

ATE excited to Host the 7th African Social Partners' Summit

On 31st January 2024, the Association of Tanzania Employers (ATE), had a Press Conference to inform about the upcoming 7th African Social Partners Summit that will be held on 7th & 8th February in Dar es Salaam, at JNICC and Johari Rotana Hotel respectively. Delegation from 50 African countries and outside Africa are expected to attend.

Informing the Press, ATE CEO Ms. Suzanne Ndomba-Doran said, "Participants at the Summit will delve into critical topics such as the future of work, digitalization, automation, Artificial Intelligence (AI) skills development, industrialization, and sectors for the job creation in Africa. It will also provide a unique opportunity to gain insights into current developments, share best practices, and identify effective strategies for inclusive growth and sustainable development"



This Summit is hosted by ATE in joint collaboration with the International Organization of Employers (IOE), with support from the European Union (EU), Business Africa, ILO East Africa and MeTL Group. The Chief Guest will be the Vice President of the United Republic of Tanzania, His Excellency Dr. Philip Isidor Mpango. Ms. Ndomba Doran further informed that this will be the first time the Summit is held in East Africa and in Tanzania.

Pictorials from the Press Conference





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7th African Social Partners' Summit

7-8th FEBRUARY 2024

Julius Nyerere International Convention Centre (JNICC)
Dar es Salaam

Chief Guest: H.E. Dr. Philip Isidor Mpango
Vice-President of the United Republic of Tanzania

50 Countries in Africa to participate!

Delegates will include:
Employers & Business Organisations, Trade Unions, Government, International Organisations, Youth Representatives, Academia and Regional Organisations.

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7th African Social Partners' Summit

GALA DINNER

Johari Rotana Hotel
7th February 2024
From 18:00 - 22:00hrs

Chief Guest: Hon. January Yusuf Makamba
Minister for Foreign Affairs & East African Cooperation

50 Countries in Africa to participate!

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Development of guidelines on reasonable accommodation for Persons with Disabilities in TVET and workplaces

In mid-January ATE was represented at the Tripartite Technical Committee Meeting for Development of the National Guideline on reasonable accommodation for Persons with Disabilities in TVET and workplaces at the International Labour Organization (ILO) Country Office in Dar es Salaam.

In her opening remarks the ILO Country Director, Ms. Caroline Khamazi Mugalla, said while the overall objective of the workshop was to develop a national guideline on reasonable accommodation for persons with disabilities in the world of work and TVET among others but to comply with Article 2 of the Convention on the Rights of Persons with Disabilities which underscores the provision of Reasonable Accommodation for all Persons with Disabilities, including those facing intersecting forms of discrimination such as People Living with HIV for promoting equal opportunities to access and effectively participate in the labour market. She further emphasised that TVET institutions can implement reasonable accommodations in practice ensuring the multiple and intersecting barriers are addressed.



Ms. Hellen Mkwizu, ATE Projects Officer making a presentation during the technical committee meeting.



Participants of the Technical Committee Meeting outside the ILO Offices

ATE attends Law Week

The Association of Tanzania Employers (ATE) has participated in the 28th peak celebration of the Law Week in Dar es Salaam.

The Law Week is celebrated as per the Judicial calendar in different Judicial zones across the country's Jurisdiction, where this year's theme is "The Importance of the concept of Justice for the Nation's Prosperity; and the role of the Judiciary and its stakeholders in Improving the Criminal Justice System

The Guest of Honour at the Law Week Celebration was Her Lordship Judge Salma Magimbi, Judge Incharge-High Court—Dar es Salaam Zone who insisted the use of technology in implementing this year's theme in order to ensure a timely delivery of Criminal Justice.



Pictorial News



ATE CEO Ms. Suzanne Ndomba-Doran had a sublime conversation on a question and answer podcast on the upcoming 7th Africa Social Partners' Summit, the CEO's vision on leadership and growth of job opportunities in Tanzania.

The podcast was led by Senior Independent Communication Specialist & News Anchor, Mr. Austin Makini.

The podcast link will be available on all ATE's official communication channels.



ATE CEO together with other Commissioners of CMA in a group photo at the opening of the Commission for Mediation and Arbitration (CMA) Training for Arbitrators and Mediators held in Morogoro Region. The training was officially opened by the Minister of State in the Prime Minister's Office, Labour, Youth, Employment and PWDs, Hon. Prof. Joyce Ndalichako (MP).



As part of the preparations for the upcoming 7th Africa Social Partners' Summit, ATE Head of Projects & Communications, Ms. Joyce Nangai together with ATE Events Consultant, Ms. Sarah Reweta paid a courtesy visit to MeTL and had a meeting with the Human Resources Director Mr. Hassan Dewji.



MITIGATING INEQUALITIES IN THE WORLD OF WORK: Role of Economic and Social Councils and Similar Institutions in combating inequalities in the world of work.

Introduction

The rationale to address inequalities in the world of work emanates from the ILO constitution which states that universal and lasting peace can be established only if it is based on social justice. Social partners are convinced that high and persistent inequalities within and between countries are incompatible with the pursuit of social justice and represent a threat to the achievement of the 17th Sustainable Development Goals (SDGs) that comprise the 2030 Sustainable Development Agenda.

Convinced also that inequalities in the world of work derive from a multiplicity of interrelated and mutually reinforcing structural and systematic causes and the interaction of macroeconomic, trade, investment, social, labor, employment, education, and training policies and practices.

Acknowledging that some inequalities arise well before individuals enter the world of work, while others can result from not being in employment, education, or training for a long period, and that addressing them, including through targeted social interventions, is key to reducing inequalities in the labor market and beyond. In addition, contributing factors to inequalities vary and can include income gaps, poverty, informality, structural unemployment, absence of fiscal space for socio-economic development gaps, governance, and accountability issues at the global and domestic levels, failure to protect labour rights, lack of an enabling environment for sustainable enterprises and inadequate universal protection.

Interventions

Representatives of the Economic and Social Council and similar institutions commit to enhancing their contributions toward addressing the problem through inclusive and effective social dialogue at the institutional level, focusing on the development and implementation of policies. These policies shall focus on reducing and preventing inequalities in the world of work, ensuring they are fully responsive to national circumstances, needs, and priorities, and are founded on tripartite consensus.



Some of the key interventions include the following:

- Identifying and pursuing opportunities to raise awareness of the challenge and consequences of inequalities in the world of work, to promote equal opportunities for all, and to mobilize partnerships at national regional, and multi-lateral levels for joint and effective action to reduce and prevent inequalities;
- Mainstreaming the question of inequalities and how to reduce and prevent them in our national context, considering the impact of broader factors such as climate change or conflict on inequalities, in the work of institutions;
- Undertaking to develop and implement strategies for tackling inequalities. These strategies should include activities such as: conducting research on inequalities, organizing public hearings/dialogues or seminars on inequalities, issuing opinions, reports, or joint statements, establishing ad-hoc or permanent working groups on specific aspects of inequalities in the world of work, etc.
- Encourage the effective participation of social partner organizations in all deliberations regarding the fight against inequalities in the world of work, and engage, as appropriate, with other organizations representing or working with specific population groups affected by inequalities (such as women, youth, persons with disability, religious or ethnic minorities, etc)

Source: Athens declaration, 2023, at the ILO-AICESIS Joint International Conference on the Role of Social Dialogue and its Institutions in Combating Inequalities in the World of Work, 23rd & 24th November 2023, Athens Greece.



Tips for conducting Mediation at Commission for Mediation and Arbitration (CMA)

The Commission for Mediation and Arbitration (CMA) this is an independent quasi-judicial department of the government which is established under section 12 of the **Labour Institutions Act [CAP 300 R.E 2019]**. It is vested with exclusive powers and jurisdiction to determine labour disputes in mainland Tanzania. In as far as determination of disputes are concerned, the Commission performs two core functions which are provided under section 14 (1) (a) and (b) of the **Labour Institutions Act [CAP 300 R.E 2019]** namely; to mediate any dispute referred to it in terms of any labour law and to arbitrate.

What is Mediation?

Mediation as defined under Rule 3(1) of the Labour Institutions (Mediation and Arbitration Guidelines) Rules, 2007. *“....is a process in which a person independent of the process parties is appointed as mediator and attempts to assist them to resolve a dispute and may meet with the parties either jointly or separately, and through discussion and facilitation, attempt to help the parties settle their dispute”.*

Is Mediation Compulsory?

YES, the mediation process is mandated by law as a compulsory step in the resolution of disputes, encompassing complaints or conflicts of interests. The compulsory nature of mediation not only reflects a commitment to efficiency in dispute resolution but also signifies a belief in the potential for parties to reach consensual and sustainable agreements through this structured and guided process.

Once the Referral Form (CMA Form No 1) is properly before the CMA, the CMA appoints a mediator, time and venue at which the mediation hearing will take place. Parties are informed of these particulars through a summons.

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This position of law is also discussed in the case of **Salim Kitojo Vs Vodacom Tanzania Ltd High Court of Tanzania, Labour Division at Dar Es Salaam Labour Revision No. 5 of 2010 (Unreported)**, the High Court had something to say about the mediation that, “*mediation process is a compulsory process under the law in every dispute whether it is for dispute of complaints or conflict of interests.....*”

What are advantages of Mediation?

It is the spirit of labour laws that disputes must be completed within a short period of time. This habit of the law has the following advantages;

- **Saves time of the parties**
- **Reduce cost implications**
- **User friendly as no legal technicalities**
- **Informality**

Mediation is an informal process, designed to suit the needs of the parties, allowing the parties to present their arguments in an informal manner, not bound by the procedures of the legal system.

UPCOMING EVENTS:



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7th African Social Partners' Summit

7th-8th FEBRUARY 2024



Julius Nyerere International Convention Centre (JNICC) Dar es Salaam

H.E. Dr. Philip Isdor Mpango
Vice-President of the United Republic of Tanzania

Chief Guest:













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FEMALE FUTURE TANZANIA
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6th Annual Leadership Conference (ALC) 2024

Theme: **Invest in Women: Accelerate Progress**

06

MARCH

WEDNESDAY | 08:00AM



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