



## UGANDA HOTELS, FOOD, TOURISM, SUPERMARKETS & ALLIED WORKERS UNION (HTS-UNION)



# KNOW YOUR RIGHTS AND OBLIGATIONS

Domestic Workers'  
Handbook in Uganda





# **KNOW YOUR RIGHTS AND OBLIGATIONS**

## **DOMESTIC WORKERS HANDBOOK IN UGANDA**

Published by  
HTS - Union  
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## TABLE OF CONTENTS

Preface	1
Definition of Labour/Trade Union	1
Benefits of joining a Trade Union	2
Brief history of Uganda Hotels, Food, Tourism, Supermarkets & Allied Workers Union-(HTS-Union)	2
HTS-Union Address	3
How to join HTS-Union	4
Definition of Domestic Work	4
Legal framework on Domestic Work	4
ILO Convention 189: Articles and Definitions	5
Domestic workers responsibilities and Obligations	8
Rights of Domestic Workers	9
HTS-Union and Domestic Workers Demands	14
Pictorial activities for Domestic Workers	15
Simplified Domestic Worker's Contract of Employment	16
Affiliation	19

## **PREFACE**

Domestic workers handbook is intended to raise awareness of domestic workers, employers, the community, law enforcement agencies and legislators on the rights and significance in society. This book shall further enlighten domestic workers and the stakeholders on how to control violence and harassment against domestic workers whilst in employment.

There is a wrong perception that domestic workers in Uganda do not have rights because they are not mentioned in the Law and cannot organize in a trade union.

The handbook is a content of brief information on Uganda's domestic workers rights, legislation, and Convention 189. It provides basic knowledge to domestic workers and employers on how to relate in the household as a place of work.

HTS Union calls out the government of Uganda to ratify the International Labour Organisation Convention 189 –Decent Work for domestic workers and to pass the Minimum Wages Bill into law in order to protect domestic workers against exploitation, violence and harassment from their employers.

## **DEFINITION OF A LABOUR/TRADE UNION:**

A labour union is a workers representative, voluntary, continuous, permanent, independent and democratic organization formed, run, managed and financed by the workers themselves for the purpose of advancing, advocating, promoting, protecting and defending their social-economic interests at work through collective bargaining.

Labour/Trade Union is a legitimate workers organization that exists by law:- the Labour Unions' Act, 2006 pursuant to Articles 29 (1) (e) and 40 (3) (a), (b), (C) and (d) of the Constitution of the Republic of Uganda, 1995 as amended 2017.

Domestic workers have a right to join a trade union for representation as per the Labour Unions' Act, 2006.

## **BENEFITS OF JOINING A TRADE UNION**

- Representation of domestic worker's interests like other workers through advocacy, review of labour laws and setting of Bi-laws to protect domestic workers.
- Education, Sensitization and Training about domestic workers rights and obligations among others.
- Improvement of work conditions e.g Issuance of employment contract, negotiation of terms and conditions, and salary/wages.
- Identity and involvement among organized workers like providing Membership card free of charge.
- Economic empowerment through enrolment into the workers SACCO and training in entrepreneurship skills.
- Securing jobs through grievance handling, problem or dispute settlement/ representation.

## **BRIEF HISTORY OF UGANDA HOTELS, FOOD, TOURISM, SUPERMARKETS & ALLIED WORKERS UNION-(HTS-UNION)**

HTS-Union was formed in 1957 at Lake Victoria Hotel Entebbe and first registered in 1959 as Trade Union No.2 under its first name, **Uganda Hotels and Domestic Workers Union** that evolved to its current name of **Uganda Hotels, Food, Tourism, Supermarkets & Allied Workers' Union**. The Union was formed for the main purpose and function of advancing, advocating, promoting, defending and protecting the social-economic interests of the workers in the sector of jurisdiction.

## **HTS-UNION ADDRESS**

### **KAMPALA -HEADQUARTER/ SECRETARIAT**

Plot 477, Ssekabaka Kintu Road,  
Wakaliga, Lubaga.

P. O. Box 3799 Kampala, Uganda  
+256414 272 903 / +256700 107 722  
uhfawu@yahoo.com / info@hts-union.org  
www.hts-union.org / www.uhftawu.org

## **NORTHERN REGION**

### **HTS-UNION GULU**

Muroni Road Plot 1  
Opposite PECE Division  
Headquarter  
+256703 228 829

## **ENTEbbe SUB-REGION**

### **HTS-UNION ENTEBBE**

Hill Road  
Post office Building Entebbe

## **RWENZORI SUB-REGION**

### **HTS-UNION FORT PORTAL**

Bundibujjo Road,  
Barclays Bank Building  
Tel: 0782- 824079 or  
+256701 151 088

## **EASTERN REGION**

### **HTS-UNION MBALE**

Republica Street Opposite Municipal  
Chambers  
P. O. Box 2472 Mbale.  
+256700 939 016 / +256774 569 215

## **SOUTH-WESTERN REGION**

### **HTS-UNION MBARARA**

Plot 2 Ntare Road  
AK House  
Room G16  
+256701 317 557

## **Area of membership jurisdiction**

HTS-Union draws its membership from but not limited to; Hotels, Domestic work, National parks, Supermarkets, Conservation areas, Sanctuaries, Resorts, Lodges, Motels, Confectionaries, Bakeries, Tour companies, Food processing plants, Members Clubs, Recreation areas, Janitorial. Refer to Article 5 of the Union Constitution.

## HOW TO JOIN HTS-UNION AS A MEMBER:

It is important that you join the Union when you start working;

- You contact your domestic worker leader/shop steward in your area/region.
- Visit the HTS-Union offices in Kampala, Mbale, Mbarara, Gulu, Fort Portal and Entebbe..
- Call the Union Secretariat on +256414 272 903 / +256700 107 722
- Send an email to [uhftawu@yahoo.com](mailto:uhftawu@yahoo.com)
- Send a Whatsapp message to +256700 107 722
- Visit the union website: [www.hts-union.org](http://www.hts-union.org)/[www.uhftawu.org](http://www.uhftawu.org)

## What is domestic work?

According to ILO Convention 189 the term domestic work means work performed in or for a household or households. It includes migratory workers, indoor and outdoor workers.

## Who is a domestic worker?

According to the ILO definition; A domestic worker is any person engaged in domestic work within an employment relationship.

## LEGAL FRAMEWORK ON DOMESTIC WORKERS IN UGANDA

- The Constitution of the Republic of Uganda, 1995 as amended 2005: Chapter 4, Article 29 & 40 provides for the protection and promotion of fundamental human rights like freedom of association, representation and non discrimination.
- The Employment Act, 2006 covers all workers in an employer-employee relationship. It mentions the terms of engagement not limited to hours of work, annual leave, maternity leave, days of rest and where to report cases which are work related.
- Workers Compensation Act, 2000: provides for the process/procedure how employees/workers are compensated in case of industrial accident/accident at work and medical cover.
- Occupational Safety and Healthy Act 2006. It provides for a need to have a safe and healthy working environment by outlining the provisions of the required gadgets for the safety and protection of workers against any Industrial danger.

- National Social Security Act, 1985: It provides for how the employer & worker shall contribute savings as workers social protection while at work. The employer contributes 10% and the worker 5% monthly.
- Labour Unions' Act, 2006: Provides that Workers Unions are formed, managed and run; and also spells out union members' relationship with their employers and government.
- Labour Disputes (Arbitration & Settlement) Act, 2006; Spells out how workers cases/ complaints and disputes are legally handled and concluded.
- The Minimum Wages Advisory Boards and Wages Councils Act, CAP 221: It is responsible for bringing into force The Minimum Wages Act which will be responsible for setting the minimum pay for domestic workers as determined by government. However, The Minimum Wages Bill is still pending in parliament to become law.
- The Equal Opportunities Commission Act, 2003: It is responsible for ensuring non discrimination among workers (domestic workers) in the formal and informal, public or private sectors.

## **INTERNATIONAL LABOUR ORGANISATION (ILO) CONVENTION 189 and RECOMMENDATION (R) 201.**

This convention concerns domestic workers and it recommends Decent Work (employment contract, annual leave, maternity leave) for all domestic workers.

The Convention was adopted in Geneva during the 100th International Labour Conference session on 16th June 2011. On this particular date (16th June) all domestic workers in the World commemorate the adoption of this convention.

Below is the summary of the articles to the convention. HTS-Union was at the forefront of advocating for the adoption of the convention as well as formation of the international federation for all domestic workers: **International Domestic Workers Federation (IDWF)**. The founding Congress was held in 2013 in Uruguay-Montevideo that promulgated a new constitution and declared a new federation whose officials are elected after every 5 years.

## ILO C189 ARTICLES AND DEFINITIONS.

ARTICLES	DEFINITION	DETAILS
Article 1 (a)	A domestic worker is anyone in employment relationship in a household(s).	Includes migratory workers, Indoor and outdoor workers.
Article 2	Convention applies to all domestic workers defined in Article 1.	
Article 3	Require members to take measures to ensure effective promotion and protection of human rights of all domestic workers as set in Convention.	Fundamental Principles and Rights at work.  (a) Freedom of association and collective bargaining. (b) no forced labour (c) no child labour (d) no discrimination
Article 4	Protection of Child domestic workers between the ages of 15-17.	Does not deprive compulsory education, and advancement and training.
Article 5	Require members to take measures to ensure that domestic workers enjoy effective protection against abuse and harassment.	Physical, psychological or moral, sexual, race, ethnicity, social origin, religion.
Article 6	Require members to ensure fair terms of employment	Issues such as where domestic workers reside in household, decent living conditions and privacy
Article 7	Require members/workers that are informed of their terms and conditions of employment	Issues such as remuneration, hours, daily weekly rest (minimum of 24 consecutive hours after one week); in case of migrant workers requiring workers to receive a job offer or a written contract before crossing national borders

ARTICLES	DEFINITION	DETAILS
Article 8	Provisions for Migrant Domestic Workers	Receive written contract enforceable in country prior to travel; contract addressing the terms and conditions of employment, repatriation.
Article 9	Free to make an agreement on residing in household	Enjoy decent living conditions, not obliged to remain in household during rest, keep identity and travel documents, regulate standby work.
Article 10	Require equal treatment between domestic workers and normal workers.	Regards to hours of work, overtime, rest, paid leave.
Article 11	Minimum wages and non discrimination to enjoy protection	Domestic workers paid directly in cash and at regular intervals (at least once a month)
Article 12	Payments in Kind cannot be less favourable than those applied to other categories of workers	Access to social security
Article 13	Every domestic worker has a right to a safe and healthy working environment require members to take effective measures.	Factor in specific characteristic of domestic work, in consultation with employers' and workers organisations
Article 14	Ensure social security and maternal benefits.	
Article 15	Protection of domestic workers from abusive practices from private employment agencies	Adopt measures to adequately protect workers and prevent abuses. Ensure fees charged by agencies are not deducted from the remuneration of workers.
Article 16	Domestic workers have access to courts, tribunals, and other dispute settlement mechanisms	
Article 17	Establish effective and accessible compliant mechanisms and means of compliance with national laws	Implement measures for labour inspection and enforcement and penalties.

However, Uganda has not ratified ILO C189 and HTS-Union is calling upon the government of Uganda to ratify the convention in order to protect the rights of domestic workers.

## DOMESTIC WORKERS' RESPONSIBILITIES/OBLIGATIONS:

- Know what you are supposed to do and what not to do.



- Take care of safety and security of your employer's home and property.



- Take care of children left in your care.



- General House work (washing clothes, gardening, cooking, etc), not to steal or misuse/mishandle your employer's house property.



- Report what happened at home during the absence of your employer.

## RIGHTS OF DOMESTIC WORKERS:

### (I) RIGHT TO BE ISSUED WITH AN EMPLOYMENT CONTRACT:



#### How to employ a domestic worker:

- Engage and agree on working terms like hours of work, days of rest, maternity leave, and annual leave etc.
- Terms should be fair and consistent with the labour laws of the land concerning employment, workers compensation, occupational safety and health and social security.
- Issue the domestic worker with a contract signed by both parties with witnesses.
- Orient and induct the domestic worker on the job.

## (II) RIGHT TO RESPECT AND EQUAL TREATMENT:



### How to handle a domestic worker while on the job:

- Treat the domestic worker like any other employee/worker.
- Treat a domestic worker humanely as a family member.
- Treat a domestic worker as one of the managers of the home.
- Sanction a domestic worker for purposes of correcting conduct and performance (do not beat/abuse).

### (III) RIGHT TO A FAIR HEARING:



#### **How to handle a domestic worker's case/grievance at the place of work.**

- A domestic worker has a right to a fair hearing in case of wrongdoing.
- Conduct a hearing for a domestic worker before a disciplinary action is taken against her/him at the place of work/home.
- A domestic worker has a right to representation by the union.

#### (IV) RIGHT TO REPRESENTATION:

Where a domestic worker may report a case/grievance for representation.



**THE EMPLOYER:** If the domestic worker is in conflict with the employer's family member or fellow employee the case may be reported to the employer for settlement.



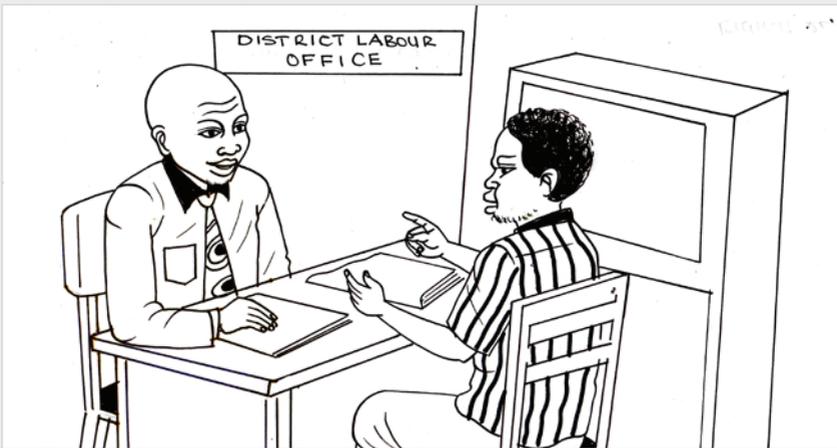
**THE HTS-UNION:** In a situation where the employer is the cause of the case then the domestic worker has a right to report the case to the union (free of charge) by calling or visiting the offices on p.3. However, in cases where the domestic worker cannot reach the union then one can report the case to any of the offices below;

## LOCAL AREA LEADER

e.g from the Local Council chairperson to the lowest level of Council.



**POLICE:** The domestic worker may report the case to the nearest police station.



**DISTRICT LABOUR OFFICE, MUNICIPAL LABOUR OFFICE,  
DISTRICT PROBATION OFFICE, MUNICIPAL PROBATION OFFICE.**

### **HUMAN RIGHTS BASED ORGANISATIONS**

i.e Human Rights Commission, Foundation for Human Rights Initiative, Equal opportunities Commission in your district or municipality.

**INDUSTRIAL COURT:** When all the above offices have failed with the case then the domestic worker is free to report the case to the industrial court office at the District level or at the Headquarter located in Ntinda, Kampala.

### **MINISTRY OF GENDER, LABOUR, & SOCIAL DEVELOPMENT**

The case may be registered with the office of the Commissioner Labour, Industrial Relations and Productivity or Occupational, Safety and Health (OSH). (located at Simbamanyo House in Kampala).

## **HTS-UNION AND DOMESTIC WORKERS DEMANDS:**

We demand Government of Uganda to ratify and domesticate Convention 189 Decent work for Domestic Workers which include;

- National Legislation that recognizes labour rights for domestic workers.
- The right to a minimum wage and a decent living wage.
- Review the National Social Security Act, 1985 to allow an employer to save for an individual employee rather than the current minimum number of 5 employees.
- The right to a contract of employment to determine the terms and conditions of work and salary/wages.
- The right to decent treatment and representation: domestic workers should be treated in humane way, provide food, drinking water etc.

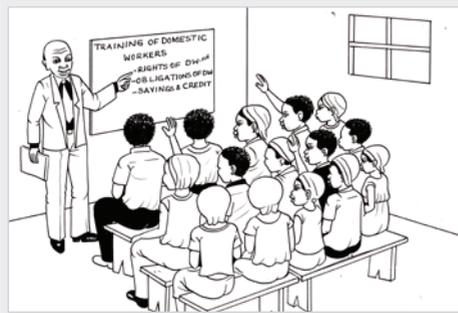
## DOMESTIC WORKERS ACTIVITIES



Door to Door recruitment:  
The union visit home to talk  
to domestic workers about  
their rights.



Monthly/quarterly meetings



Domestic workers training about  
their rights and obligations,  
savings and credit for personal  
economic empowerment.



Annual international domestic  
workers day celebration every  
16th June.

## SIMPLIFIED DOMESTIC WORKER'S CONTRACT OF EMPLOYMENT

Any person employing a domestic worker must provide the following particulars in writing when he/she starts work:

### Personal particulars of domestic worker (hereinafter referred to as "Employee")

Full names:	
National ID. No:	
Home address:	
Tel. No:	
Name of next of kin and Tel:	

### Particulars of employer

Full names:	
National ID. No:	
Home address:	
Tel. No - Home:	
Tel. No - Work:	

Date of employment:	
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General description of work done, place of work, and where he/she is required or permitted to work (e.g. entire premises; main house; garden).	
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## Wages/Salaries

a) Remuneration (earnings)

Basic salary/wage in UGX <i>Per (Month/fortnight/week/day)</i>	
-------------------------------------------------------------------	--

b) Method of payment

UGX Cash/ Cheque/Account	
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c) Other benefits and their values (if any):

<i>e.g. food, medical, education, etc).</i>	
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## Working hours

i) Days and Hours of work

Days:		Ordinary hours:	From	to
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ii) Overtime Hours

Rest Days:		Public holidays:	
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iii) Break Hours

Tea break:	From	to
------------	------	----

Lunch break:	From	to
--------------	------	----

## Leave

a) Annual Leave	b) Maternity/Paternity Leave	c) Sick Leave
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## Deductions from Wages/Salaries

NSSF (Social Security Act):	
Dues (Labour Unions' Act):	
Occupational Health & Safety	The employer will provide the employee with suitable working environment, uniform and protective gears to enable him/her perform the given duties. Any accident acquired while on duty or One hour to/or from duty will be treated as per The Worker's Compensation Act, 2006.
Repatriation	A domestic worker who is eligible for repatriation shall be in accordance with The Employment Act, 2006.
Termination of Employment Contract	The contract may be terminated by either party after giving notice as required by The Employment Act, 2006.

Employer sign/mark: \_\_\_\_\_ Date: \_\_\_\_\_

Witness/interpreter: \_\_\_\_\_ Date: \_\_\_\_\_

Telephone no: \_\_\_\_\_

National ID: \_\_\_\_\_

Residence: \_\_\_\_\_

Employer sign/mark: \_\_\_\_\_ Date: \_\_\_\_\_

Witness/interpreter: \_\_\_\_\_ Date: \_\_\_\_\_

Telephone no: \_\_\_\_\_

National ID: \_\_\_\_\_

Residence: \_\_\_\_\_

## **AFFILIATION**

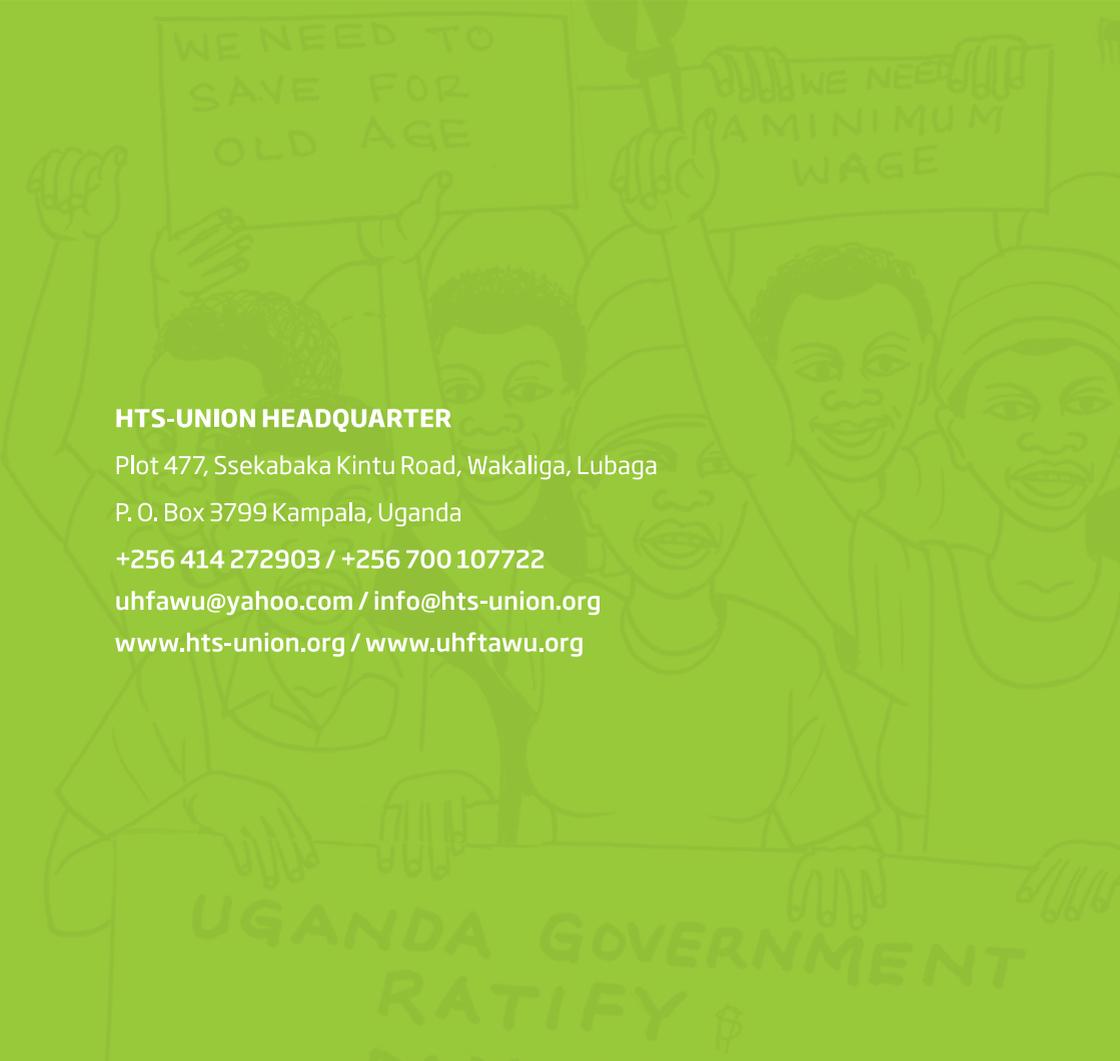
### **UGANDA HOTELS, FOOD, TOURISM, SUPERMARKETS & ALLIED WORKERS UNION IS AFFILIATED TO:**

- National Organisation of Trade Unions (NOTU)  
[www.notu.org.ug](http://www.notu.org.ug)
- International Domestic Workers Federation (IDWF)  
[www.idwfed.org](http://www.idwfed.org)
- International Union of Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF)  
[www.iuf.org](http://www.iuf.org)
- Union Network International (UNI)  
[www.uniglobalunion.org](http://www.uniglobalunion.org)
- IndustriALL Global Union  
<http://www.industrial-union.org>
- World Federation of Trade Unions (WFTU)  
[www.wftucentral.org](http://www.wftucentral.org)









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