

Check

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www.mywage.org/Uganda



means National regulation is OK



means National regulation is not OK

01/12 Work and Wages

NR YES NO

- 1 I earn at least 6,000 Ug.Shs  YES NO
- 2 I get my pay on a regular basis.  YES NO
(On daily, weekly, fortnightly or monthly basis)
- 3 Whenever I work overtime, I always get compensation  YES NO
(Overtime rate is fixed at a higher rate, if your work over 48 hours a week)
- 4 Whenever I work at night, I get higher compensation for night work  YES NO

02/12 Annual Leave and Working on Holidays

NR YES NO

- 5 How many weeks of paid annual leave are you entitled to? *  1 week 2 weeks
Your entitlement is 21 days paid annual leave on completion of 12 months of continuous service.
3 weeks 4 weeks +
- 6 I get paid during public (national and religious) holidays  YES NO
- 7 I get a weekly rest period of at least one day (i.e. 24 hours) in a week  YES NO
- 8 I get compensatory holiday when I have to work on a public holiday or weekly rest day  YES NO
- 9 Whenever I work on a weekly rest day or public holiday, I get due compensation for it  YES NO

03/12 Employment Security

NR YES NO

- 10 I was provided a written statement of particulars at the start of my employment  YES NO
- 11 My employer **does not** hire workers on fixed terms contracts for tasks of permanent nature  YES NO
Please tick "NO" if your employer hires contract workers for permanent tasks
- 12 My probation period is only 6 months  YES NO
- 13 My employer gives due notice before terminating my employment contract (or pays in lieu of notice)  YES NO
- 14 My employer offers severance pay in case of termination of employment  YES NO
Severance pay is provided in the case of termination by employers for reasons other than misconduct and capacity only. It is subject to negotiation between employer and workers.

04/12 Family Responsibilities - If applicable

NR YES NO

- 15 My employer provides paid paternity leave  YES NO
This leave is for new fathers/partners and is given at the time of child birth
- 16 My employer provides (paid or unpaid) parental leave  YES NO
This leave is provided once maternity and paternity leaves have been exhausted. Can be taken by either parent or both the parents consecutively.
- 17 My work schedule is flexible enough to combine work with family responsibilities  YES NO
Through part-time work or other flex time options

* On question 5, only 3 or 4 working weeks is equivalent to 1 "YES".

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05/12 Maternity at Work - If applicable	NR	YES	NO
18 I get free ante and post natal medical care		<input type="checkbox"/>	<input type="checkbox"/>
19 During pregnancy, I am exempted from nightshifts (night work) or hazardous work		<input type="checkbox"/>	<input type="checkbox"/>
20 My maternity leave lasts at least 14 weeks		<input type="checkbox"/>	<input type="checkbox"/>
21 During my maternity leave, I get at least 2/3rd of my former salary		<input type="checkbox"/>	<input type="checkbox"/>
22 I am protected from dismissal during the period of pregnancy <i>Workers can still be dismissed for reasons not related to pregnancy like conduct or capacity</i>		<input type="checkbox"/>	<input type="checkbox"/>
23 I have the right to get same/similar job when I return from maternity leave.		<input type="checkbox"/>	<input type="checkbox"/>
24 My employer allows nursing breaks, during working hours, to feed my child		<input type="checkbox"/>	<input type="checkbox"/>
06/12 Health and Safety at Workplace	NR	YES	NO
25 My employer makes sure my workplace is safe and healthy		<input type="checkbox"/>	<input type="checkbox"/>
26 My employer provides protective equipment, including protective clothing, free of cost		<input type="checkbox"/>	<input type="checkbox"/>
27 My employer provides adequate health and safety training and ensures that workers know the health hazards and different emergency exits in the case of an accident.		<input type="checkbox"/>	<input type="checkbox"/>
28 My workplace is visited by the labor inspector at least once a year to check compliance of labor laws at my workplace.		<input type="checkbox"/>	<input type="checkbox"/>
07/12 Sickness & Employment Injury Benefits	NR	YES	NO
29 My employer provides paid sick leave and I get at least 45% of my wage during the first 6 months of illness		<input type="checkbox"/>	<input type="checkbox"/>
30 I have access to free medical care during my sickness and work injury		<input type="checkbox"/>	<input type="checkbox"/>
31 My employment is secure during the first 6 months of my illness		<input type="checkbox"/>	<input type="checkbox"/>
32 I get adequate compensation in the case of an occupational accident/work injury or occupational disease		<input type="checkbox"/>	<input type="checkbox"/>
08/12 Social Security	NR	YES	NO
33 I am entitled to a pension when I turn 55		<input type="checkbox"/>	<input type="checkbox"/>
34 When I, as a worker, die, my next of kin/survivors get some benefit		<input type="checkbox"/>	<input type="checkbox"/>
35 I get unemployment benefit in case I lose my job		<input type="checkbox"/>	<input type="checkbox"/>
36 I have access to invalidity benefit in case I am unable to earn due to a non-occupational sickness, injury or accident		<input type="checkbox"/>	<input type="checkbox"/>

09/12 Fair Treatment at Work

	NR	YES	NO
37 My employer ensure equal pay for equal/similar work (work of equal value) without any discrimination		<input type="checkbox"/>	<input type="checkbox"/>
38 My employer take strict action against sexual harassment at workplace		<input type="checkbox"/>	<input type="checkbox"/>
39 I am treated equally in employment opportunities (appointment, promotion, training and transfer) without discrimination on the basis of:*		<input type="checkbox"/>	<input type="checkbox"/>
i Sex/gender		<input type="checkbox"/>	<input type="checkbox"/>
ii Race		<input type="checkbox"/>	<input type="checkbox"/>
iii Color		<input type="checkbox"/>	<input type="checkbox"/>
iv Religion		<input type="checkbox"/>	<input type="checkbox"/>
v Political Opinion		<input type="checkbox"/>	<input type="checkbox"/>
vi Nationality/Place of Birth		<input type="checkbox"/>	<input type="checkbox"/>
vii Social Origin/Caste		<input type="checkbox"/>	<input type="checkbox"/>
viii Family responsibilities/family status		<input type="checkbox"/>	<input type="checkbox"/>
ix Age		<input type="checkbox"/>	<input type="checkbox"/>
x Disability/HIV-AIDS		<input type="checkbox"/>	<input type="checkbox"/>
xi Trade union membership and related activities		<input type="checkbox"/>	<input type="checkbox"/>
40 I, as a woman, can work in the same industries as men <i>without any stereotyping on the basis of gender</i>		<input type="checkbox"/>	<input type="checkbox"/>

10/12 Children at Work

	NR	YES	NO
41 In my workplace, children under 14 are forbidden <i>Minimum age for employment is 14 years.</i>		<input type="checkbox"/>	<input type="checkbox"/>
42 In my workplace, children under 18 are forbidden for hazardous work <i>Minimum age for employment in hazardous work is 18 years</i>		<input type="checkbox"/>	<input type="checkbox"/>

11/12 Forced Labour

	NR	YES	NO
43 I have the right to terminate employment at will or after serving a notice		<input type="checkbox"/>	<input type="checkbox"/>
44 My employer keeps my workplace free of forced or bonded labor		<input type="checkbox"/>	<input type="checkbox"/>
45 When I work overtime, I work only 6 hours overtime in a week and with due overtime compensation		<input type="checkbox"/>	<input type="checkbox"/>

12/12 Trade Union Rights

	NR	YES	NO
46 I have a labour union at my workplace		<input type="checkbox"/>	<input type="checkbox"/>
47 I have the right to join a union at my workplace		<input type="checkbox"/>	<input type="checkbox"/>
48 My employer allows collective bargaining at my workplace.		<input type="checkbox"/>	<input type="checkbox"/>
49 I can defend, with my colleagues, our social and economic interests through "strike" without any fear of discrimination.		<input type="checkbox"/>	<input type="checkbox"/>

* For a composite positive score on question 40, you must have answered "yes" to at least 6 of the choices.

Results

Your personal score tells how much your employer lives up to national legal standards regarding work. To calculate your DecentWorkCheck, you must accumulate 1 point for each YES answer marked. Then compare it with the values in Table below.

..... is your amount of "YES" accumulated .

Uganda scores 33 times "YES" on 49 questions related to International Labor Standards.

If your score is between 1 - 18

This score is unbelievable! Does your employer know we live in the 21st century? Ask for your rights. If there is a union active in your company or branch of industry, join it and appeal for help.

If your score is between 19 - 38

As you can see, there is ample room for improvement. But please don't tackle all these issues at once. Start where it hurts most. In the meantime, notify your union or WageIndicator about your situation, so they may help to improve it. When sending an email to www.mywage.org/uganda/home/contact, please be specific about your complaint and if possible name your employer as well. Also, try and find out if your company officially adheres to a code known as Corporate Social Responsibility. If they do, they should live up to at least ILO standards. If they don't adhere to such a code yet, they should. Many companies do by now. You may bring this up.

If your score is between 39 - 49

You're pretty much out of the danger zone. Your employer adheres to most of the existing labour laws and regulations. But there is always room for improvement. So next time you talk to management about your work conditions, prepare well and consult this DecentWorkCheck as a checklist.

01/12 Work and Wages

Regulations on work and wages:

The Employment Act, 2006

Minimum Wage

The minimum wage was last updated in 1984 and set at 6,000 Ug.Shs. It has not been revised thereafter. In essence, Uganda currently has no minimum wage.

Regular Pay

The Employment Act, 2006 regulates the payment of wages to all classes of workers. The Act requires an employer to make timely payment of remuneration to the employees. If a worker is hired for a day, he is to be paid wages at the end of that day. Similarly, if he is hired for a week, he should be paid wages at the end of that week. The wages should be paid, however, in legal tender. This means that law does not usually allow in-kind payment of wages. However, Minister may make regulations in this regard after consultation with Labor Advisory Board. (Section 43 of the Employment Act, 2006)

Overtime Compensation

In accordance with the section 53 of the Employment Act, 2006, if a worker works for more than 8 hours a day and 48 hours a week, he is entitled to overtime at the rate of one and a half times the normal rate of pay (150% of normal wage rate). This rate is for working overtime on normal week days. An employer and employee may sign an agreement to pay higher or lower rate of overtime or even no overtime payment for extra working hours.

Night Work Compensation

There is no provision in the law that requires an employer to make premium payment to the night workers.

02/12 | Annual Leave and Working on Weekly and Public Holidays

Regulations on work and holidays:

Employment Act, 2006

Paid Vacation/Annual Leave

In accordance with section 54 of the Employment Act, all employees who have performed continuous service for a minimum period of six months or those who normally work under a contract of service for sixteen hours a week or more are entitled to annual leave. An employee is entitled to 21 working days paid annual leave, after completion of 12 months of continuous service at the rate of 7 days for each period of continuous 4 months of service. The time to take annual leave has to be agreed between the parties.

Pay on Public Holidays

Workers are entitled to paid Festival (public and religious) holidays (section 54 of Employment Act, 2006). Festival holidays are announced by Ugandan Government at the start of calendar year (usually 13 in number). The public holidays are regulated under the Public Holidays Act, 1965.

Weekly Rest Day

Workers are entitled to at least 1 day of rest per week (24 consecutive hours). The weekly rest day can be a customary rest day or agreed between the two parties. (section 51 of the Employment Act, 2006)

Compensatory Holidays/rest days

No provision could be identified in laws to require an employer to provide compensatory rest day for working on weekly rest day or public holiday, especially when workers have been paid at a premium rate for working on these days.

Weekend/Public Holiday Work Compensation

If workers have to work on a public holiday, they are entitled to 200% of the normal rate of wages. There is no provision in the law for weekend work compensation. (section 53 of the Employment Act, 2006)

03/12 Employment Security

Regulations on employment conditions

Employment Act, 2006

Written Employment Particulars

Ugandan Labor Law requires that contract of employment should be in writing and written statement of particulars should be provided to an employee within twelve weeks of the commencement of employment. (Section 25 & 59 of the Employment Act, 2006)

Fixed Term Contracts

Ugandan Labor Law does not prohibit hiring fixed term contract workers for tasks of permanent nature.

Probation Period

Maximum length of probation period is 6 months. However, it may be extended to 1 year with the consent of an employee. (Section 67 of the Employment Act, 2006)

Notice Requirement

The above law requires termination notice before terminating services of an employee. An employee may be terminated after serving due or paying in lieu of notice. Length of notice period depends on the length of service.

- i- notice period is at least 2 weeks, for a period of service of more than 6 months but less than 1 year;
- ii- notice period is at least 1 month, for a period of service of more than 12 months but less than 5 years;
- iii- notice period is at least 2 months, for a period of service of more than 5 months but less than 10 years;
- iv- notice period is at least 3 months, for a period of service of 10 years or more. (Section 58 of the Employment Act, 2006)

Severance Pay

There is a provision in the law regarding severance pay but this compensation is subject to negotiation between the employer and the worker. The worker must be in the continuous employment (of a particular employer) for at least 6 months. (Section 87-92 of the Employment Act, 2006)

04/12 Family Responsibilities

Regulations regarding workers with family responsibilities

Employment Act, 2006

Paternity Leave

A male employee, after birth of child or miscarriage, is entitled to 4 working days paternity leave in a year. (Section 57 of the Employment Act, 2006)

Parental Leave

There is no provision in the law on paid or unpaid parental leave.

Flexible work option for workers with minor children and other family responsibilities

No provisions could be located in the law supporting work-life balance for parents or workers with family responsibilities.

05/12 Maternity and Work

Regulations on maternity and work:

Employment Act, 2006

Employment Regulations 2011

Free Medical Care

There is no mention in the above act about the free medical care that has to be provided by the employer.

No Harmful Work

In accordance with Employment Regulations 2011, a pregnant woman would not to be involved in hazardous or harmful work that is detrimental to her health (section 42). Regulations also require that an employer may give an expectant employee any of the following options. (i) flexible hours of work (ii) lighter work load (iii) alternative arrangements of work.

05/12 Maternity and Work*(from back page)***Regulations on maternity and work:**

Employment and Labour Relations Act, 2004
Employment Regulations 2011

Maternity Leave

Female employees are entitled to a eight and a half weeks (60 days) of maternity leave with full pay. Of this leave, at least 4 weeks should be taken after child birth or miscarriage. (Section 56 of the Employment Act, 2006)

Income

The maternity leave is awarded with full pay. (Section 56 of the Employment Act, 2006)

Protection from Dismissals

It is illegal for an employer to dismiss a female employee due to her pregnancy. (Section 75 of the Employment Act, 2006)

Right to return to same position

A female worker has the right to return to same job/position after availing her maternity leave.(Section 56 of the Employment Act, 2006)

Nursing Breaks for Working Mothers

There is no provision of nursing breaks for working mothers.

06/12 Health and Safety at Work**Regulations on health and work:**

Occupational Safety and Health Act, 2006

Employer cares

In accordance with section 13 of Occupational Safety and Health Act, 2006, it is obligatory for an employer to ensure health, safety and welfare of persons at workplace.

Free protection

In accordance with the provisions of this Act, it is the responsibility of employer to provide free protective equipment including clothing to the worker whose work involves exposure to wet or injurious substances. (section 13 of Occupational Safety and Health Act, 2006)

Training

In accordance with the Act, it is the responsibility of an employer to provide instruction, training and supervision as is necessary to ensure health and safety of his employees.(section 13 of Occupational Safety and Health Act, 2006)

Labor Inspection System

Labor inspection system is in deterioration and is not per the requirements of Convention 81.

07/12 Work and Sickness

Regulations on Work and Sickness:

Employment Act, 2006

Workers' Compensation Act, 2000

Paid Sick Leave

Section 55 of the Employment Act 2006 provides for fully paid sick leave for the first month of illness.

Job security during Illness

As per section 55 of the Employment Act, an employer can't dismiss a worker during his/her first two months of sickness, or on account of pregnancy or disability. However, if on the expiration of two months, an employee's sickness still continues, employer is entitled to terminate the contract.

Medical Care

Medical benefits are available for insured workers and these include general medical care, specialist care, medicine, hospitalization, and transportation.

Disability/Work Injury Benefit

A worker is eligible for work injury benefit if a work related injury results in permanent incapacity or an incapacity lasting at least three consecutive days that results in the loss of earnings. If a worker is eligible for workers compensation/ work injury benefit under the Workers' Compensation Act, the employer shall defray all the reasonable costs associated with medical expenses, transport expense and other incidental expenses.

Work injuries are divided into four categories: (i) permanent total incapacity (ii) permanent partial incapacity (iii) temporary incapacity and (iv) fatal injury leading to death of a worker.

In the case of permanent total incapacity, amount of compensation paid to the employee is a sum equal to 60 months' earnings.

In the case of permanent partial disability, amount of compensation depends on the assessed degree of disability.

In the case of temporary disability, amount of benefit depends on circumstances of accident, assessed degree of disability loss of earnings and probable duration of incapacity. Benefit is paid for up to 96 months either periodically or as a lump sum amount.

In the case of fatal injury, the full benefit (60 months of earnings) is paid to the survivors/dependents of a worker.

08/12 Social Security

Regulations on social security:

National Social Security Fund Act, 1985

Pension Rights

National Social Security Fund Act, 1985 provides for old age benefit to a worker when he attains the age of 55 years. An early retirement benefit can also be claimed at the age of 50 years. For different benefits under above act, a worker contributes 5% of his gross monthly earnings while an employer contributes 10% of a worker's gross monthly earnings. A lump sum of total employer & employee contributions plus interest is paid. (Section 20)

Dependent's/Survivors' Benefit

National Social Security Fund Act provides for survivor benefit (these include dependents including widow, widower, children or parents). A lump sum of total employee and employer contributions plus interest is paid to the dependents as survivors' benefit if a worker dies before retirement. (Section 24)

08/12 Social Security*(from back page)***Regulations on social security:**

National Social Security Fund Act, 1985

Unemployment Benefit

No provision in law for unemployment insurance and benefits.

Invalidity Benefit

National Social Security Fund Act provides for invalidity benefit in the case of occupational accident resulting into permanent total or partial invalidity. A lump sum of total employee and employer contributions plus interest is paid in the case of permanent disability. (Section 22)

09/12 Fair Treatment at Work**Regulations on fair treatment at work:**

The Constitution of Uganda, 1995

Employment Act, 2006

Equal pay

The Constitution of Uganda, 1995 recognizes the right to equal pay for work of equal value (article 40). In accordance with section 6 of the Employment Act, every worker should receive equal pay for work of equal value.

Sexual Harassment at Workplace

Sexual harassment at workplace is prohibited by law. (Section 7 of the Employment Act, 2006)

Non-discrimination

In accordance with article 21 of the Constitution of Uganda, all human being are equal before the law and no person can be discriminated against on any ground including sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability. The Employment Act adds HIV status to the list of protected class. (Section 6 of the Employment Act, 2006)

Right to Work

Women can work in the same industries as men. No restrictions could be located in laws.

10/12 Children at Work**Regulations on children at work:**

The Employment Act, 2006

Children under 15

In accordance with provisions of this Act, a child under the age of 14 years can't be employed. (Section 32 of the Employment Act, 2006)

Minimum Age for Hazardous Work

The minimum age for hazardous work is 18 years. (Section 32 of the Employment Act, 2006)

11/12 Forced/Bonded Labour

Regulations on forced labour:

The Constitution of Uganda, 1995
Employment Act, 2006

Forced labor

Article 25 of the Constitution of Uganda prohibits forced labour. Section 5 of the Employment Act 2006 also prohibits all forms of forced or bonded labor.

Freedom to change jobs and Right to quit

Workers have the right to change jobs after serving due notice on their employer.

12/12 | Trade Union Rights

Regulations on trade unions:

The Constitution of Uganda, 1995
Labor Unions Act, 2006

Freedom to join a union

Articles 29 & 40 of the Constitution of Uganda provides for freedom of association while section 3 of Labor Unions Act allows the workers to establish, join unions. Moreover workers are allowed to participate in union activities outside working hours.

Freedom of collective bargaining

Labor Unions Act allows employees to bargain collectively through their representatives. (Section 3 of Labor Unions Act & Article 40 the Constitution of Uganda)

Right to strike

Right to strike is recognized by law however this right is strictly regulated. Strikes are prohibited in certain sectors of economy. There is a compulsory 30-day mediation period before lawful strike action may be taken.(Section 3 of the Labor Unions Act & Article 40 the Constitution of Uganda)

01/12 Work and Wages**ILO Conventions on work and wages:**

Minimum wage: Convention 131 (1970)

Regular pay & wage protection: Conventions 95 (1949) and 117(1962)

Compensation overtime: Convention 01 (1919)

Uganda has ratified Convention 095.

Minimum wage

The minimum wage must cover the living expenses of the employee and his/her family members. Moreover it must relate reasonably to the general level of wages earned and the living standard of other social groups.

Regular pay

Wages must be paid regularly.

Overtime compensation

Working overtime is to be avoided. Whenever it is unavoidable, extra compensation is at stake - minimally the basic hourly wage plus all additional benefits you are entitled to. In accordance with ILO Convention 1, overtime pay rate should not be less than one and a quarter times (125%) the regular rate.

02/12 Annual Leave and Working on weekly and Public Holidays**ILO Conventions in weekly rest days and paid annual leave**

Convention 132 (1970) on Holidays with Pay Convention

Conventions 14(1921), 47 (1935) and 106 (1957) for weekly rest days. In addition, for several industries, different Conventions apply.

Uganda has not ratified any of above conventions.

Paid holiday

An employee is entitled to at least 21 consecutive paid annual leave. National and religious holidays are not included. Collective agreements must provide at least one day of annual leave on full remuneration for every 17 days on which the employee worked or was entitled to be paid.

Pay on Public holidays

You should be entitled to paid leave during national and officially recognized public holidays.

Weekly Rest Day

Workers should enjoy a rest period of at least twenty-four consecutive hours in every 7 day period, i.e., a week.

Compensatory holidays

If you have to work on a national/religious holiday or a weekly rest day, you should be entitled to compensation. Not necessarily in the same week, provided that the right to a paid compensation is not forfeited.

Weekend/Public Holiday work compensation

If you have to work during the weekend, you should thereby acquire the right to a rest period of 24 uninterrupted hours instead. Not necessarily in the weekend, but at least in the course of the following week. Similarly, if you have to work on a public holiday, you must be given a compensatory holiday. A higher rate of pay for working on a public holiday or a weekly rest day does not take your right to a holiday/rest day.

03/12 Employment Security

ILO Convention on employment termination

Convention 158 (1982) on employment termination

Convention 158 is ratified by Uganda

The questions under this section measure the security or even flexibility or precariousness of an employment relationship. Although these are not clearly mentioned in a single convention (severance pay and notice requirement are provided in the Termination of Employment Convention No. 158) however, the best practices in the field require that employees be provided with a written contract of employment; workers on fixed term contracts should not be hired for tasks of permanent nature; a reasonable probation period (ideally lower than or equal to 6 months) may be followed to assess the suitability of an employee; a period of notice must be specified in an employment contract before severing the employment relationship; and workers be paid severance allowance on termination of employment relationship.

Written Employment Particulars

A contract of employment may be oral or written however workers should be provided with a written statement of employment at the start of their employment.

Fixed Term Contracts for Permanent Tasks

Fixed Term Contract workers must not be hired for permanent tasks as it leads to precarious employment.

Probation Period

A reasonable probation period must be provided to a worker to learn new skills. A newly hired employee may be fired during probation period without any negative consequences.

Notice Requirement

A reasonable notice period, depending on the length of service of an employee, may be required before an employer may sever the employment relationship.

Severance Pay

Employers may be required to pay a severance allowance on termination of employment (due to redundancy or any other reason except for lack of capacity or misconduct)

04/12 Family Responsibilities

ILO Conventions on family responsibilities:

Convention 156: Workers with Family Responsibilities Convention (1981).

Recommendation 165: Workers with Family Responsibilities (1981)

Convention 156 is not ratified by Uganda.

Paternity Leave

This is for the new fathers around the time of child birth and is usually of shorter duration.

Parental Leave

The accompanying recommendation (No. 165) to ILO Convention on Family Responsibilities provides for parental leave as an option available to either parent to take long leave of absence (paid or unpaid) without resigning from work. Parental leave is usually taken once the maternity and paternity leave have been exhausted. For working parents, laws may define the portion of parental leave that has to be compulsorily taken by fathers or mothers.

Work-Life Balance

Recommendation 165 asks for looking into measures for improving general working conditions through flexible work arrangements.

05/12 Maternity at Work

ILO Conventions on maternity and work:

An earlier Convention (103 from 1952) prescribed at least 12 weeks maternity leave, 6 weeks before and 6 weeks after. However, a later convention (No. 183 from year 2000) requires that maternity leave be at least 14 weeks of which a period of six weeks compulsory leave should be after childbirth.

Uganda has not ratified any of above Conventions.

Free medical care

During pregnancy and maternity leave, you should be entitled to medical and midwife care without any additional cost.

No harmful work

During pregnancy and while breastfeeding, you should be exempt from work that might bring harm to you or your baby.

Maternity leave

Your maternity leave should last at least 14 weeks.

Income

During maternity leave, your income should amount to at least two thirds of your preceding salary.

Protection from Dismissals

During pregnancy and maternity leave, you should be protected from dismissal or any other discriminatory treatment.

Right to

Workers have the right to return to same or equivalent position after availing maternity leave.

Breast Feeding Breaks

After child birth and your rejoining your organization, you must be allowed paid nursing breaks for breast-feeding your child.

06/12 Health and Safety at Work

ILO conventions on health and safety at work:

Most ILO OSH Conventions deal with very specific Occupational Safety hazards, such as asbestos and chemicals. Convention 155 (1981) is the relevant general convention here.

Labor Inspection Convention: 81 (1947)

Uganda has ratified only convention 081.

Employer cares

Your employer, in all fairness, should make sure that the work process is safe.

Free protection

Your employer should provide protective clothing and other necessary safety precautions for free.

Training

You and your colleagues should receive training in all work related safety and health aspects and you should have been shown the emergency exits.

Labor Inspection System

In order to ensure workplace safety and health, a central, independent and efficient labor inspection system should be present.

07/12 | Work and Sickness

ILO conventions on Sickness and Employment Injury:

Convention 102 (1952), Conventions 121 (1964) and 130 (1969) concerning Social Security, Employment Injury Benefits and Medical Care and Sickness Benefits.

Uganda has not ratified any of the above mentioned conventions.

Income when sick

Your rights to work and income should be protected when illness strikes. The national labor law may provide that sickness benefit may not be paid during the first 3 days of your absence.

Minimum income

Minimally you should be entitled to an income during first 6 months of illness. This income should be at least 45 per cent of the minimum wage. (Countries are free to opt for a system which guarantees 60 per cent of the last wages during the first 6 months of illness or even during the first year). You should be entitled to paid sick leave.

Job security

During the first 6 months of your illness, you should not be fired.

Disability benefit

Whenever you are disabled due to an occupational disease or accident, you ought to receive a higher benefit. In the case of temporary or total incapacity/disability, a worker may at least be provided 50% of his average wage while in the case of fatal injury, the survivors may be provided with 40% of the deceased worker's average wage in periodical payments.

08/12 | Social Security

ILO Conventions on social security:

Social Security (minimum standards): Convention 102 (1952). For several benefits somewhat higher standards have been set in subsequent Conventions

Employment Injury Benefits: Conventions 121 (1964),

Invalidity, Old age and survivors' benefits: Convention 128(1967)

Medical Care and Sickness Benefits: Convention 130 (1969)

Unemployment Benefits: Convention 168 (1988).

Uganda has not ratified any of above mentioned Conventions.

Pension Rights

In the normal circumstances, the pensionable age may not be set higher than 65 years of age. If retirement age is fixed above 65 years, it should give "due regard to the working ability of elderly persons" and "demographic, economic and social criteria, which shall be demonstrated statistically". Pension can be set as a percentage of the minimum wage or a percentage of the earned wage.

Dependent's Benefit

When the breadwinner has died, the spouse and children are entitled to a benefit, expressed as a percentage of the minimum wage, or a percentage of the earned wage. This must at least be 40% of the reference wage.

Unemployment Benefit

For a limited period of time, the unemployed has a right to unemployment benefit set as a percentage of the minimum wage or a percentage of the earned wage.

Medical Care

Employees and their family members should have access to the necessary minimal medical care at an affordable cost.

Invalidity Benefit

Invalidity benefit is provided when a protected person is unable to engage in a gainful employment, before standard retirement age, due to a non-occupational chronic condition resulting in disease, injury or disability. Invalidity Benefit must at least be 40% of the reference wage.

09/12 Fair Treatment at Work

ILO Conventions on fair treatment at work:

Convention 111 (1958) lists the discrimination grounds which are forbidden.

Convention 100 (1952) is about Equal Remuneration for Work of Equal Value.

Uganda has ratified both Conventions.

Equal Pay

At workplaces equal pay for men and women for work of equal value is a must, regardless of marital status. Pay inequality based on race, colour, sex, religion, political opinion, national extraction/place of birth or social origin is also forbidden. A transparent remuneration system and the clear matching of pay and position should be in place and to help prevent wage discrimination.

Sexual Harassment

Not clearly provided in ILO Conventions. However, sexual intimidation/harassment is gender discrimination.

Non-Discrimination

Your employer can't discriminate against you on in any aspect of employment (appointment, promotion, training and transfer) on the basis of union membership or participation in union activities, filing of a complaint against an employer, race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin, temporary absence due to illness, age, trade union membership, disability/HIV-AIDS, or absence from work during maternity leave. (Conventions 111, 156, 158, 159 and 183)

Right to work

People have the right to work and there can't be occupational segregation on the basis of gender.

10/12 Children at Work

ILO Conventions about working children:

Minimum Age: Convention 138 (1973)

Worst Forms of Child Labor: Convention 182 (1999)

Uganda has ratified these Conventions.

Children under 15

At workplaces, children may not be forced to perform work that could harm their health and hampers their physical and mental development. All children should be able to attend school. Once this is safeguarded, there is no objection against children performing light jobs between the ages of 12 and 14. The general minimum age is 15 years however developing countries may set this at 14 years. The minimum age for hazardous work, work that is likely to jeopardize the health, safety or morals of young persons, is 18 years. It can also be set at a lower level of 16 years under certain circumstances

Hazardous Work

Children should not be employed in a work that is likely to harm the health, safety or morals of children. It is considered one of the worst forms of child labor. The minimum age for such hazardous work is 18 years.

11/12 Forced Labour

ILO Conventions on Forced/Bonded Labor:

Forced Labor: Conventions 29 (1930)

Abolition of Forced Labor: Conventions 105 (1957)

Forced labour is the work one has to perform under threat of punishment: forfeit of wages, dismissal, harassment or violence, even corporal punishment. Forced labour means violation of human rights.

Uganda has ratified both Conventions 29 and 105.

Prohibition on Forced and Compulsory Labor

Except for certain exceptions, forced or compulsory labor (exacted under the threat of punishment and for which you may not have offered voluntarily) is prohibited.

Freedom to change jobs

Employers have to allow you to look for work elsewhere. If you do, you should not be shortened on wages or threatened with dismissal. (In the reverse cases, international law considers this as forced labour).

12/12 Trade Union Rights

ILO Conventions on trade union rights:

Freedom of association and protection of the right to organize: Convention 87 (1948)

Right to Organize and Collective Bargaining: Convention 98 (1949)

Uganda has ratified both Conventions 87 and 98.

Trade union at work and Collective Bargaining

Trade unions are entitled to negotiate with employers on term of employment without hindrance. The freedom of a trade union to negotiate with employers to try and conclude collective agreements is protected. (The ILO has a special procedure for handling complaints from unions about violation of this principle).

Freedom to join and form a union

Freedom of association means freedom to join a trade union. This is part of the fundamental human rights. Employees may not be put at a disadvantage when they are active in the trade union outside working hours.

Right to strike

workers have the right to strike in order to defend their social and economic interests. It is incidental and corollary to the right to organize provided in ILO convention 87.

About Decent Work and Decent Work Check

Compare your own situation with the international labor standards and how they are applied in Uganda. At the end of the checklist you will see how things stand for you. You may be better off than what the international standards prescribe, but you should not be worse off. Behind every answer, you can find a short explanation of what your rights are; nationally and internationally. So you see right away if you can improve your situation.

The Decent Work Check makes the pretty abstract Conventions and legal texts tangible. Because, in the end, you want to know what your rights on the job mean in practice, what you may claim and what protection you are entitled to in case something unexpectedly does go wrong. The Decent Work Check employs double comparison system. It first compares national laws with international labor standards and gives a score to the national situation (happy or sad face). It allows workers to compare their real situation with national regulations in the country. Workers then compare their own score both at national and international levels. The Decent Work Check is based on de jure labor provisions, as found in the labor legislation. The real practice is informed by the employees themselves. This Check is different from other indices like World Bank's Doing Business Indicators or even ISSA's Social Security Programs throughout the World as it is not only descriptive in nature (bereft of any subjective opinions) but also that it covers a lot of different variables. The Revised Decent Work Check is also designed while taking into account upcoming Decent Work Indicators. While Decent Work Indicators focus more on statistics, our priority is informing workers about their rights through this Decent Work Check. Decent Work Check is useful both for employees and employers. It gives them knowledge, which is the first step towards any improvement. It informs employees of their rights at the workplace while simultaneously enlightening employers about their obligations. Decent Work Check is also useful for researchers, labor rights organizations conducting surveys on the situation of rights at work and general public wanting to know more about the world of work.

WageIndicator teams, around the world, have found out that workers, small employers and labour inspectors didn't even know the labour law.

When you are informed - being a workers, self-employed, employee, employer, policy maker, labour inspector - there is a greater possibility that you ask for your rights (as a worker), you comply with rules (as an employer) and you strive to enforce these (as a labour inspector). As soon as you complete the DecentWorkCheck, you see which issues need improvement in your work life. This is exactly the strategy chosen in the debates in many WageIndicator countries. In the debates with roughly 20-30 people around the table from all sides, the decent Work Check has soon the effect of a mini social dialogue. The people who run the dialogue are equally well informed.

The international labor standards are laid down in ILO-Conventions. ILO is the specialised body of the United Nations working on labour issues and was founded in 1919. In the ILO, negotiations are always going on between governments of the member states, national trade unions and employers associations regarding work related issues like rights at work and social protection. These negotiations may take years, but eventually lead to so called Conventions or Recommendations. In Conventions, minimum standards are laid down. Conventions are not the law, but the intention is that member states subscribe to the standard in question. The proper way to do that is to have these Conventions ratified by parliament and then make national laws (Some countries may follow the system of self-executing treaties). National law can be enforced. ILO-Conventions are usually accompanied by Recommendations on how to implement the standards.

Since 1999, the ILO works according to the so called Decent Work Agenda. In the meantime, the Decent Work Agenda has been widely accepted as an important strategy to fight poverty and foster development. The Agenda has been incorporated in the Millennium Development Goals of the United Nations. In short, the idea behind Decent Work is first of all an income which allows the working individual a good life. Moreover, at work, everybody has an equal chance to develop themselves; working conditions are safe; there is no instance of child and forced/bonded labor; and discrimination does not occur. Trade unions are allowed a real say in work related matters and the state has created a social safety net for all especially for the sick, weak, elderly and expecting women.

Text: WageIndicator.org and Iftikhar Ahmad

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