



**Federation of  
Uganda Employers**  
*The Voice of Employers*

# **PRACTICAL APPROACHES FOR IMPLEMENTING EMPLOYMENT RELATIONS AT THE WORKPLACE**



## Table of Contents

---

Acronyms/ Abbreviations	3
Foreword	3
1.0. Introduction	4
1.1. About Fue	4
1.2. Background	4
1.3. Objective (S)	4
2.0. Definition of Terms	4
3.0. Laws Applicable	5
4.0. Jurisdiction & Application	4
5.0. Practical Explanation of Employment Relations	5
6.0. Constituents of Employment Relations	5
6.1. Employers	5
6.2. Employees/Labour Unions	5
6.3. Government	6
7.0. Relationship Between Employment Relations and the Law	6
8.0. Key Areas for Practicing Employment Relations	7
8.1. Adherence to Employment Laws	7
8.2. Recognition & Collective Bargaining	7
8.3. Industrial Action	8
8.4. Social Dialogue	9



## Foreword

---

Greetings from the Federation of Uganda Employers.

We present to you this guide on the practical approaches for implementing employment relations at the workplace. In here, we have dissected the different approaches in which employment relations can be introduced, practiced and implemented by both employers that have labour unions and those without recognized labour unions.

We wish you a fruitful read.

**Douglas Opio**

**EXECUTIVE DIRECTOR**

## Acronyms/ Abbreviations

---

ADR	Alternative Dispute Resolution
CBA	Collective Bargaining Agreement
EAC	East African Community
EAEO	East African Employers Organisation
ER	Employment Relations
FUE	Federation of Uganda Employers
HoD's	Heads of Departments
HR	Human Resource
ILO	International Labour Organisation
IOE	International Organisation of Employers
MGLSD	Ministry of Gender, Labour and Social Development

# INTRODUCTION

---

## About FUE

The Federation of Uganda Employers is the organization that advocates for employers' social and economic interests nationally, regionally and internationally. With 60 years' experience, FUE has built credibility in serving employers' interests in policy advocacy, employment relations and provision of business support services.

**Our Vision:** To be the leading Employers' Association in Africa, a leading organization in serving employers' interests and needs by 2023.

**Our Mission statement:** To enhance employer's competitiveness through policy advocacy, fostering best employment relations and sustainable job creation.

**Our products and services offer are guided by our core values which include:**

1. "Teamwork"      We win together
2. "Integrity"      We are transparent and accountable
3. "Mobility"      We are agile & responsive to change
4. "Excellence"      We strive for the best
5. "Sustainability"      We leave Employers better than we found them

## Background

In every 21st century organization, it is expected that there should exist a cordial working relationship between management/employer and the workers/employees so as to drive the desired productivity, effectiveness and efficiency leading to achieving the organisation's objectives and strategy. In line with this expectation, FUE has developed this guideline outlining the practical approaches for implementing employment relations at the workplace.

## Objective (s)

1. To encourage and promote the development and maintenance of good relations between employers and the employees.
2. Ensure the observance of fair and equitable conditions of employment at the workplace.

# DEFINITION OF TERMS

---

**Collective Bargaining:** Means a mutual discussion between the employer's management and the labour union leadership concerning the terms and conditions of service of the employees/members of the labour union that are eventually documented in the CBA.

**Employment Relations:** Is the organization's effort to create and maintain a positive relationship with employees. Also known as Industrial Relations

**Industrial Action:** Action taken by employees of a company as a protest e.g. strikes, demonstrations, sit-down, picketing among others.

**Labour Union:** means an organization of workers; often in a trade or profession, formed to protect and further their interests and rights. This organisation is registered under the Labour Unions Act, 2006.

**Recognition:** The process by which an employer recognises the labour union as a representative of the employees at the workplace for purposes of collective bargaining on the terms and conditions of service.

## LAWS APPLICABLE

---

This guide has been drawn in line with the Constitution of the Republic of Uganda, 1995 (as amended), Employment Act 2006, Labour Unions Act 2006, Labour Disputes (Arbitration and Settlement) Act 2006 and its amendment, Workers' Compensation Act 2000, Occupational Safety and Health Act 2006, Industrial Relations Charter 2010, international instruments such as ILO conventions and recommendations.

## JURISDICTION & APPLICATION

---

This guide shall apply to both public and private sector employers in Uganda with the exclusion of the police, prison and armed forces. This guide shall be of immense value to management executives, human resource managers, industrial relations practitioners and workers' and labour union leaders in their day-to-day engagements.

## PRACTICAL EXPLANATION OF EMPLOYMENT RELATIONS

---

This is the general collective relationship between the employer and employees. In an organisation. Where an organisation has recruited persons to fill the various positions in its structure, it is then expected that management shall do everything possible to ensure that there is a cordial working relationship with its employees to enable smooth operations and achieve the desired performance.

Particularly for the HR team/department, they develop rules, regulations, practices and policies that are geared towards creating and maintain the desired working relationship/environment. This further requires that employees are engaged by top management and HoD's, are provided with information, and are consulted for their input and views so that in turn the desired productivity is achieved.

More especially, ER is also achieved through management having in place a mechanism for resolving grievances and indiscipline whenever they arise.

## CONSTITUENTS OF EMPLOYMENT RELATIONS

---

There are a number of parties that are involved in practicing ER;

### Employers

These are companies, organizations & entities that employ workers and thus charged with the primary duty to create, maintain and practice ER at the workplace. Employers perceive ER as;

1. Creating and maintaining employee motivation
2. Obtaining commitment from employees
3. Establishing mutually beneficial channels of communication among all the stake holders
4. Achieving high levels of productivity and efficiency
5. A forum for Negotiating terms and conditions of employment with workers' representatives and/or labour unions

### Employees/Labour Union

While it is the primary duty for the employer to create, maintain and practice ER, there is also a reciprocal responsibility for the workers (individually or collectively) and labour union where they have been recognised by the employer. Employees and/or labour unions perceive ER as;

- 
1. Opportunity for negotiating on terms and conditions of employment
  2. Representing workers who may be in conflict with management
  3. Improving the ability of employees to influence events and decisions in the workplace
  4. Regulating relations with other labour unions
  5. It's an opportunity for employees to improve their working conditions

## **Government**

As a regulator charged with the responsibility to develop and follow up implementation of laws, policies and regulations, government ministries, departments and agencies interact with various enterprises and organisations but concerning labour and employment, the MGLSD takes the lead. The objective is to progress Uganda's social and economic agenda by developing and implementing sound ER policies and laws in line with ILO decent work principles. In this context, ER is perceived as;

1. Creating & maintaining harmonious relationships at the workplaces
2. Creating a framework of rules of fair conduct in workplace relationships
3. Instituting peaceful arrangements to handle any breakdown in workplace relationships
4. Realizing a fair Labour environment
5. Enhancing data for labour policy agenda, and formulation process

## **RELATIONSHIP BETWEEN EMPLOYMENT RELATIONS AND THE LAW**

---

While organisations are set to carry out business, they are set up and registered in accordance with the applicable laws in Uganda. It is then expected that organisations shall from time-to-time employ persons within the various departments so as to execute the various tasks in accordance with the stated performance plan and strategy. The employer-employee relationship is governed by the various employment laws of Uganda.

In as much as there is no clear-cut provisions or law that specifically speak to ER, it is generally practiced and manifests in various laws, policies and procedures e.g.

1. Employees enjoying their right to participate and form/join a labour union of their choice
2. Employers recognising labour unions for purposes of representing the interests of their employees; including the right to collectively bargain the applicable terms and conditions of service
3. Employers recognising and implementing the rights and responsibilities on the part of the employers and employees as enshrined under the employment laws
4. Establishing structures to support employee engagement and involvement e.g. having a staff council/committee, committees on welfare, committee on safety and health, among others
5. Establishing structures for grievance and discipline handling
6. Creating and implementing policies and procedures, work rules for governing the work culture, performance, behaviour and conduct for employees
7. Imploring ADR mechanisms where labour complaints/disputes arise
8. Embracing dialogue among all concerned parties so as to reach an amicable

## KEY AREAS FOR PRACTICING EMPLOYMENT RELATON

In this section, we dissect some of the key areas where ER should be practiced and include some of the implementation strategies that may be implemented by the employer through the respective HoD's and guidance from the HR department.

### Adherence to the Employment Laws

In an employer-employee relationship, it is expected that either party should adhere to the employment laws of Uganda. Some of the rights and obligations may include;

Rights & Obligations-Employer	Rights & Obligations-Employee(s)
<ul style="list-style-type: none"> <li>(a) Duty to provide work</li> <li>(b) Pay wages or salary</li> <li>(c) Apply the necessary statutory deductions e.g. PAYE, NSSF, LST, labour union dues etc</li> <li>(d) Provide pay slips either electronically or hardcopy</li> <li>(e) Schedule and allow employees to utilise annual, maternity, paternity, sick, unpaid leaves</li> <li>(f) Specify working hours and schedule work shifts</li> <li>(g) Establish mechanisms for protecting employees safety and health while at work</li> </ul>	<ul style="list-style-type: none"> <li>(a) Perform duties as specified by the employer</li> <li>(b) Entitled to salary or wages as specified in employment contract</li> <li>(c) Entitled to information about statutory deductions to be made</li> <li>(d) Entitled to pay slips from the employer</li> <li>(e) Utilise the scheduled leaves, provide necessary support documents/evidence</li> <li>(f) Adhere to working hours and schedules</li> <li>(g) Protect themselves from any hazardous situations, ensure that they use/follow the standards put in place by the employer</li> </ul>

It is the employer's responsibility to duplicate the above mentioned rights and obligations and any others, in the employee's employment contract and applicable terms and conditions of service. Management should at all times ensure that employee policies and procedures are updated as often as possible and disseminated to staff.

### Recognition and Collective Bargaining

Here, ER largely involves management, the employees who have joined/eligible to become members of the labour union and the labour union that has been recognised by management. Below are some of the key aspects that an employer should take note of in recognition and collective bargaining processes;



- (a) Execute the recognition and procedural agreement with the labour union. It is important to agree and be clear on the categories of employees who are eligible to become members of the labour union
- (b) Check-off of labour union dues should be undertaken by management against the salary/wages of the employees who have become members. The total sum is remitted to the labour union on a monthly basis
- (c) Allow the union members to participate in the labour union activities. Here, the labour union should inform management in reasonable time
- (d) There should exist a branch union leadership elected by the employees/members of the labour union e.g. Chairperson, Secretary, chief shop steward, shop stewards among others. These are the officials that management/HoD's work with on a day-to-day basis except for circumstances that need to be escalated to the labour union national leadership
- (e) It is important for management to undertake preparation for collective bargaining e.g. train the managers in negotiation skills, prepare counter proposals based on the proposal for collective bargaining that has been prepared by the labour union, set date(s) and time for negotiating to come up with an agreed position. In addition, the HoD's should be trained on working with the labour union
- (f) Continuously dialogue i.e. management and labour union to provide the other with information and discuss to reach amicable settlement on any matters of common interest
- (g) However, where the labour union and management fail to reach an amicable understanding or resolution, either party may refer the concern to the MGLSD
- (h) Working with the labour union is a continuous process.

It is important to note that recognition of the labour union by management takes place once (unless the labour union ceases to have members) and collective bargaining is a continuous process that takes place depending on the scheduled time by the parties' e.g. it may be agreed that negotiation for the collective bargaining agreement can take place every after two (2) years. The HR team plays a key role in providing oversight throughout the process of recognition and collective bargaining.

### **Industrial Action**

ER takes into recognition, the employees' right to industrial action as long it is carried out within the confines of the law. Below are some of the considerations that management should note;

- (a) Employees should inform management of the issues that are causing misunderstandings and disputes at the workplace. It is always advisable that it is done in writing
- (b) Employees should give management sufficient time to address the grievances raised. A disclaimer is made that in the event that the raised issues are not resolved, industrial action may be taken
- (c) Where the time elapses and nothing has been done to address the grievances raised, the employees may take industrial action.
- (d) The above parameters make an industrial action lawful.

It is advisable that employees should take industrial action without destroying the company's property or cause harm/injury to colleagues or any of the management staff. In most cases, employees take industrial action without first informing management hence making the industrial action unlawful. Where this happens, management should ensure that there is in place reasonable security so that property is not destroyed/ injury or harm is not occasioned, and work with the employees/labour union (if it is present) to ascertain the cause of the industrial action and in a worst-case scenario, the MGLSD may be contacted to resolve the causes/effects of the industrial action and propose a way forward. This should be done where the industrial action was destructive in nature.



---

Management should at all times have mechanisms and channels that allow employees to air out their grievances and should be resolved as soon as they are reported.

### **Social Dialogue**

ER is practiced in other situations/aspects that have not been specifically mentioned here but the guiding factor is "social dialogue". Here, management implores discussions, information sharing and engagement with the different stakeholders so as to address issues of common interest.



