

TUESDAY, 14 MARCH, 2017

MINISTERIAL STATEMENT

**PROTECTION OF HUMAN AND EMPLOYEE RIGHTS IN THE ZAMBIAN LABOUR
MARKET**

The Minister of Labour and Social Security (Mrs Simukoko): Mr Speaker, I wish to thank you for according me this opportunity to deliver a Ministerial Statement to this august House on the Protection of Human and Employee Rights in the Zambian Labour Market. I wish to begin by assuring this House that my ministry is committed to ensuring that workers' and employers' fundamental rights are guaranteed.

Mr Speaker, the protection of human and employee rights in the Zambian labour market is anchored on the Zambian Constitution as well as other various pieces of legislation relating to employment and labour. It is important to note that the employee rights are also human rights which include the right to employment, fair wages, safety and health, social protection and non-discrimination, among others.

Mr Speaker, the rights of employees in Zambia are drawn from both the Human Rights Charter and the International Labour Organisation (ILO) Charter. The ILO's core mandate is to facilitate the setting and monitoring of international labour standards in the form of conventions, recommendations and codes of practices which set minimum standards and basic labour rights and obligations from member states.

Sir, in the context of the Zambian labour market, the Constitution and other subsidiary laws, including the labour laws, describes the following rights and obligations ensuring the protection of human and employee rights:

- (a) protection from forced labour;
- (b) protection of freedom of assembly and association;

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- (c) protection from discrimination;
- (d) protection of young persons and children from discrimination;
- (e) protection of accrued pension benefits;
- (f) right to minimum wages and conditions of employment;
- (g) right to occupational safety and health; and
- (h) right to social protection and compensation in case of injury at work.

Mr Speaker, in order to enhance compliance of employer obligations and ensure that employees' rights are upheld, as enshrined in the various pieces of legislation, inspections are conducted by competent officials. Routine labour and factory inspections are carried out regularly, countrywide. During such inspections, officials from the ministry also sensitise and educate employers on the provision of the laws in relation to the rights of their employees.

In addition, investigative labour and factory inspections are conducted by ministry officials upon receipt of reports of infringements or abuse of employees' rights. Similarly, the trade unions are required, by their constitutions, to undertake workers' education on their rights and obligations. The main objective of trade unions is collective bargaining and grievance handling.

Mr Speaker, employers are equally encouraged to be involved in worker education. The collective agreements and recognition agreements signed between parties require that both workers and employers take time to explain the meaning of these documents to ensure that all understand their rights and obligations. Worker education used to be mandatory by law but was removed with the expectation that the trade unions would self-regulate in that matter.

However, overtime, it has been observed that not all unions are committing a lot of resources to worker education. I would like to take this opportunity to caution all trade unions that if the trend of poor worker education continues, we shall be left with no option but to legislate the need for