



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



International
Labour
Organization

FUE GUIDE TO EMPLOYERS ON THE POLICY, LEGAL AND REGULATORY FRAMEWORKS AND

BEST PRACTICES FOR THE ELIMINATION OF CHILD LABOUR IN TEA AND COFFEE SUPPLY CHAINS



**PREPARED BY
THE FEDERATION OF UGANDA EMPLOYERS**

**WITH SUPPORT FROM
INTERNATIONAL LABOUR ORGANIZATION AND
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Foreword

Child labour violates National Laws, which give effect to international labour conventions already ratified by Uganda. It contributes to Employers' poor corporate image and lowers productivity. Indeed, it deprives the nation of skilled future labour as children become engaged in Child Labour activities instead of going to school.

Employers are therefore urged to initiate and have policies at their workplaces that discourage Child Labour, promote awareness about the dangers of Child Labour, support schools, children's education, communities, and workers in the effort to contribute towards the elimination of the Worst Forms of Child Labour and all other forms of child labour.

This booklet highlights the importance of the promotion of children's education as fundamental strategy towards elimination of child labour and the risks of child labour. The booklet also highlights the importance of social dialogue as one of the major tools that contributes towards elimination of child labour. While the big employers rarely use children, there are many reports that out-growers linked to larger agribusinesses do. The booklet further, provides the existing national legal framework on child labour and education, it highlights best practices which are necessary for the elimination of Child Labour and some essential actions that the employer's fraternity is required to take towards the elimination of Child Labour. Statistics, key points and information on Child Labour are outlined, which need to be observed by all progressive Employers.

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Abbreviations and Acronyms

CBA	Collective Bargaining Agreements
CL	Child Labour
CSR	Corporate Social Responsibility
FUE	Federation of Uganda Employers
ILO	International Labour Organization
OSH	Occupational Safety and Health
SDG	Sustainable Development Goals
UNICEF	United Nations Children's Fund
UPE	Universal Primary Education
WFCL	Worst Forms of Child Labour



Child Labour Statistics: Both Nationally and Globally

According to Uganda National Household Survey (2019/2020), 28% of children in Uganda were engaged in child labour. Incidence of child labour increased during Covid-19 from 21% to 36%. Before Covid-19, 22% of the male children were engaged in Child Labour and this percentage increased to 35% during covid-19. The survey also reveals an increase of female children engaged in child labour from 20% pre-Covid-19 to 37% during Covid-19.

In Urban areas before Covid-19, 14% of the children were engaged in child Labour and during Covid-19, the percentage of children engaged in child labour climbed to 23%. The same trend is reflected in rural areas where the percentage of children engaged in child labour rose from 24% pre-Covid-19 to 41% during Covid-19. This is attributed to the fact that during Covid-19, the schools were closed which forced some children to engage into child labour.

The educational development of these children engaged in child labour is at risk because they either do not attend School or their schooling suffers from long hours dedicated to work.

According to ILO/UNICEF survey (2016-2020), the new Global estimates indicate that 160 million children aged 5-17 were engaged in Child Labour. out of this number 79 million children are in hazardous work, endangering their health, safety and moral development. 86.6% of the children in hazardous work are in Sub-Saharan Africa.

1.1 Child Labour: An overview

Federation of Uganda Employers is a special fraternity of employers in Uganda which strives to promote best human resource practices among its core responsibilities. This includes though not limited to the elimination of child labour at the workplace and by extension outside the workplace. The Federation strongly believes that education and social dialogue are powerful tools that can be used for the elimination of child labour in all its forms in order to preserve the future labour force for the country.

Background to ACCEL-Africa Project and Alliance 8.7

Alliance 8.7 is an inclusive global partnership committed to achieving Target 8.7 of the Sustainable Development Goals.

This SDG target 8.7 calls on all UN member States to, “take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 to end child labour in all its forms”. The Government of Uganda has joined the Alliance 8.7 as a path finder country and this will further enhance the efforts towards achievement of the project goal.

ACCEL Africa Project is another project whose intervention will complement on the work implemented by ILO projects with specific focus on accelerating action for the elimination of child labour in tea and coffee supply Chains in Uganda. The project is being implemented in Cote D’Ivoire, Egypt, Malawi, Mali, Nigeria and Uganda.

1.2 What is Child Labour?

According to ILO Convention No. 138, (1973) and ILO Convention No. 182, (1999), **Child Labour** is work that is mentally, physically, morally or socially dangerous and harmful to children. It interferes with their education by depriving them of the opportunity to attend school or forcing them to leave school prematurely or make them combine school attendance with heavy work.

However, work that does not affect the children's health and education such as helping at home, outside schooling time (including time for completing homework) and does not affect the Children's development is not classified as Child Labour. In classifying Child Labour factors such as age, the nature of work performed, and its impact on the children's health and development including education has to be taken into account. It is important to further note that according to the Uganda's' Constitution, a child is a person below the age of 18 years.

Examples of Light work and Child labour

- **Omara** is eight years old, he works the whole day in the coffee plantation and does not go to school.
- **Akello** is eight years old and helps her mother to look after her young brothers and sisters and also goes to school.

The work done by **Akello** is not harmful. It does not put her health in danger. She has time to attend school and play with her friends. Akello's work is considered to be light work.

Omara on the other hand does not get the opportunity to play or to get basic education because he works all day. The environment within which he works can seriously harm his health and development. Omara's work is among the hazardous forms of child labour. This is because in addition to missing out on school Omara is exposed to harmful pesticides and other dangers which can affect his health.



1.3 What is Light work?

According to ILO Convention No. 138, Light work is defined as work, which is neither harmful to children's health or development nor prejudicial to their attendance at school and their participation in vocational training.

Light work is also determined by reference to broadly defined types of work, which does not exceed fourteen (14) hours per week.

The Employment Act No.6 of 2006 section 32(2) provides: 'A child under the age of fourteen (14) years shall not be employed in any business, undertaking or workplace, except for light work carried out under the supervision of an adult aged over eighteen (18) years'.

Activities that may be considered to be 'light'

If done under the supervision of an adult and the activities do not exceed fourteen hours per week, the following are illustrative examples of what may be considered to be **'light work'**:

- Sewing
- Attending to and serving guests at home
- Sweeping, cleaning the floor and organizing the house
- Cleaning and polishing shoes
- Washing clothes
- Cleaning places where animals are kept
- Making purchases in the market or shops
- Looking for firewood and fetching water
- Cleaning the toilet and bathroom
- Making beds in a home
- Helping out in the garden
- Cooking or preparing family meal



1.4 Worst Forms of Child Labour

The worst forms of Child Labour should be eliminated as the highest priority for companies and communities. This covers work that harms the safety, health and morals of children, and/or exposes them to physical, sexual, moral or psychological abuse. It also includes shouting, beating, or insulting children at workplaces.

According to the ILO Convention No. 182 (1999) the worst forms of child labour include the following: -

- All forms of slavery or practices similar to slavery such as the sale and trafficking of children, debt bondage, serfdom, forced or compulsory recruitment of children in armed conflict.
- The use, procuring or offering of a child for prostitution, for the production of pornographic performances.
- The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs.
- Work, which by its nature or the circumstances in which it is carried out is likely to harm health, safety, or morals of children.

1.5 Work That Children Should Not Do

- Work that violates children's fundamental rights as human beings e.g. production of pornography and commercial sex.
- Work that is dangerous, threatening, and exhausts children strength e.g. stone breaking in the quarry.
- Work that damages children's bodies due to their young age and lower levels of physical development e.g loading and off-loading goods (in trucks) in the markets because heavy burdens may harm or disfigure the child.
- Work that harms children's growth or robs them of the precious period of time that is childhood e.g. domestic work- as a maid
- Work that prevents children from going to school to gain basic skills, and knowledge for their growth and future working or learning life, e.g. working in plantations-cutting sugar-cane, picking coffee, plucking tea leaves.
- Work which is done under water.
- Work which is carried out at dangerous heights.
- Work which is done in confined places.
- Work with dangerous machinery, equipment and tools.
- Work in an unhealthy environment leading to exposure to hazardous substances, agents or processes, temperatures, noise levels and vibrations.
- Work involving illicit activities such as smuggling, prostitution and drug trafficking.
- Recruitment of children for use in armed conflicts.
- Additionally, there must be a total prohibition of work by very young children and special protection offered to the girl child.



**Every Child has a
Right to Education.
Stop Child Labour**



1.6 Consequences of Child Labour

- Complicated health and psychological problems.
- Commercial and sexual exploitation of children.
- Educational achievement of children engaged in child labour is compromised.
- School attendance suffers from long hours of hazardous/heavy work.
- Absent mindedness in school as children engaged in child labour will not pay attention as they are tired from long hours of work and little rest.
- Children perform poorly and eventually drop out of school.
- Child labour prevents children from acquiring the human capital for gainful employment as adults.

1.7 Social Dialogue

- i) Social dialogue is defined by the ILO to include all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy.
- ii) Social dialogue can be a driver and governance instrument for sustainable development
- iii) Other instruments of social dialogue, include all forms of management-labour cooperation, corporate social responsibility and international framework agreements between a global company and a global union federation. Collective bargaining can be a major tool in the fight against CL. Employers and Unions are encouraged to insert anti Child Labour clauses in the collective bargaining agreements (CBAs). This may form part of the agenda for CSR of employers.

2.0 International & National Guiding Instruments in the Fight against Child Labour and Education

The instruments that mainly guide in fighting child labour in Uganda and in other countries include the following:

2.1 International Instruments

☐ **ILO Convention No. 138 of 1973 on Minimum Age of Admission to Employment. Uganda ratified this Convention in 2003**

This Convention defines 15 years as the minimum age at which children can commence regular, non – hazardous work (or 14 years in developing countries which have made use of this exception upon ratification (as is the case for Uganda) and only for the period in which the end of compulsory schooling remains under 15 years of age) and 18 years as the minimum age to start hazardous work (heavy work, night work etc.).

☐ **ILO Convention No. 182 of 1999 on the Elimination of Worst Forms of Child Labour which Uganda ratified in 2001**

This Convention defines the ‘worst forms’ of child labour as work that is hazardous to the health and development of children, and also the aforementioned ‘unconditional’ worst forms such as forced labour, and the use of children in pornography and illicit activities.

☐ **UN Convention – on the Rights of the Child, 1989**

Children, like adults are entitled to basic human rights. But because of their special needs, and vulnerability, children’s rights need to be addressed with particular care and attention. The United Nations Convention on the Rights of the Child was drawn up in order to enforce and safeguard children rights. These include:

Survival Rights

All children have the right to life and to meeting their most basic needs, including food, shelter and access to health care.

Development Rights

All children have the right to develop properly, without hindrance. They have the right to education, play, freedom of thought, religion and conscience and all other rights that will allow them to develop to their fullest potential.

Protection Rights

All children have the right to be protected from all forms of abuse, neglect, and exploitation.

Participation Rights

All children have the right to take an active role in their community and nation, including freedom of expression, the freedom to associate with others, to be members of a group etc. The convention also focuses on specific areas that are relevant to the child labour problem.

Child Labour

Children should be protected from exploitation and any work that endangers them in any way or stops them from getting an education.

Education

All children have the right to receive primary school education. Secondary education should be promoted and encouraged.

- **The African Charter on the Rights and Welfare of the child which came into force in 1999**
- **The Hague 2010 Roadmap for achieving the Elimination of the Worst Forms of Child Labour by 2016 in which Uganda participated**



2.2 National Instruments on Child Labour and Education

☐ The Constitution

The Constitution of the Republic of Uganda (Amendment)1995; Article 34(4) provides for the protection of Children from Socio- economic exploitation and restricts them from performing work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development.

☐ Employment Act No.6, 2006

The Employment Act in Section 32 (1) (2) (4) (5) provides:

1. A child under the age of 12 years shall not be employed in any business, undertaking or workplace.

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2. A child under the age of 14 years shall not be employed in any business, undertaking or workplace, except for light work carried out under supervision of an adult aged over 18 years, and which does not affect the child's education
 3. A child shall not be employed in any employment or work, which is injurious to his or her health, dangerous or hazardous or otherwise unsuitable. An employer shall not continue to employ a child after being notified in writing by a labour officer that employment or work is injurious to health, dangerous or otherwise unsuitable for that child.
 4. A child shall not be employed between the hours of 7 p.m and 7 a.m.

☐ **The Education Act, No.8, 2008**

The Education (Universal Primary Education) Act (2008);

Section 4 states that basic education shall be provided and enjoyed as a right by all persons.

Part VII – Special Provisions Relating to Private Schools enables private enterprises to own and establish Schools.

The objective (e) of the Education Act 2008 is to promote partnership with various stakeholders in providing education services.

Section 4 states that basic education shall be provided and enjoyed as a right by all persons.

Section 31 provides for the requirements for establishing a private school.

☐ **The Children's Act Cap 59, 2000**

In section 8, the children's Act provides a legal framework for child protection in Uganda. The Act includes a clear statement banning harmful employment of children. Specifically, the Act states: "No child shall be employed or engaged in any activity that may be harmful to his or her health, education or mental, physical, or moral development." This statement reemphasizes Uganda's constitutional commitment to protect children from exploitative labour.

☐ **The Prevention of Trafficking in Persons Act, No. 6, 2009**

Part IV, states that a person commits the offence of aggravated trafficking where:

- a) The victim of trafficking is a child
- b) A person who while knowing or having reason to believe that a person is a victim of trafficking engages the labour or services of that victim in that status, commits an offence and is liable to imprisonment for ten (10) years.

☐ **The Penal Code Act 120 (amended 2007)**

Prohibits sexual abuse against children and criminalizes abduction, child trafficking and sexual exploitation of children, child stealing and commercial sexual exploitation. Conviction against any of these carries a maximum sentence of seven (7) years.

The Penal Code (Amendment) Act 2007 Section 129 B (1) refers to punishment for defilement.

2.3 Other National Laws

Other laws that have a bearing on child labour include:

- i) The Local Government Act, 1997
Section 16(4) States that the district executive committee shall assign one of the secretaries to be responsible for health and children welfare.
- ii) The OSH Act No.9, 2006, Part xii, Sections 83-93 on Hazardous work
- iii) The Education Act 2008, Universal Primary Education (UPE)
- iv) The Uganda Citizenship and Immigration Control Act, Cap 56
Section 13(1)(2)(3) provide for circumstances under which foundlings and adopted children gain citizenship.
- vii) The Mining Act, 2005 restricts and prevents children from working underground

All the above laws protect children from working.

2.4 Policy Frameworks

Significant achievements have been registered in the area of policy development and contributions to the elimination of child labour.

- **Government Aspirations**

The aspiration of the Government is to transform Uganda's economy from subsistence-based agriculture to a modernized industrial economy. This depends on Government's ability to successfully develop skills and know-how within its workforce. Education for all and elimination of child labour are key to this aspiration.

- **National Development Plan 2010-2015**

The National Development Plan (2010-2015) recognizes the importance of enhancing human capital development, protection of vulnerable groups including child labourers, enhancing the availability and quality of gainful employment, increasing household incomes and access to quality social services.

- **The Social Development Strategic Plan (SIDP) II (2012- 2017)**

The SIDP acknowledges that child labour undermines national economic development by creating cycles of intergenerational poverty. In its theme, "Accelerating social transformation through promoting employment and the rights of the vulnerable" the SIDP aims at, among others, improvement of observance of labour standards, including elimination of child labour and promotion of skills development for young people.

- **The National Employment Policy 2011**

The SIDP is also aligned to the objectives of the National Employment Policy for Uganda, which promotes decent employment opportunities, observance of fundamental rights and labour standards including elimination of child labour.

• **The National Child Labour Policy 2006**

The vision of the policy is a society free of exploitative child labour, a society in which all working children enjoy their rights to childhood, education, dignity and full development of their potential. The overall objective of the National Child Labour Policy is to guide and promote sustainable action aimed at the progressive elimination of child labour, starting with the worst forms. The simplified version of the policy has been translated into Luganda, Lumasaba, Ng'akaramajong, Acholi and Lango to facilitate easy adaption for the development of the community initiatives to prevent and eliminate child labour as a pilot project. The policy forms the basis for the development of the guidelines and action to combat child Labour in Uganda.

The policy seeks to achieve the following specific objectives:

- i) To integrate child labour concerns into national, district and community programmes
- ii) To establish a legislative and institutional framework to initiate, coordinate, monitor and evaluate child labour programmes
- iii) To stimulate collective and concerted efforts, at all levels, to eliminate child labour.

• **Universal Primary and Secondary Education Policies**

Universal Primary Education (UPE) provides for free primary education for all children. This is one of the important preventive strategies in the elimination of child labour. The Universal Secondary Education and the development of a law on compulsory education shall enhance these preventive measures for school dropouts and reduce other factors that lead to child labour.

The National Child Labour Policy and the Universal Policies on Primary and Secondary Education are interrelated and have mutually supportive goals that need to be jointly pursued to address the twin challenge of elimination of child labour and education for all.

- Guidelines for Labour Inspectors on Identification of Hazardous Employment
- The National Youth Employment Policy (2011)
- The NDP iii (2020) emphasis on universal education and skills development.
- The social development strategic plan (2012-2017)

Other Policies

Other policies that support the elimination of child labour include:

- The Universal Primary Education (UPE), 1997
- The Health Policy and Strategic Plan of Action, 2002
- The Revised Poverty Eradication Action Plan, 2004
- The Decentralization Policy, 1997
- The Revised National Strategic Framework on HIV/AIDS Activities in Uganda 2003/04 – 2005/06
- The National Employment Policy, 2006
- The Revised National Gender Policy, 2006

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- The Orphans and other Vulnerable Children Policy, 2004
 - The Plan for Modernization of Agriculture, 2001
 - The Policy on HIV/AIDS at the workplace, 2006

2.5 Institutions Established to Deal with Child Labour at Local and National Level

- **Child Labour Unit**

Based at the Ministry of Gender, Labour and Social Development, this unit coordinates the activities that are aimed at eliminating child labour in the Country.

- **National Implementation Committee (National steering committee on elimination of child labour)**

A policy body that oversees issues of elimination of child labour in the country. It is a multi- sectoral body, where Employers and Workers Organizations, other Government Departments and civil society organizations are represented.

- **National Council for Children**

This is yet another policy body for children's issues in the country where Government Ministries and departments, NGOs, Faith Based Organizations are represented.

- **District Level Coordination Committee**

- **Sub-County Level Coordination Committee**

2.6 Child Labour in Tea and Coffee Supply Chains

Employers are encouraged to;

- i) Insert a section on child labour company policy
- ii) Include anti child labour clause in CBA
- iii) Include child labour in company CSR policy
- vi) Build local and international networks

3.0 Child Labour and Education

Worldwide, there is a growing consensus that all children need to be educated to become productive adults and that child labour jeopardizes their development.

Consensus is also growing that education plays a key role in economic development, and that investment in education, in particular primary education and education for girls, gives a high return. According to ILO/UNICEF survey (2016-2020), the new Global estimates indicate that 160m children aged 5-17 were engaged in Child Labour. 1 in 10 children is involved in child labour. 79 m children are in hazardous work, endangering their health, safety and moral development, 86.6% of children are in Sub-Saharan Africa. According to Uganda National Household Survey (2019/2020), 28% of children in Uganda were engaged in child labour. Incidence of child labour increased during Covid-19 from 21% to 36%.

They are the children who either have no education at all or have had very little education.

Child labour is work that harms children or work undertaken by children under conditions that are hazardous, illegal, or exploitative. It constitutes a grave violation of children's rights, yet the majority of child labourers are hidden from eye sight and behind the reach of the law.

Though poverty has been advanced as the principal cause of child labour, lack of access to scholastic materials, the high cost of education, and the limited relevance of education to livelihood concerns of vulnerable households are some of the reasons often cited as to why children of school-going age engage in child labour.

Child labour affects the education performance, ambitions and attainment of children's careers. Due to long hours dedicated to hazardous and heavy work they are unable to attend school regularly. They are usually tired and absent-minded and therefore perform poorly and eventually drop out of school.

Education is linked to child labour in many different ways. The education system can contribute to the recruitment of children into child labour by not providing enough schools places for the children in school-going age, by not providing schools where the children live, by providing education where the private costs exclude some groups, or by providing education of insufficient quality or relevance.

On the other hand, education can play a key role in the prevention of child labour. Provision of free, accessible, universal education of quality for all will always be a very important contribution to a sustainable solution to the child labour problem. In addition, if education is made compulsory, the education system can provide a low cost monitoring system to ensure that children continue to be in school and not at work. Reducing the drop – out rate, creating school environments where children at risk feel welcome, and taking into consideration the factors that keep girls away from school, are all important contributions to ensuring that the education system also caters for the children most at risk.

The most comprehensive International Labour Standard on child labour, ILO Minimum Age Convention 1973 (No. 138) lays down the principle that school age children should not be employed or work, requiring the minimum age for employment or work to be not less than the age for completion of compulsory schooling.

Convention 138 allows light work for children 13-15 years of age (12 – 14 in developing countries which make use of this exception when ratifying the Convention, as is the case with Uganda) and it is part of the definition of light work, that it should not in any way jeopardize the child's possibilities to benefit from education (Schooling and /or vocational training).

Likewise, the most universally adopted UN Convention on the rights of the child (UNCRC) of 1990 states that children must be protected from economic exploitation and from performing any work that is likely to interfere with education, or is harmful to a child's health or well – being.

The National Child Labour Policy acknowledges that education is one of the key strategies for combating child labour and increased access to relevant quality education opportunities would enable children to develop their capacities and sustainably provide for their families when they become adults and break the cycle of poverty, unemployment, indecent work and child labour.

Among some of the efforts on child labour and education linkages by the Ministry of Gender, Labour and Social Development (MGLSD), in collaboration with the ILO/FUNDAMENTALS, the Ministry of Education and Sports (MoES), social partners and various implementing agencies have focused on are:

1. Establishing child-labour free communities.
2. Involvement of communities in quality education, provision of school lunch and school environment.
3. Simplification of the National Child Labour Policy and its translation into local languages for use by the local governments, social partners, communities, teachers, civil society organizations and parents.
4. The integration of child labour within the National Curriculum for Primary Education and the Teacher Training institutions and the production of SCREAM materials for use by the teachers and children using music, drama and drawing as a tool for raising awareness.
5. Raising public awareness on the role of education in addressing child labour and profiling child labour elimination as a national priority issue for achieving the Millennium Development Goals on education.

The public at large needs to know about child labour, particularly its worst forms, and why it is harmful both to children concerned and to society as a whole. Vulnerable households need to be engaged at their level to enable them understand the benefits of education and how it can help to combat child labour. Parents and children must see education as a meaningful investment of time.

In addition to awareness –raising, education infrastructures need to be expanded and improved and the capacity of national education institutions built to deliver appropriate education systems that encourage children engaged in or at risk of exploitative labour to attend school. In general, schools need to be made more receptive, accommodating, friendly and safer for children.

Children can also play an important role in their futures. Children who are in child labour should be involved in their own removal, in particular they should be made aware of the importance of schooling to enable them to choose freely what they would like to do for work when they grow up. And children whose friends are in child labour should be encouraged and made to feel safe telling a teacher or other adult about their friend's predicament, without putting the friend or themselves in jeopardy.

Children need to understand why they need to go to school for them to remain in school. To ensure the long-term sustainability of these efforts, policies on child labour and education need to be strengthened and enforced and the capacity of relevant national institutions built to conduct research and collect reliable data on child labour.

In the long run, education needs to be recognized as the principal occupation of children.

The MGLSD and the MoES intend to strengthen collaboration in efforts to increase educational opportunities as viable alternatives to combating child labour, in particular the worst forms of child labour. This initiative presents a timely opportunity for the Ministries of Education and that responsible for Labour to jointly address common challenges that affect the two sectors in achieving the twin goals of elimination of child labour and education for all.

4.0 Risks of Child Labour

The dangers that children face vary with the kind of work they do. Some dangers are immediate; others have long-term consequences. Here are some examples of the problems that child labourers face especially when they work under hazardous conditions:

Working at a very Early Age

Children are too young and they lack physical, mental and psychological maturity to work fulltime, particularly in hazardous conditions.

Working Long Hours

In extreme cases, children are expected to work 12 to 16 hours daily, sometimes without rest. Domestic child workers often fall in this category. Instances have been recorded where children work from 10.00am to midnight non-stop. Such work exposes them to abuse and exploitation particularly girls who are prone to the risk of sexual exploitation by the male employers and the boys in the homes where they work. They lack clear terms of service from their employers, they are usually over worked, not paid or unpaid thus making the children to suffer from mental to physical exhaustion, which impairs their normal development and growth. But even in the best of conditions, child domestic workers are still deprived of an education and a childhood.

Strenuous Work

Children are sometimes forced to carry heavy loads. This adversely affects their physical growth.

Work which Subjects Children to Sexual Exploitation

Many working children are faced with the risk of sexual exploitation. Some children are forced into prostitution. Such children are faced with many dangers including the risk of contracting sexually transmitted diseases (STDs) such as HIV/AIDS and suffering psychological trauma because such work is degrading, exploitative and abusive.

Work which Subjects Children to Violence and Abuse

Working children are sometimes beaten, punished and taken advantage of because of their docility and physical vulnerability.



Work that Involves too many Responsibilities

Some children are forced to take on too much responsibility such as taking care of homes and younger siblings. Such extreme responsibility is too demanding and negatively affects the development of the child by depriving the child of the opportunity to participate in other educational and recreational activities.

5.0 The Different Forms of Child Labour that must be Noted

In Uganda, child labour is mainly common in the following sectors:

Agriculture

While most agricultural activities are of subsistence nature, there are equally a number of large-scale agricultural enterprises such as in tea, coffee, sugar, rice and cotton, of which some of these labourers are children. For example;

- Piece rate payment systems incentivize families to include their children in harvesting.
- Low productivity small scale farms cannot afford to pay hired help and instead rely on their children's labour
- Itinerant farm families travel around with harvest seasons and include their children as labourers

Domestic Labour

This includes work such as looking after small children, doing household chores, fetching water, tiling the land, looking after animals or chopping wood, where children are denied education opportunities and exploited by the employer.

Commercial sexual exploitation of children

The causes of this phenomenon are varied. Some children are driven into commercial sexual activity by circumstances beyond their control, for example child headed families. Some children after the death of their parents resort to prostitution in order to earn money to take care of the remaining children.

Smuggling and other forms of cross-border trade

Uganda experiences smuggling due to the tendency by traders to avoid taxes and other legal mechanisms of trade. Children have been identified as “safe” conduits of merchandise across borders.

Street children

Increasingly, Uganda is experiencing the phenomenon of girls, and boys who have no home or those who run away from home to survive on the streets. These are commonly referred to as “street children”. Some of these children get involved in heavy work like loading and offloading trucks, this affects their health and development.

Construction Sector

Children engaged in physical chores such as working as porters at construction sites, and crushing stones at quarries or in sand mines, these affect their health and this poses risks to the adult workers on site as well. A construction site is extremely dangerous, and more so with children who lack good judgement of potential dangers.

Informal Sector

Children who drop out of school and provide casual labour in the informal sector, like in the streets, shops, markets- e.g. offloading trucks or helping shoppers to deliver items into their cars.

Fishing

The fishing industry engages child labourers in many ways. There are those girls, and boys who are directly involved in catching fish in the lakes and rivers, then there are those engaged in various forms of fish processing – e.g. smoking the fish and there are those who sell fish in markets and at roadsides.

Mining

Where children are involved in salt mining or gold mining etc... without going to school.

Child soldiers

Finally, another worst form of child labour is that one targeting children for recruitment into rebellious activities against government. These include children:

- Working as soldiers or as porters to soldiers.
- Who are taken away by force from their homes and families during the war and are made to work against their will.
- Who are forced to work because their parents or other family members have died as a result of the war.
- Working elsewhere because of the war situation at their homes.

Child Labour prevents children from acquiring basic literacy and numeracy skills thereby limiting their careers, employability and future livelihood opportunities.

6.0 Why Employers get Involved in the fight against Child Labour

Employers and their organizations are important players in the fight against child labour globally. In Uganda, they are making major contributions especially in their tripartite relations with the Government under guidance from ILO to ensure that the ILO Conventions are not only ratified, but they are implemented in compliance with the laws of the country. This is done through implementing projects and programmes as Employers' and Workers' organizations together with ILO, Government and Civil Society Organizations.

Specifically, employers and enterprises get involved in child labour issues for the following reasons:

☐ **Complying with the Law**

Most countries have laws against employing children in specific activities. Therefore, the first reason to get involved is that child labour is against the law. In Uganda children below 14 years should not be involved in child labour as the law outlaws it. In Uganda each enterprise is responsible for complying with the laws and regulations regarding the employment of children. Those below 18 years are not allowed by the law to work in hazardous conditions or in what is known as worst forms of child labour. By complying, the enterprise becomes an honest corporate citizen that need not engage in costly and wasteful avoidance strategies such as hiding workers from labour inspectors.

☐ **Expanding Market Access**

International buyers and foreign consumers wish to meet accepted international labour standards and also avoid negative publicity and potential boycotts. Buyers seek producers in developing countries that are certified as being free of child labour and that have worked hard to ensure that child labour is not used in the production of goods or the supply chain. This is not only good for individual businesses, but also for entire sector and the economy of a country as a whole.

☐ **Improving Productivity**

When we hire children we may think that our profitability will improve but this is for a short term. If we want to continue in business and succeed, then hiring children inhibit the development of a trained and productive workforce of adult workers. This is because children have a short attention span, less appreciation of quality control and less capacity to use machinery efficiently. Child labour hinders success of enterprises in the long run. Companies should have child labour policies at their workplaces.

☐ **Ethics (Doing the right thing)**

An employers' organization and any enterprise can contribute to national development and society at large by encouraging employment decisions that allow children to get

education and acquire skills. These children stand to earn more in the future, be part of an educated workforce and hence contribute to a more productive economy. But the decision to avoid employing children does not need to be based strictly on the future economic benefits it brings to children, the country and society. Sparing children, the misery of hard and hazardous work is desirable in itself. It allows children to grow and develop normally and, in the end, have a happier life. Thus, in such a situation, not hiring children is simply the right thing to do.

☐ **Corporate Social Responsibility**

As a company when doing business across borders it is important for companies to do so in a socially responsible manner, with respect for people, resources, the environment and the immediate surroundings. Companies should examine how their business might be involved in child labour, this should be extended to first- tier suppliers and then to suppliers further down the supply chain.

7.0 What Employers can do towards the Elimination of Child Labour

The process of identifying what should be done towards the elimination of Child Labour is not easy. However, Employers should address this problem systematically. Indicated below are a number of actions that can be taken.

- Creating more awareness about the consequences of Child Labour.
- Acknowledging the impact of Child Labour at the workplace.
- Addressing the issue of Child Labour through the collective Bargaining Agreements with Labour/ Trade Unions.
- Preparing a code of conduct at the enterprise to address Child Labour.



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- Observing the relevant Labour Legislation against Child Labour.
 - Align business operations with the guidance offered by the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), which offers recommendations to enterprises (multinational and national) for the realization of decent work (SDG 8).
 - Mainstreaming the issue of Child Labour in all enterprise activities.
 - Identifying occupations and working conditions that place children under 18 years of age at risk of hazardous work and remove them to safer jobs appropriate to their age.
 - Initiating actions to prevent child labour including supporting communities through establishing corporate social responsibility strategy. This can be done together with FUE by first investigating how your own business might be involved in child labour, and from there you can extend this to your suppliers and then to suppliers further down the supply chain. You can also be helped to get into contact with companies that have experience in this area to create a child labour free zone.
 - Taking measures to prevent/rehabilitate children already working who should return to school.
 - Visiting the child labour sites and initiating programmes for supporting such children.
 - Establishing social support networks and ensuring that company suppliers and contractors are equally sensitized on the dangers of Child Labour.
 - Social mobilization (including mobilizing the political will to accelerate the fight to eliminate child labour within the respective communities).
 - Advocating for the children's rights.
 - Establishing bursary schemes targeting the extremely vulnerable children.
 - Providing support and training for the personnel who care for the children.
 - Supporting the establishment of schools to protect the vulnerable children.
 - Supporting vulnerable children with scholastic materials. For example, books, pens, School bags etc
 - Become active in government and/or FUE programmes to eliminate child labour, where possible.

8.0 Highlights of Good Practices

These include the following:

- Awareness Raising
- Integration of child labour concerns into the Company business plans and budgets.
- Do business only with companies which are equally committed to the elimination of child labour in their operations.
- Participating in Community conversation meetings on child labour.

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- Supporting the setting up of Group income generating projects.
 - Implementing relevant provisions in the National Action Plan for the Elimination of Worst Forms of Child Labour in Uganda (2020/2021 – 2024/2025).
 - Supporting the establishment of Community Child Labour committees to monitor and report cases of Child Labour to local authorities for action.
 - Promote Child Labour Free Zones.
 - Supporting Children's Rights through Education, the Arts and the Media (SCREAM) Methodology.
 - Development of the Company Child protection policies.
 - Support to Community – led School feeding programme.
 - Supporting the creation of the Village Savings and Loans Associations.
 - Supporting the private sector on the formulation and implementation of public-private partnerships (PPP) to promote a better interaction between the private compliance initiatives by Employers Associations.
 - Conducting child labour compliance audits with private sector/employers i.e. at company level.



9.0 List of Hazardous Occupations in Uganda and Possible consequences

The most common nature of hazardous work includes:

- Handling toxic chemicals
- Carrying heavy loads
- Working at heights or confined places
- Using dangerous equipment and tools

Indicated below is the matrix on the Child Labour list of hazardous occupations and activities not permitted for employment of children below the age of 18 (As outlined by the Ministry of Gender, Labour and Social Development).

Industrial sectors	Sub-sector	Age	Activities	Hazards	Possible consequences
Agriculture	Tobacco	Children in the age group 12-14 Children in the age group 15-17	Preparing land, growing, planting Harvesting & marketing of tobacco	Long hours of work more than 14 hours a week Exposure to tobacco fumes	Fatigue Respiratory diseases
	Tea	All children below the age of 18	Growing of tea Harvesting of tea	Exposure to pesticides Long hours of work (more than 43 hours a week) Carrying heavy loads (24 kilograms) Snake bites	Long term health problems Fatigue Musculoskeletal injuries
	Rice	All children below the age of 18	Preparing land, growing, planting, scaring away birds, harvesting and marketing rice	Long hours of work (more than 43 hours a week) Cold Temperatures Working without protective devices Carrying heavy loads (25kilograms)	Fatigue, exposure to poisonous snakes Water diseases Musculoskeletal injuries
	Sugar cane	All children below the age of 18	Growing, planting, and harvesting sugar cane Transporting sugar cane.	Using dangerous tools and machinery Working as conductor for tractors	Cuts and wounds Deaths and fractures of limbs

	Maize milling	All children below the age of 18	Grinding, processing and marketing maize	Noise and vibration Exposure to dust Long hours of work (43 hours a week) Exposure to extreme temperatures Heavy loads (25kgs)	Loss of hearing Respiratory diseases Fatigue Musculoskeletal injuries
	Subsistence farming	Children in the age group 12-14		Long hours (more than 14 hours a week) carrying heavy loads (25kgs)	Fatigue
	Animal herding	Children in the age group 12-14	Looking after cattle and other animals	Animal attacks Long hours (more than 14 hours isolation)	Fatigue Psychological stress Injury from animal attack
	Fishing	Children in the age group 12-14 All children below 18.	Smoking fish Paddling boats/ canoes Loading boats/ canoes Fishing	Exposure to fumes and smoke Exposure to fire Long hours (more than 43 hours per week) Work at night.	Burns Deaths from drowning Water-borne diseases Fatigue
Domestic work	Bachelor of Food Processing Technology	Children in the age group 12-14	Cooking with fire Washing cars Child minding Laundry work	Handling sharp instruments Working with machinery and tools Working long hours (more than 14 hours per day) Isolated from family Exposure to fire and hot objects Sexual harassment/ abuse Inadequate food Heavy loads (25kgs)	Cuts and wounds Fatigue Emotional/ psychological stress or trauma Unwanted pregnancies Risk of contracting HIV/ AIDS Stunted physical development Musculoskeletal Injuries.

Construction	Baking bricks Building and road works	Children in the age of 12-14 All children below the age of 18.	Brick making Working as porters Operating lifting Mechanical power Giving signals to the operator of such machine	Exposure of dust, fire and excessive heat Working long hours (more than 14 hours a week) Carrying heavy loads (25 kilogram's) Dangerous heights and depths Exposure to displacement of loads.	Respiratory disease and burns. Fatigue Musculoskeletal injury Cuts and wounds Falls and death Accidents
Mining	Stone and sand quarries	All children below the age of 18.	Sand harvesting Crushing stones at quarries	Working long hours (more than 43hours per week) Carrying heavy loads (25 kilogram's) Exposure to dust Falling rocks or object Excessive noise/vibration Working at excavations Working at heights or below groups.	Fatigue Musculoskeletal injury Cuts and wounds Respiratory diseases Accidents Loss of hearing Deaths

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