



**Remarks at a Consultative Meeting on the Employment (Amendment)
Bill 2019**

**By Ms. Rosa Malango
UN Resident Coordinator**

Imperial Royale Hotel, 16 May 2019

Members of Parliament representing Workers

The Resident Representative, Friedrich-Ebert-Stiftung, Ms. Mareike Le Pelley

The Chairperson, National Organisation of Trade Union, Mr. Wilson Owere

The Chairperson, National Organisation of Free Trade Union, Mr. Milton
Turyareeba -Chairman

Workers from different Trade Unions

Ladies and Gentlemen

I am pleased to join you at this Consultative Meeting to discuss the Employment (Amendment) Bill 2019. I believe employment is about dignity and prosperity. First of all, let me take this opportunity to thank Members of Parliament representing Workers who secured leave of Parliament to introduce this bill aimed at improving the working conditions of workers in Uganda. The amendment of this bill for me is about values and rights that will benefit workers, bring dignity to families and to those who contribute to Uganda's inclusive economic growth and prosperity.

Ladies and Gentlemen,

Article 40 of the Uganda Constitution states that, "every person in Uganda has the right to practice his or her profession and to carry on any lawful occupation, trade or business". With ILO support to its Tripartite Partners, through the Ministry of Gender Labour and Social Development (MGLSD), Uganda has just finalized and published an Employment Diagnostics Analysis (EDA) report, which was conducted through an extensive and engaging tripartite plus consultative processes that included workers and employers' organizations. The report from this consultative process was launched early this month, on Labour Day, by H. E. the President of the Republic of Uganda, Yoweri Kaguta Museveni. As the UN, we interpret this as high-level political commitment towards diagnosing the employment challenge and also towards addressing the bottle necks that are impeding pro-employment growth in the country.

Uganda is working towards attaining the objectives of vision 2040. The Second National Development Plan requires among others the protection of workers' rights. Without a strong Labour Justice System, the aspirations of Vision 2040 and the Second National Development Plan cannot be attained. An efficient and effective Labour Justice System is the linchpin of democracy and socio-economic transformation. It plays a key role in promoting stability, peace and development. In this context, the following gaps and anomalies in the Employment Act have been highlighted:

- (a) issues of coordination in labour administration;
- (b) the excessive powers given to labour officers which is prone to abuse;
- (c) inadequate provisions on recruitment;

- (d) inadequate reporting requirements;
- (e) limited remedial actions;
- (f) the need to regulate the employment of domestic workers;

Globally, 61% of all workers were engaged in informal employment in 2016. Excluding the agricultural sector, 51% of all workers fell into this employment category. The global gender pay gap stands at 23 per cent globally and without decisive action, it will take another 68 years to achieve equal pay for equal work. Men are earning 12.5% more than women in 40 out of 45 countries with data. According to the Uganda National Household Survey Dataset (2012/13) on average, women earn 41% what men are paid in Uganda. Women's labour force participation rate is 63 per cent compared to 94 per cent among men.

In Uganda like many developing countries with a large informal employment sector and Private sector, domestic workers and casual employees or household employees constitute a significant proportion of the national workforce and remain the most marginalized workers. Domestic work and casual employment continue to be undervalued and almost invisible and is mainly carried out by women and young person's majority of whom are members of disadvantaged communities this makes them particularly vulnerable to discrimination in respect to conditions of employment and work and to other abuses of human rights. Therefore, a comprehensive legislation for the promotion of decent working conditions and protection of the rights of these categories workers is necessary and urgent. The issue of exploitation of household employees and casual employees is frequent and regularly reported. With no clear rights and rules to fall back on, most of the household employees and casual employees have become contemporary slaves. It is also a known fact that many women and children are trafficked and exploited by the recruitment agencies or recruiters. The recruitment agencies or recruiters for domestic workers operate without any form of restrictions since the Employment Act, 2006 exempts' recruitment agencies for domestic workers from the requirement of obtaining a permit. This has to be corrected immediately.

Breastfeeding protection: While significant progress has been made in enacting maternity protection legislation at national level including leave, benefits, health protection, job protection and nondiscrimination, breastfeeding breaks and breastfeeding facilities, the issue of breastfeeding breaks and facilities is not catered for in the law and remains a key area to be addressed. Almost half of the population are women there is no way we cannot achieve inclusive prosperity by leaving half of the workforce behind.

Ladies and Gentlemen

Let me share with you why this amendment is important at the global level. At the heart of the 2030 Agenda is a shared ambition to develop opportunities for sustainable job creation and inclusive growth by the UN and Member States like Uganda. The importance of decent work in achieving sustainable development is highlighted by Goal 8, which aims to “promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”.

In Uganda the United Nations System, through our UN Sustainable Development Cooperation Framework, supports the Government and people of Uganda to achieve the Sustainable Development Goals (SDGs) as a pathway to attaining the national development objectives outlined in Vision 2040. Our cooperation framework includes a focus on supporting Sustainable and Inclusive Economic Development, through the International Labour Organization (ILO), UN Development Programme (UNDP) and the Food and Agriculture Organization (FAO), who are building national capacity to ensure that policy and regulatory frameworks increase access to labor markets. In addition, ILO periodically supports the Government of Uganda to undertake the Employment Diagnostic Analysis Studies conducted in collaboration with the Ministry of Gender, Labour, and Social Development (MGLSD), Ministry of Finance, Planning and Economic Development (MFPED), National Planning Authority (NPA) and the Economic Policy Research Centre (EPRC). The Employment Diagnostic Analysis studies are targeted at understanding the nature of the deficiency of productive employment and identifying opportunities for increasing productive employment.

ILO is currently supporting the Government of Uganda to undertake a study on *'SDGs and employment policies: Macroeconomic, sectoral and labour market policies for structural transformation and full and productive employment.'* The objectives of the study are to provide a comprehensive diagnostic of opportunities and challenges associated with promoting full and productive employment in Uganda. This will inform the development or update of national employment policies, youth employment strategies and sectoral policies, including a gender perspective.

Ladies and gentlemen,

The amendment of this bill will enable us to achieve Goal 8 of the SDGs in Uganda by encouraging us to ensure the following;

- Full and productive employment and decent work for all women and men, including young people and persons with disabilities; and equal pay for work of equal value;
- End child labor in all its forms by 2025 by taking immediate measures to eradicate forced labour, end modern slavery and human trafficking and secure the elimination of the worst forms of child labour, including recruitment and use of child soldiers;
- Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment
- Increase national compliance of labour rights (freedom of association and collective bargaining) based on International Labour Organization (ILO) textual sources and national legislation. Adhere to international treaties to ensure dignity for all.

Call to action. We would like to call on you to use SDG 8 as a guide for your consultations.

- 8.3 Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services

- Indicator 8.3.1 Proportion of informal employment in non-agriculture employment, by sex
- 8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value
- Indicator 8.5.1 Average hourly earnings of female and male employees, by occupation, age and persons with disabilities
- Indicator 8.5.2 Unemployment rate, by sex, age and persons with disabilities
- 8.6 By 2020, substantially reduce the proportion of youth not in employment, education or training
- Indicator 8.6.1 Proportion of youth (aged 15-24 years) not in education, employment or training
- 8.7 Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child

Allow me to conclude by reiterating the commitment of the United Nations System in Uganda to work with the Government, Parliament and people of Uganda so that this nation can respond better to the needs of every worker in Uganda, regardless of their status or gender in order to build a resilient national transformational work force.

On behalf of the UN Family in Uganda, we commit to accompany you on this process. we will bring this to the attention of SDGs Government Coordinator and will formally support to send a letter to the speaker on the outcomes of this consultation meeting.

Thank you.