall be deemed to have waived the right to do so"*

- ❑ Sanctions to employees as a result of disciplinary cases arising from sickness, not permissible

- Sec. 23(1)d of the Labour Unions Act Cap.228 the employer is bound to recognise the Union for the purpose of collective Bargaining to which his/her workers subscribe as members
- Law on Union officials' access to workers at workplace Sec 3 (e)
- Automatic Repatriation of workers who work for more than 10 years with the same employer.
- Payment of gratuity to an employee who has worked for more than 10 years; PAYE is deducted from 75% of the total amount and not 100%

NOTE: Employment Act Cap 226. Sec 68.(2); Sec. 45(2); Sec. 40(6-7)

Section 88. The calculation of severance pay shall be negotiable between the employer and the workers or the labour union that represents the workers.

Section 89. (1) Provides for payment of gratuity or bonus by an employer to the employee on cessation of his/her employment.

Section 90 Provides for payment of severance allowance.

Section 91 Provides for failure to pay severance allowance that attracts a penalty.

6. The Law on Casual Employment

Employment Act Cap 226, labour unions check-off Regulations 2011 Sec. 39. Provide as follows:-

- 1) A person shall not be employed as a casual employee for a period exceeding four (4) months.
- 2) A casual employee engaged continuously for four months shall be entitled to a written contract and shall cease to be a casual employee and all rights and benefits enjoyed by other employees shall apply to him or her.
- 3) An employment card shall be issued to and retained by the casual employee,,, like for the other employees.
- 4) Where a casual employee is laid off by an employer and rehired the service shall be regarded as continuous



Tripartite partners with The Minister for Labour meeting with industrialists in Namanve Industrial Park, 2024

END VIOLENCE & HARASSMENT by observing ILO C190 & R206

Realising that Violence & Harassment manifests with negative GBV effects on Workers' Productivity, to the extent that ILC of 2019 adopted ILO C190 and R206 on ending Violence & Harassment in the World of Work as an Obligation for all ILO member countries to Ratify and Domesticated;

Uganda Hotels Union (HTS-Union) calls on:-

Government to fast track the process to Domesticate the ratified ILO, C.190 & R206 by enacting the relevant policy/law on C190 (elimination of violence and harassment in the world of work).

All actors educate the masses on the causes, effects of Violence and Harassment on what/how/where to report GBV cases.

Trade Unions and Employers to negotiate CBAs with GBV control measures in the World of Work.

Local Government councils to develop by-laws to eliminate Violence and Harassment in Communities/World of Work.



This message is brought to you by HTS-Union



Grievance Handling and Collective Bargaining

1. GRIEVANCE HANDLING

(a) Grievance and its causes

A grievance is a complaint or dispute or misunderstanding between a worker(s) and his (or their) employer(s). Grievance also refers to claims by workers or trade unions concerning workers individual rights provided for by law, regulations, CBA, work rules and or practice.



Grievance Handling Training at Hotel OK

(b) Key causes of a grievance

- ✓ Ignorance of the instruments that regulate work relations
- ✓ Breach of company/organisation rules or regulations
- ✓ Breach of the Collective Agreement provisions
- ✓ Violation of existing Laws
- ✓ Breach of the principle of equity and natural Justice
- ✓ Breach of existing established practices
- ✓ Discrimination according to nationality, sex, religion, tribe, race, etc.
- ✓ Victimisation of oneself either because of official or unofficial reasons
- ✓ Inadequate terms and conditions of employment
- ✓ Rumours amongst the workers etc.

(c) Aspects of grievance handling

The Labour Disputes (Arbitration and Settlement) Act Cap. 227, the Employment Act Cap. 226, the Recognition Agreements and CBAs provide for procedures of how complaints/grievances are handled at workplace.

Essential principles of good disciplinary procedures: -

- Disciplinary procedures should not be viewed primarily as a means of imposing sanctions but rather correcting conduct to improve ones' performance.
- Disciplinary cases should not be initiated as a result of personal differences/ego.
- Disciplinary procedures should be in writing, and specific to those they apply.

(d) How to handle a grievance

As a leader, you should ensure the following when handling a grievance: -

- ✓ Take note of the complainants' name, card number, workplace, job designation grade, present salary, if one is a union member, when s/he joined the company and other relevant classification and information.
- ✓ Carefully take note of the details of the complaint/grievance reported.
- ✓ Take note of date and time when the grievance was first brought to the immediate supervisor, date of decision, etc.
- ✓ It is necessary to determine where exactly the grievance took place and if there are any witnesses to the case in question.
- ✓ Be sure of the clause/section of the CBA or the law or practice/custom or company regulation that has been violated.
- ✓ Ensure that a Disciplinary Committee Hearing is convened in its proper composition when handling a grievance.

However, before approaching management, the following should be carefully considered;

- ✓ Examine the evidence you have gathered on any given case.
- ✓ If there has been a breach of employment contract, company's rules, the CBA or the Law, note the relevant sections.
- ✓ Set out the case in your notes under the facts gathered.
- ✓ Make sure you are clear on objections of the meeting with management if any i.e. what you would want to rise and settlement you would like to achieve.

(e) Grievance handling procedures and techniques

Union leaders should always consider the following aspects while attending to workers' complaints/grievances at work.

Meetings or negotiations with Management

The following should be considered when meeting management during the grievance handling process:-



Keep calm: when you go to meet the management don't get angry and lose your temper even if provoked.

Do not offend: A straight way of losing a case is to start off with making accusations and abusing your opponent. That will antagonize him and make discussion impossible. Settlement is what you desire. Not a quarrel.

Do not bluff. Trying to win a case by bluffing is bound to fail and create bad relations. Even if it should happen that you succeed the first time it will only make it worse for you in the future. The management will have lost confidence in you and the worker will not regard you as a good representative either.

Stick to the facts: If you have investigated, checked and counter-checked the facts about a case and you are sure, then stick to the facts.

Strengthen your facts with the relevant legal/CBA references.

During a disciplinary hearing, do not argue with the worker in front of management. Always keep the aggrieved worker informed about the progress his/her grievance/case. However it is best to settle a grievance at lowest level possible.

Action: when you have prepared yourself, take action without delay. You must never allow a case to remain pending without genuine reason. "Justice delayed is justice denied"

Consultations: in a situation where you need to consult amongst your selves to build consensus on an issue before you commit yourselves on a decision matter, request for a recess. This is done by requesting for temporally meeting adjournments for that purpose and in some cases you may need to consult with the entire staff, you may need a longer recess time.

(f) Usual Causes of a Summary Dismissal

Summary termination may be done where an employee commits any of the following offences: - *Theft (proven), Fraud (proven), Proven gross insubordination within ones normal scope of duties, Assault of any person at the workplace witnessed by a third party, Drunkenness on duty witnessed by a senior Management staff and/or a Union representative, Bringing unauthorized dangerous weapons into the Company, Drug abuse whilst on duty, Wilful damage of Company property witnessed, Rudeness to customers (witnessed by a third party), Prolonged absenteeism without cause, Divulging confidential Company information etc.*

Notwithstanding, the provisions of preceding sub clause of this Para; nothing in this agreement shall preclude any employee involved, from raising the matter of such warning, suspension or dismissals under the grievance handling procedure established in our Recognition Agreement and the CBA.

In cases where the employee in question strongly feels dissatisfied by the decision of the disciplinary committee, he/she will have the right to appeal to the Managing Director or his representative, or the Union Head office. Further, notwithstanding the foregoing provisions, the Company may inflict upon any employee who has been subjected to the disciplinary procedure, the following lesser severe punishments: *-Termination of services, Demotion, Reduction in wages, Suspension without pay, Stoppage of increment, Reprimand etc.*

All the above disciplinary actions shall take place in accordance with the procedures provided for and agreed upon in the recognition agreement.

However, CBAs provide for Disciplinary Codes which refers to a Disciplinary Committee that Comprises/Management and Union formed for purposes of dispensing off employee's disciplinary cases at the workplace in a professional and expeditious manner thus the essentials of warnings and dismissals are here described:-

(g) Preventive measures of grievance at workplace

- Workers should know their rights and obligations as enshrined in the Law, and the RAs and CBAs between the union and the employers to be able to differentiate the dos and don'ts.
- Workers should know the company other in-house regulation/rule which should be in writing and provided to the workers.
- Continued training of the workers in various disciplines relevant to their work.
- Offer continued advisory and counselling services to members
- Understand branch problems through one to one interface and meetings with members.
- Conduct branch leaders meeting periodically which can discuss members' social economic concerns and advise them accordingly.
- Creating good environment between management and workers through effective communication and information sharing.

(h) Forms of Cessation/stoppage of employment

Workers can cease or stop to work through various ways and reasons as listed below;

1. Resignation
2. Abscondment
3. Non renewal of contract/Contract expiry
4. Termination
5. Dismissal
6. Disimissal with disgrace/summary termination

- | | |
|--------------------------|---|
| 7. Lay off | 12. Retirement for medical unfitness |
| 8. Redundancy | 13. Incapacitation due to industrial accidents or disease |
| 9. Retrenchment | 14. Death |
| 10. Mandatory retirement | |
| 11. Early retirement | |

However, each type of cessation of employment may be as a result of different reasons and circumstances hence requiring or calling for different methods and procedures. For each of the cases herein above, one may or may not receive benefits.

- ✓ Where it necessitates benefits, they will be different depending on the type of employment cessation.
- ✓ Different benefits if any may accrue to you in accordance with the Law or the CBA
- ✓ The length of your service with the company has a lot of bearing to what may be due to the employee
- ✓ Mind the CBA timing and its implications when making decision on cessation of employment.
- ✓ An employee wishing to communicate to management on any of the above forms of stoppage of employment should seek advice from the Union for proper guidance. This will help to avoid cases where HR managers advise people who are medically unfit to continue working to instead resign and thereafter they come to the Union to ask for terminal benefits after they have just resigned, among other cases.

(2) COLLECTIVE BARGAINING

1. Definition:

Collective bargaining is a process by which workers through their Trade unions bargain/negotiate with their employers with a view of reaching an amicable agreement on matters of common interests at work.

Collective Agreements (RA/CBAs) Acronyms:

- I. **"CBA"** means Collective Bargaining Agreement.
- II. **"Disciplinary Committee"** Means that Committee composed of both management and Union representatives that is responsible for discharging and dispensing off disciplinary cases concerning employees.
- III. **"Gender Based Violence"** (GBV) Refers to physical, sexual, economic or psychological violations which are subjected to individuals or groups of persons based on social expectations of men/boys and women/girls.

- IV. "Sexual Harassment"** is unwanted, unwelcome and unasked-for behaviour of a sexual nature. It can occur either on a one-time basis or as a series of incidents, however minor. Sexual harassment is coercive and one-sided and both males and females can be victims.
- V. "Bargaining Unit"** this means the categories of employees that fall within the unionisable grades as opposed to those identified in under management herein.
- VI. "Insubordination"** (Minor and a Gross) shall mean an employee's intentional refusal to obey lawful and reasonable orders from his/her superior at workplace whose determination shall be subjective depending on the situation and determined by the Disciplinary Committee.
- VII. "Migrant Worker"** Shall mean any person employed by the company to offer labour for a salary/wage/remuneration in non-top managerial position, who is not a Uganda national but hailing from and other country.
- VIII. "Lay off"** means the temporary or permanent cessation of employees' service in circumstances where the Company decides that the circumstances require a temporary reduction of personnel or hours of work.
- IX. "Redundancy"** means the involuntarily loss of employment arising from a situation where: The Company has ceased or intends to cease to carry on the business for the purposes of which the employee was employed or to carry on that business in the place where the employee was so employed;
- X. "Management"** shall refer to the Managing Director/ Directors, General Manager, and branch Managers if any.
- XI. "Severance Pay"** This refers to payment to an employee under the situation where the employer for his/her own reasons terminates the services of an employee who is still willing to continue in employment and has not committed an offence under the circumstances.
- XII. "Resignation"** When an employee officially and procedurally stops or terminates his/her contract at his/her discretion/decision.
- XIII. "Termination"** This refers to the situation where either the employer/ manager or the employee stops the employment appointment/ **contract**.
- XIV. "Shop Steward(s)"** means a member of the Union elected by other members to represent them in dealings with the Company and "**Chief Shop Steward**" shall mean the Branch chairperson or head of Shop Stewards.
- XV. "Retirement"** in a CBA, means an employee who ceases to work with the company on the following grounds;
Old age of 55 (fifty five); Medical unfitness; Voluntary at 50 (fifty) years

of age, after working for more than 10 years; Voluntary after working for more than 15 years

Note: Interpretation of Collective Agreements is the duty of the Management and the Union chief negotiators where failure to interpret by the parties hereto, the matter may be referred to the Registrar of Labour Unions.



2. Legal Framework

The right to collective Bargaining is enshrined in the Uganda Constitution of 1995, as amended; Article 40 (3) b - which states that; **"Every Worker has a right to collective bargaining and representation". It is operationalised by the Labour Unions Act Cap. 228, Section 2, 3, 4, 5 & 23 1.(d)**. This law is derived from the ILO convention No. 98 of 1949 Article 4, which states that; **"Measures appropriate to national conditions shall be taken where necessary to encourage and promote the full development and utilization of machinery for voluntary negotiation between employees or employers' organisations with a view to the regulation of Terms and conditions of employment by means of collective agreements"**.

3. Principles & Techniques:

Negotiation should yield results for both parties hence a **Win-Win** situation based on the principle of **give and take** through consensus

- In case of a stalemate or deadlock in negotiations because either party does not agree to what the other says, please don't resort to threats and bluffs, consider different ways of dealing with these situations.
- Threats must always be discouraged because they in many cases jeopardize Collective Bargaining and render the bargainers real failures.
- Try to understand the issues (be sober) rather than being emotional; do not take issues personal and always reflect to the objectives of the negotiations.
- Forming a united stand and being well organised should not be forgotten. In this case the members must be kept informed of the proceedings of negotiation and all the concerned must be together. In case of a disagreement among the negotiators, a recess must be sought immediately and conclusions made in order to re-unify for the mission and purpose for the negotiations. Always remember that "Divided we fall".
- Try to lobby the other side why you state so during such recess and also before the real negotiations kick off.
- During the course of negotiation, whatever is finalized, a clear position must be clearly announced for both parties, clarify, note down and initial the agreed items. Handle the non-contentious issues first, then the complicated ones, later.
- When negotiation concerns wages, the following criterion is usually considered; Cost of living, Productivity, Industry or area wage comparison, Ability or inability to pay, Family budgets, etc.
- When an employer alleges financial incapacity as a ground for his inability to agree to any alternation of any terms or conditions thereof,



it shall be his duty to make full disclosure of his financial position, duly supplied by relevant accounts papers and documents to the union.

In all cases, whatever the subject for the Bargaining may be, there is need to study the case properly. The reason for support of the said arguments must be well laid down in their order; from the strongest to the weakest. Arguments must be realistic and sincere and should be advanced in a natural manner in order to be appreciated especially when a third party is resolving the matter.

4. Process: Stages and Strategies Involved in Negotiations

PREPARATION "to fail to prepare is to prepare to fail"

In order to effectively bargain collectively, we need to organise ourselves first and confirm that we have the members' support by ensuring that all members we are negotiating for, appreciate the proposals or demands we put across to the employer.

Although this takes some time to achieve, it should be made clear that without **unity, respect, negotiation skills and facts**, very little can be achieved from collective bargaining (most especially) by workers.

- o **Collect information:** facts on relevant aspects are needed to provide enough evidence to justify or substantiate the union's [ones] demand and arguments.
- o In order to obtain this information, the union has to conduct a research,
- o Identify the target population [workforce] and their relevant needs by conducting some reasonable research.
- o **Setting Objectives:** These include the **ITR** ideal, the targeted and resistance positions. For instance if 20% wage rise is **ideal**, 17% should be the **target** but wage rise below the rate of inflation should be the **resistance** point because it will lead to the erosion of real earnings. **LIM** (like to achieve, intend to achieve, must achieve)
- o **Establish Priorities:** Distinguish clearly between what **must** be achieved and what **might** be achieved.
- o **Assessing the other party and its case:** to counter the other party's arguments, you must study its needs, strengths, weaknesses and comparison, well before [put yourself in the position of the employer or employee].
- o **Developing a negotiation strategy:** skills and knowledge, information, timing, composition of negotiation terms, division of responsibilities among the team members as may be adjustable according to the circumstances and issues that arise during negotiations.

Union Leaders Guide

- **Communication:** Listen more and talk less. Take initiatives but not to over expose yourself. Communicate **to express** and not **to impress**, and take notes.
- **Question:** The purpose of questions during negotiations is to obtain information rather than 'matching wits' with the other party [employer]. Questions asked should be precise to seek specific and relevant responses.
- **Presenting arguments:** Begin on a positive note, give reasons (critique and don't criticize the other party) to avoid friction. Restate the other party's case and ask for its justification. Focus on the problem and interests rather than focusing on the person(s) and taking positions.
- **Avoid fixed position:** There can not be any bargaining if either party takes a fixed view and is not willing to move from a set position.
- **Take notes:** Take precise notes of how and what is said or stated at every stage of negotiation.
- **Know the policy constraints and mandate limitations:** situational factors may cause constraints. These cause limitations to negotiators' authority.
- **Consider the consequences of failure:** what are the options if negotiations breakdown? Is it better to make more concessions or have the conflict referred to a third party for mediation.



Special Interest Groups Representation

HTS Union operates a department for Special Interests Groups(SIGs) that include but not limited to Women, Youth, Old Persons, People living with disability, HIV/GBV victims, OSH Victims

WOMEN

Women committee is a formulation of HTS Union constitution Article 8 in furtherance to the peculiar interests of women workers within our union.

The women committee holds its periodic meetings to plan and advise the National Executive Council on the needed actions for the women workers within the union.

Women wing is continuing to do their economic activities that have improved their lives, and in 2023, they showcased during the International Labour Day in Namutumba.



Women learning how to make liquid soap and other products as an income generating activity

YOUTH

Youth committee is a formulation of HTS Union constitution Article 9 in furtherance to the peculiar interests of young workers within our union. The youth committee holds its periodic meetings to plan and advise the National Executive Council on the needed actions for the young workers within the union.

In our affiliation & collaboration with NOTU and our Development Agencies, FNV and DTDA, the young workers in our union, participated in the annual youth labour camps as organised by NOTU . This arose out of the collaboration meetings we had with development partners.

Consultative meetings with FNV Mondial of The Netherlands



Youth camp in Mukono 2023

Consultative meetings with FNV Mondial of The Netherlands



Informal Sector Representation

A. DOMESTIC WORKER

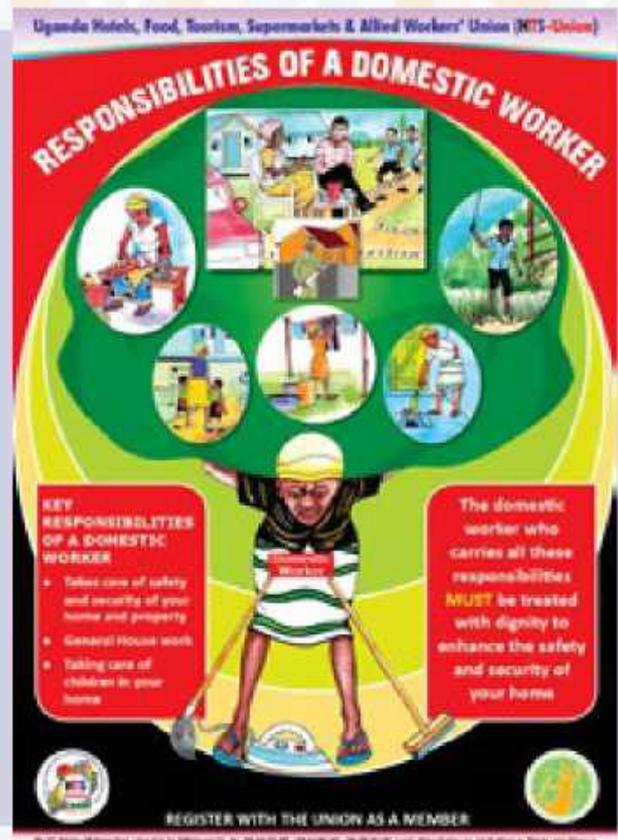
What is a Domestic Worker?

According to ILO Convention 189, the term domestic work means work performed in or for a household or households. This includes migratory workers, indoor and outdoor workers.

Who is a Domestic Worker?

According to the ILO definition: A domestic worker is any person engaged in domestic work within an employment relationship.

According to HTS-Union Constitution, Domestic Workers are categorised as informal sector Union members and their membership is individual by virtue of the nature of their work.



International Labour Organisation (ILO) Convention 189 and Recommendation (R) 201.

- This convention concerns domestic workers and it recommends Decent Work (employment contract, annual leave, maternity leave) for all domestic workers.
- The Convention was adopted in Geneva during the ILC International Labour Conference session on **16th June 2011**.

On this particular date (**16th June**) all domestic workers in the World commemorate the adoption of this convention. HTS-Union was at the forefront advocating for the adoption of the convention as well as formation of the international federation for all domestic workers: **International Domestic Workers Federation (IDWF)**. The First founding Congress was held in 2013 in Uruguay-Montevideo.

Benefits of joining a trade union as a domestic worker

- Representation of domestic worker's interests like other workers through advocacy, review of labour laws and setting of Bi-laws to protect domestic workers.
- Education, Sensitization and Training about domestic workers rights and obligations among others.
- Improvement of work conditions e.g Issuance of employment contract, negotiation of terms and conditions, and salary/wages.
- Identity and involvement among organized workers like provide Membership card free of charge.
- Economic empowerment through enrollment into the workers SACCO and training in entrepreneurship skills.
- Securing jobs through grievance handling, problem or dispute settlement/representation.

Rights of Domestic Workers:

1. **Right to be issued with an employment contract detailing how to employ a domestic worker:**
2. **Right to respect and equal treatment; how to handle a domestic worker while on the job:**
3. **Right to Fair Hearing: how to handle a domestic worker's case/ grievance at the place of work.**
4. **Right to representation: where a domestic worker reports a case/ grievance, he/she should be represented.**

Note: Arbitration processes: When all the above offices have failed with the case then the domestic worker is free to report the case to the District Labour office; the Ministry for Labour which can later refer the matter to the Industrial Court.

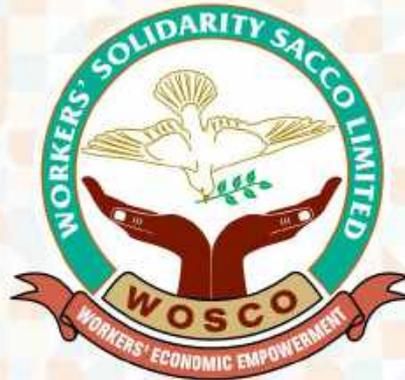
B. IMMIGRANT AND MIGRANT WORKERS

HTS Union among other Special Interest Groups of workers, represents the Migrant and Immigrant workers in Uganda to which end we were recognised by ILO that supported our union to operate a Migrant Workers Resource Centre (MRC) to further the interests and plight of labour migrant workers into and from Uganda



Consultative meeting at HTS Union office by ILO Officials from different countries who were in Uganda for a symposium labor migration

Workers Economic Empowerment through Savings and Credit (WOSCO SACCO Ltd)



WORKERS' SOLIDARITY SAVINGS AND CREDIT COOPERATIVE SOCIETY (WOSCO)

Purpose and objective

Pursuant to HTS Union's strategic objective No1, the union shall use WOSCO SACCO activities to help in achieving the objective of organising and recruitment of members into the Union ranks as they will be urged to join the SACCO as well for purposes of economically empowering themselves.

WOSCO operates under the general theme
"Economically Empowering Workers, Save now for a better future"

WOSCO was started and shall continue to be championed by Uganda Hotels, Food, Tourism, Supermarkets & Allied Workers' Union (HTS-Union) Secretariat/Head Office in 2011 and is now duly registered by the Ministry of Trade, Industry and Cooperatives; **Reg. No. P.3491/RCS**

WOSCO's main objective is to economically empower members through Savings and borrowing for personal development or attend to social concerns in the family, (Social Protection).

WOSCO membership is open to all people employed in any of the organizations that recognize HTS-Union, members, Non Union members and Managers are all free to join.

Services offered

WOSCO offers its members self-determined services which include but not limited to the following.

Credit Facilities (Loans) Emergency Loans, Short – Term Loans, Normal Loans, Medium Term Loans and Long- Term Loans.

Benefits

WOSCO members also attract the following benefits;

- ✓ Personal Savings for economic development.
- ✓ To develop equity to borrow.
- ✓ To borrow at affordable self-determined interest rates; less than commercial banks and microfinance institutions.
- ✓ Your savings qualify you to borrow two times your savings and or your shares.
- ✓ Buy shares in WOSCO and automatically become a shareholder.
- ✓ Earn dividends on your shares if WOSCO makes profits/surplus as always determined by the Board.
- ✓ Quick and easy access to credit/loans.
- ✓ Loans; Emergency, Short Term, Normal and Long Term.
- ✓ Free membership education.
- ✓ End of year AGMs and parties.
- ✓ Earn interests on your savings if the SACCO makes profits.
- ✓ Earn patronage bonus at the end of year.
- ✓ Welfare benefits upon sickness and death of yourself, child, spouse & parent as per their self-determined working policy.
- ✓ End of year gift hampers
- ✓ Determine your terms of reference by reviewing the working policy
- ✓ Democracy; Participate in the election of WOSCO leadership etc.

HTS-Union and WOSCO Management is committed to economically empower members through Savings and borrowing for personal development or attend to social concerns in your family, (Social Protection) we hereby do strongly urge workers especially in our membership jurisdiction to join WOSCO for its well-intentioned goal and objectives.

Economic Prospects

HTS-Union by way of strategy and policy, resolved to establish an investment Fund that has already commenced saving money for investment purposes under a separate investment policy which is being developed.

The Union investment Fund is aimed at mobilising resources as a capital base for Union investment which will support the Union and its membership to enhance themselves economically.



Semliki Wildlife Reserve CBA meeting

Labour Standards/Environment

1. Labour Legal Framework

Important for Union leaders to understand is the fact that all labour laws in Uganda like any other ILO member state are derived from ILO Conventions, Protocols and Recommendations among other international standards.

The International Conventions/Standards are meant to be ratified by the ILO Member States, then domesticate the standard into the National law. Some of the Conventions require to be domesticated by the National Constitution and others in the laws of Parliament and others in other Statutory Instruments by Governments. There are core conventions that are mandatory for every ILO Member State to ratify while there are others that are recommendations



ILO Geneva, ILC Labor Summit



Here below are the Conventions that have been ratified by Ugandan Government

2. ILO Conventions

ILO 8 Core Conventions		Ratified
C029	Forced Labour Convention	1930
C087	Freedom of Association and Protection of the Right to Organise Convention	1948
C098	Right to Organise and Collective Bargaining Convention	1949
C100	Equal Remuneration Convention	1951
C105	Abolition of Forced Labour Convention	1957
C111	Discrimination (Employment and Occupation) Convention	1958
C138	Minimum Age Convention	1973
C182	Worst Forms of Child Labour Convention	1999

The above, are the ILO eight (8) Core Conventions which must be Ratified, Domesticated and Implimented by ILO member States

Conventions		Ratified
Ratified: 31 Conditional ratification: 0 Declared applicable: 0		
Denounced: 1		
C11	Right of Association (Agriculture) Convention, 1921	04.06.1963
C12	Workmen's Compensation (Agriculture) Convention, 1921	04.06.1963
C17	Workmen's Compensation (Accidents) Convention, 1925	04.06.1963
C19	Equality of Treatment (Accident Compensation) Convention, 1925	04.06.1963
C26	Minimum Wage-Fixing Machinery Convention, 1928	04.06.1963
C29	Forced Labour Convention, 1930	04.06.1963

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C45	Underground Work (Women) Convention, 1935	04.06.1963
C50	Recruiting of Indigenous Workers Convention, 1936 (not in force)	04.06.1963
C64	Contracts of Employment (Indigenous Workers) Convention, 1939 (not in force)	04.06.1963
C65	Penal Sanctions (Indigenous Workers) Convention, 1939 (not in force)	04.06.1963
C81	Labour Inspection Convention, 1947	04.06.1963
C86	Contracts of Employment (Indigenous Workers) Convention, 1947 (not in force)	04.06.1963
C87	Freedom of Association and Protection of the Right to Organise Convention, 1948	02.06.2005
C94	Labour Clauses (Public Contracts) Convention, 1949	04.06.1963
C95	Protection of Wages Convention, 1949	04.06.1963
C98	Right to Organise and Collective Bargaining Convention, 1949	04.06.1963
C100	Equal Remuneration Convention, 1951	02.06.2005
C105	Abolition of Forced Labour Convention, 1957	04.06.1963
C111	Discrimination (Employment and Occupation) Convention, 1958	02.06.2005
C122	Employment Policy Convention , 1964	23.06.1967
C123	Minimum Age (Underground Work) Convention, 1965	23.06.1967
C124	Medical Examination of Young Persons (Underground Work) Convention, 1965	23.06.1967
C138	Minimum Age Convention, 1973	25.03.2003
C143	Migrant Workers (Supplementary Provisions) Convention, 1975	31.03.1978
C144	Tripartite Consultation (International Labour Standards) Convention, 1976	13.01.1994
C154	Collective Bargaining Convention, 1981	27.03.1990
C158	Termination of Employment Convention, 1982	18.07.1990
C159	Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983	27.03.1990

C162	Asbestos Convention, 1986	27.03.1990
C182	Worst Forms of Child Labour Convention, 1999	07:05:2001
Ratified: 31 Conditional ratification: 0 Declared applicable: 0 Denounced: 1		

3. Decent Work

This refers to all aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families.

Decent work means better prospects for personal development and social integration, and freedom for people to express their concerns, organise and participate in the decisions that affect their lives. It entails equality of opportunity and treatment for all women and men.

Decent work is key to the eradication of poverty. If women and men have access to decent work, they can share in the gains brought by increased international economic integration. Extending opportunities for decent work to more people is a crucial element in making globalisation more inclusive and fair. Creating decent work employment must therefore be at the heart of every ILO member state's development policy.

The tripartite partners, all other stakeholders and actors in the world of work should ensure that work by and for everybody is Decent.

Decent Work Country Program (DWCP)

The overall goal of the International Labour Organization is to promote opportunities for decent work for women and men in all countries. At country level, accomplishing this goal entails, among other things, the development of Decent Work Country Programmes (DWCPs), which are a programming tool to deliver on a limited number of priorities over a defined period" in order to "increase the impact of the ILO's work" and to be "more visible and transparent".

Social protection is a set of interventions whose objective is to reduce social and economic risk and vulnerability, and to alleviate extreme poverty and deprivation. Over three-quarters of the population in paid employment (76%) do not contribute towards any form of social protection

The 4 pillars of Decent Work



Apparently the process to review the existing DWCP is underway to agree on the third DWCP for Uganda that will be 2018 - 2022

ILO Declaration on Fundamental Principles and rights at work

1. Freedom of association and the effective recognition of the right to collective bargaining;
2. The elimination of all forms of forced or compulsory labour;
3. The effective abolition of child labour;
4. The elimination of discrimination in respect of employment and occupation; and
5. A safe and healthy working environment.

4. Living Wage

This refers to the wage for a standard working week that is sufficient to meet basic needs and to provide some discretionary income.

- ✓ Most if not all workers doing precarious jobs do not earn a living wage.
- ✓ Most if not all workers



Harris International Workers long service awards

engaged in precarious jobs actually are having Indecent Jobs as well.

5. Precarious work

Precarious Work refers to the type of employment which is nonstandard, poorly paid, insecure, and unprotected which cannot support the household.

Characteristics of Precarious Work

- ✓ It is not gainful to the employee himself/herself, his family, neither government since he/she does not contribute to Social Security (NSSF) and PAYE:
- ✓ Employees are at a greater risk of injuries and illnesses since they are more often not provided with protective gears.
- ✓ Limited access to education and training, the employees are not offered opportunities to upgrade their skills, and are denied access to study-leaves.
- ✓ Limited access to representation, not unionized hence no disciplinary hearing and other relevant rights at work.

Situation of Decent Work

Cognizant that promotion of decent work has been a main objective of the International Labour Organisation (ILO) since 1999;

Whereas the Primary goal of ILO Decent Work Agenda is to promote opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity;

Noting that the Concept of Decent Work is based on understanding that work is not only a source of income, but a source of dignity, family stability, economic growth, etc;

And that Uganda has for some time been implementing different DWCPs to achieve the ILO objective;

It is observed that Decent Work Agenda has not optimally achieved its intended objective since very many Ugandan workers are engaged in precarious work whose dangers are enormous not only to those employed but the economy at large.

6. Statistics

The highest proportion of employed persons was engaged in Agriculture, forestry and fishing (36%) followed by those in Trade (23%).

Employment in the trade, Transport and Hotels services is increasing whereas employment in agriculture, education and social work is reducing overtime.

The two major sectors of Uganda's economy in terms of employment include the Services sector and Agriculture, forestry and fishing. These two combined, employ 84% of the total employed population as of 2021, with more persons likely to be employed in the services sector.

The current statistics from the National Labour Force (NLFS), 2021 show that:

- About 12% (1.4million people) of the population aged 14-64 years are unemployed with a higher share among females (14%) compared to males (10%).
- The Unemployment rate of the working age population in urban areas of 16% is recorded slightly higher than that of rural residents (13%).
- Bukedi and Bunyoro sub regions have the highest unemployment rate (25% and 17% respectively) and Kigezi sub region has the lowest at 3%.
- Education attainment differentials show that the lowest unemployment rate (11%) is among persons with no education and those that completed primary while the highest is among persons that completed secondary education, Post primary/secondary specialized training and above (17%).
- Persons with disability have slightly lower unemployment rate (10%) compared to those without disability (12%)

Informal Employment

- 92% of the employed population is engaged in informal employment including agriculture; a slight decrease from 93% reported in 2019/20.
- on the other hand; 88% of the employed population is engaged in informal employment excluding those in the agricultural sector; a similar proportion to that recorded in 2019/20
- Overall, informality is high though reducing at a slow rate.

UBOS research on investment vide employment, 2010-2012 shows that domestic investors created more jobs than their foreign counterparts. They employed **38,491** persons in **375** surveyed projects compared to **33,373** employees in the **475** projects. However, of the total planned employment of **123,144** jobs in the **888** surveyed projects, the **casual/unskilled labourers** constituted about **66.6** percent of the total work force. At implementation, 73,782 jobs were realized. Of these, the unskilled employees accounted for **63.5** percent.



These figures are indeed alarming if the situation is such that **67%** of the jobs created in Uganda are precarious jobs whose dangers and disadvantages are herein above explained and that they do not make one earn a living wage.

There is every reason for Uganda to recourse our planning in this aspect if we are to even attempt to achieve the desired Middle Income Status and also the Vision 2040.

7. ILO Centenary Initiatives

- ✓ The future of work initiative;
- ✓ The end of poverty initiative;
- ✓ The women at work initiative;
- ✓ The green initiative;
- ✓ The standards initiative;
- ✓ The enterprise initiative; and
- ✓ The governance initiative



Meeting with IUF Affiliates at Union Head Offices

8.Sustainable Development Goals

15-Years 17-Goals 169-Targets 230-Indicators



The development of economies of the world are premised and or anchored on the sustainable development goals above, SDG no.8 specifically provides for Decent work.

Decent work, green jobs and sustainable development Guiding principles

- Social dialogue. It has to be a participating process.
- Fundamental ILO rights respected. It has to take into consideration gender perspective.
- Policies have to be coherent: labour, economy, environment, industry, social affairs, education.
- Policies have to be adapted to national circumstances.
- International Cooperation
- Respect to a Just Transition Framework for all

Government should:

- ◆ Establish the framework to create green jobs and enterprise. Call social dialogue.
- ◆ Guarantee coherence
- ◆ Design programs to monitor policies

Social actors should

- ◆ Promote awareness raising and participation of its members.
- ◆ Have an active role in policy development
- ◆ Promote culture of social dialogue



Uganda delegation to the 112th ILC 2024 attending a summit in the assembly hall in Geneva.

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Union Leaders' Guide



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