



Zambia Decent Work Country Profile- Country Experience

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1.0 Introduction

- The new Zambian Government places Decent Work (DW) at the core of reducing poverty and as a means to achieve equitable, inclusive and sustainable development.

In Zambia's context, DW involves provision of:

- Opportunities for work that is productive and delivers an adequate income;
- Security in the workplace and social protection for workers and their families ; and
- Freedom to workers to express their concerns, to organize and participate in decisions that affect their lives.



2.0 Background

- The Government through the Ministry of Labour and social partners with support from the ILO has been implementing the ZDWCP to contribute to the promotion of DW in Zambia.
- The programme covered the period 2007- 2010 and was a coherent and focused programme grounded in national priorities as agreed with constituents and rooted in the national development agenda.
- The ZDWCP was aligned to the country's Poverty Reduction Strategy (i.e. Fifth National Development Plan & Vision 2030) as well as the United Nations Development Assistance Framework (2007-2010).
- Therefore, monitoring and assessing progress towards DW at the country level has been a longstanding concern for ILO and its member states . Against this background the 2008 Declaration-Social Justice for a Fair Globalization tasked member states to develop indicators to monitor and assess progress towards DW.



Background...contd

- The ILO Project (2009-2013) on Monitoring and Assessing Progress (MAP) on DW with funding from the EU targeted Zambia to test the framework of developing a DW Country Profile.
- Zambia was/is among two African countries under the ILO/EC MAP Project.
- The project aimed at strengthening capacity of Government agencies, Employers' and Workers' Organizations to self-monitor and self assess progress on DW.
- MAP facilitated identification of DW indicators relevant at national level, supported data collection and uses the data for an integrated policy analysis of DW in order to make them relevant for DW country programmes and national policies



3.0 Specific Activities Under MAP

Activities implemented as part of the project Action plan include:

- Findings of the technical seminar on strengthening LMI to monitor progress on DW in Africa (Addis Ababa, 2009);
- Tripartite consultation workshop on measuring DW (Siavonga, 2009);
- National Background Study to undertake an overview of existing programs, activities and data collection exercises related to DW (2010);
- Training and capacity building in LMI (2011);
- Tripartite validation workshop of Zambia DW Country Profile in Lusaka (2011);
- Regional workshop on labour and DW statistics for SADC, organized by MAP, SADC and ILO - Pretoria office (2011);
- Production of DW Country Profile Zambia (2012);



Specific Activities Under MAP...contd

- Commission of the National Labour Force Survey (2012);
- DW indicators in Africa- A first assessment based on national sources (2012);
- Meeting on Measuring and Monitoring DW: Lessons learnt from MAP countries meeting report in Geneva (2012);
- Measuring DW in Zambia-The DW country Snapshot 2012 launched (2013);
- Tripartite National launch event of the Zambia Decent Work Country Profile (January 2013);
- Report of the meeting on measuring and monitoring DW: Lessons learnt from MAP countries, Brussels (November 2013)



4.0 Priority statistical indicators

Indicators	2005	2008
Employment to population ratio	82.47	68.60
Informal employment	90.91	68.60
Female share of employment in ISCO-88{Groups 11 and 12, legislators and senior officials; corporate managers}	28.00	26.80
Youth not in education and not in employment	9.64	15.50
Minimum wage as a per cent of average/median wage	25.47	35.07
Child labour as defined by ICLS resolution	36.43	33.73
Labour inspection rate	11	34
Share of population aged 55 yrs aged & above benefiting from a pension	16.70	–
Occupational injury rate, fatal	93	37



Priority statistical indicators...contd

- Working poor; the working poverty rate was used as a proxy of working poor. It was reported at 73.1%, 64.7%, 64.4% and 62.5 % in 1998, 2002, 2004 and 2006 respectively.
- There were no statistics reported on the DW indicator on the measure of discrimination by disability.
- No computation were made for the DW indicator relating to union density rate.



5.0 Thematic Areas & Policy Indicators

- Zambia carried out a comprehensive monitoring and assessment of DW based on ten thematic areas that corresponds to the ILO's DW Agenda, which include;
 - Employment opportunities;
 - Adequate earnings and productive work;
 - Decent hours;
 - Combining work, family and personal life;
 - Work that should be abolished;
 - Stability and security of work;
 - Equal opportunity and treatment in employment;
 - Safe work environment;
 - Social security; and
 - Social dialogue, employers' and workers' representation.



Thematic Area & Policy Indicators...contd

The policy situation regarding the ten thematic areas of the DW Country Profile in Zambia is as follows;

Employment Opportunities:

Employment creation is a high priority for the Zambian Government and this has been reflected in the number of policies, top among them:

- National Long Term Vision 2030;
- Fifth National Development Plan (2006-2010);
- Revised Sixth National Development Plan (R-SNDP, 2011-2015);
- National Employment and Labour Market Policy (NELMP, 2005);
- National Gender Policy (2000);
- Micro, Small and Medium Enterprise Policy (2009);
- National Youth Policy (2006); and
- TEVET Policy (1996).



Thematic Area & Policy Indicators...contd

Pieces of legislation such as the Zambia Development Agency Act No.11 of 2006 and Citizens Economic Empowerment Act No. 9 of 2006 among others aim to create employment.

- Zambia ratified C 122 on Employment Policy in 1979.

Adequate Income & Productive Work

- The concept relates to income from employment that is necessary for living.
- In Zambia, wages are set through three processes namely:
 - collective agreement for workers belonging to trade unions;
 - Statutory Instruments (SIs) issued by the Minister of Labour for vulnerable workers (2011 & 2012)
 - individually negotiated contracts.
- Zambia ratified the C 131- Minimum Wage Fixing in 1972.



Decent Hours

- The Minimum Wages and Conditions of Employment (MWCE) Act CAP 276 has set 48 hours as the maximum number of working hours per week.
- Employment Act (EA) Cap 268, the MWCE Act through the SIs and various Collective Agreements (CAs) provide for paid leave at the rate of 2 days per month after 6 months of continuous service.
- Overtime pay is provided in the law and is paid at one and half times the employee's hourly rate of pay.



Combining Work, Family & Personal Life

- Zambia has various laws and policies to combine family responsibilities with work such the EA, MWCE Act and various collective agreements provide for paid maternity leave.
- EA provides 12 weeks with full pay upon completion of 2 years of continuous service or after the expiry of 2 years since the last maternity leave .
- MWCE Act provides 120 days of paid maternity leave.
- Various CAs, MWCE Act through the SIs provide leave for female employees to nurse their hospitalized sick children.
- Zambia ratified C103 on Maternity Protection in 1979.



Work that should be Abolished

- Two forms of work that should be abolished are, child labour, including its worst forms, and forced labour.
- Laws and regulations that combat child labour include:
 - Constitution of Zambia CAP 1;
 - EA sets the minimum age for employment at 15 years;
 - Penal Code CAP 87 prohibits any sexual harassment of a child and child pornography;
 - Employment of Children and Young Persons Act CAP 274 prohibits children aged less than 18 years to be engaged in hazardous labour and;
 - Child Labour Policy and National Action Plan on Child Labour.



Work that should be abolished..contd

- Laws against forced labour include :
 - Constitution of Zambia CAP 1 (Article 14) provides protection from slavery and forced labour;
 - Anti-Human Trafficking Act No 11 of 2008 prohibits forced labour;
 - EA establishes forced labour as an offence and;
 - Employment of Children and Young Persons Act prohibits employment of children.
 - Zambia ratified C138 on Minimum Age and C No 182 on the Worst Forms of Child Labour in 1976 and 2001 respectively.
 - Zambia also ratified C29 on Forced Labour and C105 on the Abolition of Forced Labour in 1964 and 1965 respectively.



Stability and security at work

- The EA protects employees against unlawful termination of employment and unilateral changes to terms and conditions of employment stipulated in the employment contract or CA.
- The MWCE Act sets the minimum wage as a way of protecting the conditions of service for vulnerable workers.
- The Industrial and Labour Relations Act CAP 269 prescribes the rights of workers and places obligation on employers to recognize and register trade unions and CAs.
- Zambia has ratified C182 on Termination of Employment.



Equal opportunity & treatment in employment

- Various legislation and policies to reverse marginalization of women and other groups are in place which include:
- Constitution (Article 23) prohibits discrimination based on race, tribe, sex, place of origin, marital status, political opinions, colour or creed;
- EA prohibits dismissals based on pregnancy;
- Industrial Labour Relations Act prohibits an employer from terminating or imposing a penalty or disadvantaging an employee on grounds of race, sex, marital status, religion, political affiliation, tribal or status of an employee;
- Persons with Disabilities Act of 1996 forbids discrimination in employment based on disability; and
- NELMP highlights job creation for women, young people and people with disabilities.
- Zambia ratified C 100 on Equal Remuneration and C111 on Discrimination (Employment and Occupation) in 1972 and 1979 respectively.



Safe work environment

- The Ministry of Labour enforces legislation on work place safety and the Mines Safety Dept enforce safety standards in the mining sector.
- The institutions collaborate to conduct labour inspections related to safety and health.
- The Factories Act CAP 441, Mines and Minerals Development Act of 1995, Workers Compensation Act No 10 of 1999 and Occupational Safety and Health Act 2010 are the main pieces of legislation dealing with safety and health.
- The Workers Compensation Act provides for employment injury benefits to workers that suffer disabilities or contract diseases during the course of employment.
- Zambia ratified C 176 on Safety & Health in the Mines, C18 on Workmen's Compensation (Occupational Diseases), C17 on Workmen's Compensation (Accidents) in 1999, 1964 and 1965 respectively.



Social security

- Govt has set the broadening of social security to include the currently uncovered groups at the core of its efforts to reduce poverty.
- The Constitution of Zambia , Article 24 provides for pension.
- The R-SNDP, NELMP highlights the desire of Govt to address social protection needs of uncovered groups.
- The National Pension Scheme Authority is a mandatory scheme designed to provide a basic pension to regularly employed persons in all sectors of the economy though coverage is restricted to the formal sector.
- ▶ Other funds include the Public Service Pensions Fund, Local Superannuation Fund and Workers Compensation Fund Control Board.
- ▶ Various CAs provide for incapacity due to sickness and sick leave.
- ▶ The EA and the MWCE Act through the SIs have provisions for sick leave.



Social dialogue

- The Zambia Federation of Employers is the organization that represents employers. Zambia Congress of Trade Unions and Federation of Free Trade Unions of Zambia represents workers organizations.
- The framework and structure of social dialogue is provided for in the Industrial and Labour Relations Act CAP.... The Tripartite Consultative Labour Council is responsible for and has contributed to review of labour laws and the ratification of some of the ILO Conventions.
- The law makes provision for:
 - Freedom of association and the right to organize;
 - Collective bargaining right and;
 - Tripartite consultations.
- Zambia ratified C 144 on Tripartite Consultation, C 87 on Freedom of Association and Protection of the Right to Organize and C 98 on the Right to Organize and Collective Bargaining in 1978, and 1998 respectively.



6.0 Lessons

- There has been a strong commitment from the Zambian Govt towards the generation of LMI in order to monitor and assess progress towards DW with an allocation of USD 740,000 in 2012 and USD 925,000 in 2014.
- The DW Profile has presented an opportunity for Zambia to use the assessment as a baseline and as a powerful advocacy tool to lobby for policy development.
- MAP has contributed to the led to the strengthening of collaboration among the Government agencies, employers and workers and consequently led to the enhancement of evidence-based decision making.
- MAP has strengthened the technical capacities of the MLSS and the CSO in the collection, compilation and analysis of DW indicators as well as in generating LMI (LFS).



Lessons...contd

- MAP has enabled Zambia to contribute effectively to the development of a regional and global methodology in support of DW agenda notwithstanding its capacity to self monitor and self assess progress on DW.
- Though data analysis and production of LMI require further strengthening in the MLSS, the future technical assistance will not require the similar level of intensity.
- MAP has enabled Zambia to recognize DW as part of poverty reduction strategy in the formulation of policies and programmes.
- MAP has provided an opportunity to accelerate various policy development such as the revision of the SNDP, Industrialization and Job Creation Strategy as well as a tool to measure progress on some MDGs targets



7.0 Way forward

- The compilation of regular Profile with close alignment to existing LMI based on the MAP model is necessary.
- Full comprehension, endorsement and ‘buy in’ of the political establishment of the DW agenda should be undertaken.
- The RSNDP and other development plans have recognized DW and hence a follow up MAP project should be commissioned taking advantage of this enabling environment.
- Strengthening of technical capacity at the tripartite level is required.
- The preparation of the second Profile will benefit from the data availability from the 2012 LFS, 2011 economic census, national Census of 2010, LCMS of 2012 and the LFS 2014.
- The formulation of the ZDWCP 2013-2016 also presents an opportunity to monitor and assess progress on achieving the priorities set out in the programme.



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