Enhancing Policy Implementation Through Employees’ Awareness of Their Right: A Case of MTN Rwanda

MUHIMPUNDU Nadege

1 School of Public Affairs, University of Science and Technology of China, 96 Jinzhai Road, 230026, Hefei City, Anhui, China

ABSTRACT

This paper aims to ascertain the degree to which workers at MTN company in Rwanda are aware of their employment rights. A descriptive research design was used; the targeted population was the worker at MTN Rwanda in the Kigali branches. These staff include managers, official agents, security and cleaners. Questionnaires and structured interviews were used to collect data. Data analysis is in the form of graphs and tables, and interpreted and introduced using the Statistical Package for Social Sciences (SPSS). The study initially targeted 100 staff of the company and 100 questionnaires were given out of which 89 of the questionnaires were completed. Nonetheless, the study managed to represent all the employees of the company in terms of gender, age, educational level, and other demographic factors. The results show that, there are sections of employment rights the employees are aware of and there were other sections they were not aware of. Furthermore, the results indicate that there is a significant variation on the employee’s awareness of labour laws as well as weaknesses on the supporting mechanisms for enhancing the awareness of employee’s right at the workplace. Lack of employees’ awareness of the labour law places their statutory rights and obligations in a disadvantageous position. Yet, it is hoped that if an employer complies with the law, he prevents fines resulting from non-compliance with the legislation, as well as future litigation. This study contributes to the ability of employees to identify the challenges they share in common and to create awareness of their rights at work as enshrined by law. The findings herein clarify the extent to which employees are aware of their rights and the processes of seeking redress whenever such rights are violated. It also allows policymakers to realize the gap between the policies and the very people they are made for, in order to ensure policies, have the significant impacts for which they are made.

Keywords: POLICIES, EMPLOYMENT RIGHTS, LABOR LAWS, LITERATURE REVIEW, MTN RWANDA.

Introduction

Employees of every kind have rights that are enshrined in both local and international laws and statues. Such rights entail the right to impartial wages, right to safety at work, right to privacy, right not to be discriminated against, and right to protection. Whenever such rights are violated, it has significant implications on the lives of the affected employees. This study attempts to address the challenges faced by employees of the MTN company in Rwanda and tries to generate a better understanding of the gap between policies and the people they are made for, in order to ensure policies have the significant impacts for which they are made.
against in any way, right to freedom of association and others. In Rwanda, the legal framework includes the 2003 Constitution of the Republic of Rwanda, the Labour Act and ratification of International Labour Organization Conventions (International Labour Organization, 2010). These laws spell out unambiguously the rights and obligations of employers and employees in order to create an enabling environment for economic growth. These laws also ensure that the interests of both employers and workers are protected.

Employees can only enjoy these rights when they are aware of them and are ready to go every length to observe them. When workers are in cognizant of their rights at work, they feel empowered and seek the necessary redress when necessary. Laws including employment laws are constantly changing, and employees must abreast themselves with them so they can advocate for whatever is due them as guaranteed by law. The Cambridge dictionary describes awareness as recognition that something happens, or comprehension of a situation or problem based on facts or experience at the moment. The media today is filled with stories of human rights violations at the work places. All the while, a majority of the Rwandans working population do not seem to know what their rights are and that they are entitled to them. Knowing one’s rights is the first step to pursuing them (Meager, N. Tyers, C. Perryman, S. Rick J., & Willison. R., 2002). With Rwanda’s high unemployment rate, company employees are cajoled by their superiors to over work in order to keep their jobs irrespective of their employment rights that may be violated which they may not even be aware of.

**Problem statement**

According to Nimoh (2015) the culture of dialoguing on matters pertaining to labour was not infused in the Rwandan working community by the Belgium for the authoritarian system of governance. Rwanda being a beacon of democracy in Africa has legal mechanisms in place to ensure that the rights of its working force are protected. In order for employees to be able to seek redress when necessary at the appropriate quarters they need to be aware of these rights. Knowledge of labour laws are closely tied with an employee’s membership of trade unions (ITUC, 2016). The situation in Rwanda is well captured by Organizational psychologist and Human Resource lecturer at the University of Rwanda Business School when he said: “I think the Rwandan worker is not assertive enough. But you cannot blame them much because of the high unemployment rate in the country. Even though these laws are public documents, it seems the Rwandan working class would never bother to read them in order to protect themselves against such abuse.”

As stated in the UN general Assembly report on Rwanda labour force and the human rights, the experts stated in the section on the Impacts of businesses on human rights that, business enterprises and industry groups do not appear to receive guidelines or other human rights information from the government. However, it turns out that business groups like the Rwanda Mining Chamber of Commerce are taking steps to promote responsible business. In general, local entrepreneurs and industry associations have low human
rights awareness as defined in the guidelines, and MTN Rwanda are no exception. Hence, this study aims to examine to what degree workers at MTN Rwanda are aware of their employment rights. Specifically, to find out employees’ cognizance of the labour laws in Rwanda, to examine employees understanding of the labour laws and to explore employees’ awareness of the processes of seeking redress when their rights at work are violated. The study will contribute to the ability of employees to identify the challenges they share in common and to create awareness of their rights at work as enshrined by law. The findings will also expose the extent at which employees are cognizant of their rights and the processes of seeking redress whenever such rights are violated. It would also enable policy makers to realize the gap between the policies and the very people they are made for in order to ensure policies have the necessary impacts for which they are made.

**Concept of Employee’s Rights at the Workplace**

Employees in all companies have the right to operate in a fair work environment and to be polite. This will therefore protect this job environment from prejudice. There are several rules that influence the employer-employee relationships. Employers and workers are responsible to each other in the work environment including protection for their rights. Such freedoms and responsibilities apply to such things as health and safety, the availability of terms of work, equal opportunity and the right to minimum wages. In Rwanda, labour law determines the responsibilities and rights of all employers and employees. Employees are supposed to operate in such a manner as to ensure others’ health. Employers can also comply with the law, including providing safe work equipment and the environment, performing regular safety audits, and ensuring that employees are trained at work. According to FindLaw(Findlaw) all privileges and responsibilities of employer-employee relations are protected by labour law, regardless of whether they are existing workers, career seekers or retired workers. Because of the sophistication of the employment relationships and the potential for different situations, labour law covers legal aspects such as discrimination, unjustified dismissal, wages and taxes, and work safety. There are many of those things governed by statute. According to Rea(Rea) rights are the ability to legally participate in legally protected acts or social sanctions without others intervening. Employees have certain rights that employers cannot violate, regardless of their position in the company or the size of the employer. Employee rights can be protected by federal or state laws, government policies, or contracts. The law usually assumes that private sector workers work for themselves. The employment theory means optionally that both the employer and the worker can terminate the employment relationship at any time and for any reason, unless otherwise agreed between the employer and the worker. This means that an employer has the right to fire an worker at any time for no reason and for no reason unless the reason is illegal. On the other hand, employees can quit their jobs at any time for any reason and should not explain why. Meager et al.(Meager, N. Tyers, C. Perryman, S. Rick J., &Willison. R. , 2002) found that cognisance occurs when he/she is adequately knowledgeable of a topic in order to be
mindful of its existence and specific subject matter. In this way, acceptance of the right to work or law implies an individual had learned about it and understands the field of professional life to which it relates.

According to HG.org (HG.Org) workplace rights legislation encompasses the different freedoms that have arisen over time to which workers are constitutionally entitled at work, such as: restrictions on alcohol testing; protection from harassment where a workplace is part of a protected class; wage and hour protection law; the right of employees to return to their previous employment after working in the military; the right of employee or immediate family member to take unpaid leave for birth, pregnancy, adverse health conditions; the right to unionize; the exemption from punitive proceedings or suspension of jury service; right to prior notification regarding factory closing or forced layoffs; workplace health and welfare rights; injured employees' rights; personal privacy; employers' compensation; unemployment benefits; and many more. This very wide field of law comes largely into the vast category of jobs law research. It also emphasized that not all workers had the same benefits based on when and what type of job an individual does.

**Labour Laws in Rwanda**

The absence of labor legislation in the country in the early 1900s accounted for the paying of 'slave salaries, race-based segregation in jobs, compulsory labour, lengthy working hours, inadequate health and safety conditions, and the absence of employees' involvement in workforce decision-making. Mass strikes were the only resource accessible for the African employees at the time to battle for their demands because unions were not recognised and there was no conflict settlement process. Labour laws in Rwanda can be traced to 1967 when the labour law was first established followed by the LAW N° 51/2001 OF 30/12/2001 ESTABLISHING THE LABOUR CODE from the Transitional National Assembly, meeting in its session of December 3rd 2001. The Ordinance stated that an employee in this law is any person regardless of his/her sex or nationality who has undertaken to put his/her professional activity for pay under the direction and the authority of another person natural, or public or private organisation.

The work legislation and strategy in Rwanda can be linked to multiple origins. Essentially, the employment regime was informed by the Rwanda Constitution, which, among others, defined the institutional structure for addressing labour issues, common law and obligations under international organizations (Hagan). The most significant among these is the Rwanda’s Constitution, which allows for the basic civil rights and freedom. This confers, among others, economic rights on any citizen, including the right to work in fair, secure and stable conditions, the right to earn equal pay for equal employment, and the right to create or enter a trade union of his or her choosing for the advancement and defence of his or her economic and social interests.

Rwanda’s Labor Act (LAW N° 66/2018 OF 30/08/2018 REGULATING LABOUR IN RWANDA) consolidates and upgrades the numerous parts of previous law and incorporates regulations that match
approved Conventions of the International Labour Organisation that Rwanda is a signatory to. The Labour Act protects both contractors and staff except those in sensitive roles such as the state, judiciary, jails and government intelligence services. Relevant Labour Law protections include:

- Job security
- General working arrangements
- Jobs of people with disabilities
- Job of children
- Teenage work
- Equal and unjust termination of working
- Protection of remuneration
- Specific arrangements pertaining to contract and seasonal employees
- Industrial associations and employers' organizations
- Employment negotiations
- Federal Tripartite Committee
- Forced labour
- Occupational fitness, welfare and climate
- Labor monitoring
- Unfair working practices
- Federal Working Commission
- Development and roles of the National Labor Commission
- Fixing labor disputes
- Strikes

The importance of labor laws cannot be overemphasized because many find labor laws a trigger for an increasingly stable and harmonious industrial relations scene in Rwanda. A nation free from industrial unrest is surely on the path of growth as productivity would be enhanced.

**Employment Protection**

According to Barone(A., 2001) Employment Protection Legislation (EPL) applies to the entire collection of laws that impose such restrictions on the right of companies to recruit and dismiss workers, even though they are not explicitly focused on the statute but derive from the collective agreement of the social partners or are a result of court decisions. Hiring and firing regulations are intended to shield employees against employers' discriminatory behavior, to combat imperfections in labour systems that impair the capacity of staff to defend themselves against employment cuts, and to retain firm-specific human resources. Through his research, Akerlof(Akerlof, 1984) suggested that all countries have rules and legislation regulating the
recruiting and firing of employees of different types of labour contracts. He suggests there could also be productivity concerns, such as recruiting and firing laws foster long-lasting partnerships and facilitate expenditure by companies in human resources. According to him, such worker rights law differs significantly, in terms of both its legislative requirements and its compliance.

Job security in law relies on trial or tribunal understanding of the laws and on the efficacy of the state's compliance mechanisms. Since knowledge on compliance is typically dispersed with a few variations, review of the stringency of job security quantitative provisions is restricted to the evaluation of compulsory regulatory requirements regulating recruiting and dismissal. OECD (Development, 2013) stated that a large proportion of workers in certain countries are not protected by the rights given to open-ended employment, either because they are working in a typical arrangements or because they are in the informal sector.

Bassanini et al. (Bassanini A., Nunziata L., & Venn D., 2009) have given proof that productivity growth in countries that relaxed temporary contract controls while retaining tight constraints on permanent contracts has been slowing. Any companies aren't pleased about the idea of job rights as they believe it has a significant effect on them. However, several studies indicate that strict legislation on work security interferes with the effectiveness of labour market transfers and the redistribution of labour to the most competitive workers, thereby harming competitiveness and production.

Barone (A., 2001) concluded that laws on workplace rights could limit not only the loss of jobs but also the production of jobs, thereby hindering the productive distribution of labour and productivity growth. Lazear (Lazear, 1990) disagreed, as the hypothesis assumes the observational proof is not clear: some research showed no substantial impact of work security on jobs or unemployment results, while others, including the definitive study on the topic, showed that more restrictive legislation decreased jobs and raised unemployment. Apissarides (C., 2001) further acknowledges that work security law is commonly blamed for raising worker productivity and growing the period of unemployment, and claims that a good job safety appraisal needs a model where it is required (Ashenfelter O. & Card D., 2011). Earlier, in the absence of optimal insurance markets, he suggested a concept of an insurance position for job security. He gave a caution, however, that if job protection is selected optimally, it will not reduce job creation compared to a balance without it.

A research by Ichino (Ichino, A., & Riphahn, R. T., 2005) showed that work security programs are commonly thought to create biases in the recruiting and firing decisions of employers. Far less is therefore understood regarding the effect of such laws on the actions of employees. Researchers presented data in their study that revealed that the amount of days of absence a week rose significantly after job security was extended at the completion of probation. This indicates a rise in absenteeism is induced by the lack of job security.
Akorsu et al. (Akorsu, D., 2011) concluded that, considering the vulnerabilities in the state's administrative and financial capability and the subsequent broad spectrum of flexibility enjoyed by multinational corporations (MNCs), it is extremely doubtful that MNCs would willingly accept a high degree of labour standards without any concrete business benefits. This is especially true of smaller MNCs from developing economies such as China and India, as they sometimes fall through the net of foreign interest groups and are more vulnerable to face support in their home country to conform with labour conditions in their operations abroad. This research has political consequences for Rwanda and other less developed countries pursuing direct foreign investment to assist national growth.

Job protection undoubtedly affects both employers and employees either positively or negatively as shown by the above arguments. Reforms will be part of a holistic program encouraging fair labour management and labour market adaptability while still offering protective lines for the displaced and efficient re-employment programs. Governments will also strike a compromise between job security and labour market efficiency by establishing strict workplace safety regulations that may impede labour mobility, maximize the distribution of workplace to the most productive uses, and eventually, improve productivity.

**Employees’ Awareness of their Employment Rights**

Meager et al. (Meager, N. Tyers, C. Perryman, S. Rick J., & Willison. R., 2002) in their study on “awareness, knowledge and exercise of individual employment rights” focused on the levels of employees’ awareness and knowledge of their employment rights and their exercise of those rights. In a variety of ways, the research operationalized the definitions of ‘consciousness’ and ‘awareness.’ In addition, respondents were questioned regarding any encounters they had with work-related issues that may lead to a violation of their job rights, and the degree and type of any action they took as a consequence. Eventually, the research questioned if their boss had rendered accessible workplace benefits such as days off for dependents, paternal leave and parental leave.

The findings of their analysis found that almost 70 percent of the study were tested on job conditions in general as well as being knowledgeable or really well educated. Around one-quarter of respondents thought they didn't need to ask more than they had before, while half said they needed to learn more. Close to half may list at least one labour rule or right without prompting. The national minimum wage (nmw) recognition was the most common (91%), followed by anti-discrimination and wrongful firing protection, despite less respondents demonstrating knowledge of the working time guideline and least of all indicating that more than three-quarters of respondents were conscious of four or more of such protection when presented with a simple request. Women valued their knowledge to be higher than men. However, men were more likely to demonstrate conscious knowledge by identifying a right to jobs. Non-white people in their self-assessed understanding were less optimistic than whites but their overall level of educated knowledge was close to
that of their white peers. Educated comprehension rates increased in the age range of 36-45, especially among those with the highest ability ratings. Self-assessed rates of knowledge and knowledgeable information were the strongest among administrative and technical personnel, public administration, education and safety, corporate and financial services industries, and permanent employees and labour union leaders.

In Meager et al (Meager, N. Tyers, C. Perryman, S. Rick J., & Willison. R. , 2002) analysis of understanding of basic workplace benefits, 96% of respondents were aware of national minimum wage, and nine out of ten were aware of discrimination laws, although just half were aware of a particular clause (parental leave) relevant to work-life balance. They found that self-assessed understanding of employment law in general is correlated with increased substantive knowledge of particular laws relating to the national minimum wage, working time rules, and some forms of discriminatory legislation on dismissal and work-life balance, but not with more substantive knowledge of anti-discrimination laws.

Experience in related jobs concerns was correlated with higher rates in regional minimum wage understanding, work-life balance laws, anti-discrimination and unfair dismissal rights; and a higher degree of comprehensive knowledge of working hours, national minimum wage and unfair dismissal protections. Scenarios related to wages and terms and conditions, annual leave and racial prejudice were described by the respondents as possibly unconstitutional. The willingness to recognize a specific field of law was strongest for respondents describing possible violations relating to racial inequality, wages and terms and conditions, and lowest among those referring to time off for dependents may be fewer than half respondents.

The study indicated that many respondent features were related to specific degrees of consciousness. Most of these features were related to the advantage / disadvantage of the job market. So: young, male, better-qualified, white collar workers with permanent full-time positions and written descriptions of their terms and conditions appear to have higher than normal rates of work rights knowledge. Most of these classes were therefore less likely to acknowledge having encountered breaches of their workplace rights than the norm. Many attributes had to do with the particular laws in question. For example, communities that were affected by the regulation, or about which the legislation was more applicable, were mostly (but not always) more informed of it, or more educated. Consequently, employers, women and 26-45-year-olds have a strong understanding of the laws on work-life balance. Similarly, low-paid employees were more likely to be aware of the rate at which the national minimum wage is set; and disabled respondents were more likely to realize that the standard for employment under the disability discrimination act is actually 15. Meager et al (Meager, N. Tyers, C. Perryman, S. Rick J., & Willison. R. , 2002) on the other hand, argued that there is no convincing proof that awareness of working time laws is correlated with working time habits of the respondents.
Lisakafu (Lisakafu, 2004) assessed public sector employees’ awareness on labour laws in Ulanga District Council –Morogoro, Tanzania. The study covered a sample of 44 respondents representing all employees at the area of the study in terms of gender, education and other demographic factors. Employees’ awareness on Tanzania’s current labour law was measured based on various sections within the Tanzanian labour law. Generally, the results indicated that there were some areas within the act, where by the employees were well aware, while there were other sections of the same act in which they were totally not aware. The research showed that nearly half of the respondents who took part in the study 20 (45.5%) were well aware of the employment’s rights at their work, while the rest of the respondents were not aware. Despite law awareness, the research did not establish primarily or secondary violation of the fundamental rights, protections and discrimination. Weakness was found in both informal and formal sector especially in prevalence’s of child labour contrary to the labour act.

In the area of Fundamental rights, protections and discrimination, the research has shown that, about 13(29.5%) of the respondents were aware, while the rest of the respondents were not aware. In the area of right to freedom of association and Collective bargaining, while 25 (56.8%) were aware of their rights to freedom of association, 19 (43.2%) were not aware. Moreover, about 23(52.3%) of the informants were aware of their right to collective bargaining, while 21(47.7%) were not aware of their right to collective bargaining. Nevertheless, both freedom of association and collective bargaining were found to be not effective in the area of the study. 40(90.1%) of the respondents were aware of their statutory right of forming and belonging to trade union as a roadmap for their interest, ensuring cooperation with management in measures to promote efficiency and good industrial relations.

The research also showed that, in some areas such as employment contract, remuneration employees were well aware of their rights. Low awareness was seen in terms of deductions of the employee’s salary without consent, payment of leave on time, lawful and unlawful termination or fair and unfair termination, working hours, overtime payments and working days. However, despite the low awareness on some forms of the employment standards, the research found that, the employers abide to the labour law on the employment rights and standards as provided by the act. Lisakafu (Lisakafu, 2004) found weaknesses in the areas of low awareness of employees on the presence of employment policy and the lack of forum for discussion.

In the survey of workers undertaken by Casebourne et al. (Casebourne, J. Regan, J. Neathey, F., & Tuohy S., (2005)) on Employee Rights at Work, the research measured the general understanding of employees of the extent of their workplace rights for specified topics in order to determine the knowledge of employees of particular employment rights requirements, to find out the key sources of knowledge and expert opinion on human rights problems and where they received advice and recommendations, and what they did to try to fix the question.
The research found that approximately 65% of respondents feel either very well informed or well educated regarding their privileges at work: 15% feel very well educated, and another 51% felt well informed. Twenty-eight per cent felt uninformed and six per cent felt uninformed at all. Forty-four per cent of all respondents thought they understood as well as they wanted to learn about their job privileges, while 55 per cent believed they could do with more information. Three-quarters (76 per cent) of all respondents should know where to find out if they wanted information regarding their privileges at work. The freedoms more respondents understood were; racial discrimination law (94%), universal minimum wage (93%), disabilities discrimination law (92%), sex discrimination law (91%), wrongful dismissal law (90%), ordinary maternity leave (88%), sexual preference discrimination law (87%), religious exclusion (87%), entitlement to in-work rest breaks (85%), entitlement to a formal notice of terms and conditions (84%), entitlement to compensated holidays (81%), and entitlement to a fixed administrative process (81%).

Furthermore, the research indicated that extra maternal leave (49%), time off for dependents in an emergency (42%), and parental leave (27%) were the only three freedoms that fewer than half of respondents understood that the privilege was a benefit. This also found in depth that 37% of those who understood the right to get a formal agreement of terms and conditions had a right who knew a lot about the information, 33% of those who knew the right to the NMW knew a lot about it in depth, 28% knew a lot about the right not to be arbitrarily dismissed in information, 27% understood a great deal about the right to in-work rest break in depth and 27% learned a great deal about the right not to be discriminated against in depth on the basis of nationality. Approximately a quarter of respondents who knew about certain privileges relating to harassment, working hours and pay / contract / disciplinary and grievance processes also said they understood a ton about detail.

Contrary to these more commonly applicable rights, in the field of children and dependants, the rights where the largest proportion of respondents claimed they know almost much about the subject. The study's research also found that it is the classes who were considered disadvantaged employees who currently have poor rates of knowledge of their rights at work. Just over a quarter (26 per cent) of respondents correctly quoted the current 48-hour period as the time limit for research. Nevertheless, the respondents reported an average number of hours at 44.54, while the mean figure was 45.00 hours, all below the real working period cap.

Forty-three per cent of the respondents mistakenly believed that an employee might informally opt out of the working time period, and one in five respondents mistakenly believed that an employer might make a requirement of employment opt out. Two-thirds of respondents (66 percent) were right in recognizing that by signing a written contract, the workers might legally opt out. 61% of the respondents understood that the paid vacation period was four weeks. Just one-third of respondents (33 percent) realized that over a 14-day
span, workers had the right to two days off. Less than one in ten respondents (nine per cent) understood workers needed to work more than six hours before they were constitutionally entitled to a rest.

Almost all respondents in the Casebourne et al (2005) survey 95 percent correctly said that 22-64-year-olds had a claim to the NMW; and almost as many as 93 percent said that 18-21-year-old employees are eligible. The vast majority 83 percent have claimed that there was no minimum wage security for the 14 to 15-year olds. However, more than one-quarter 26 per cent of survey respondents wrongly assumed that individuals over the normal retirement age had no access to the NMW. One-third (33 per cent) of all respondents stated they thought there was a common NMW average that existed irrespective of age. Sixty-two percent of respondents recognized that in an incident, workers may not have the option to get charged after requesting days off with a child. A comparable proportion (63 per cent) realized during ordinary maternity leave that a mother should be able to return to precisely the same work. Seventy-three percent of respondents understood that following extended maternity leave, a mother had the opportunity to return to either the same position, or to an equal work at the same rate of salary.

Again, more than nine out of ten respondents (93%) recognized that the opportunity to be protected by anti-discrimination legislation protects workers from day one of their jobs. Only six per cent of respondents, on the other side, recognized that the opportunity to be protected by wrongful firing legislation came into effect after having spent a year with their boss. Just two per cent of respondents realized the right to a contract should come into effect after workers have worked with their company for two months. More than nine out of ten respondents (93%) is justified in assuming that workers had the opportunity to be supported at administrative proceedings or grievance proceedings. Just 18 per cent, however, recognized that workers were only allowed to take with them a labour union representative and a job partner.

Just over one in five (21%) of all respondents indicated they should go directly to workers or an HR official, while 18% should go to a boss at work, 16% would use the Internet, 14% would use a Citizens' Advice Bureau (CAB), and just over one in ten (11%) would go to a labour union to get details on their interests.

Considering Organisation for Defence and Co-operation in Europe's study outcomes (Organisation for Security and Co-operation in Europe, 2009). It can be seen that fewer than half of the young people questioned have a clear idea of their primary labour rights and even a limited portion of them learn of the strategies of mutual labour rights protection. There is legal nihilism among young people that undermines the successful implementation of labour rights reforms. Low understanding of trade unions among youth as well as low degree of (conscious) youth participation in trade unions contributes to a circumstance where trade unions are unwilling to react adequately to young workers' demand and demands.

Majority of young people held change of working standards, fight toward workplace coercion, enhancement of human rights awareness of the following topics as trade union obligations. They also required trade
unions to introduce active awareness-raising programs in order to undertake active awareness-raising initiatives aimed at increasing consciousness regarding labour rights and the position of trade unions not just among trade union leaders but also among employers. Summing up the findings of the research they proposed that programs could be created and introduced to raise knowledge on human rights among youth.

In 2010 the International Labor Organization performed a rapid assessment on increasing awareness of women workers and their rights in Zambia and noticed that women workers in Zambia did not have adequate and fair access to knowledge about their employment, rights and obligations at work in both the formal and informal economies. There was however a gap between women employees in the formal economy and those in the informal economy in obtaining knowledge. In the formal economy, women employees have greater exposure to knowledge regarding their privileges, entitlements and obligations. This is partially attributed to the reality that in the organized system labor union organizations are more prominent. Moreover, due to their differing roles in organizations, there is a gap between the rates of access to knowledge among women in the formal economy. Those in upper echelons have more knowledge exposure than those on the lower ends.

Women employees have little to no exposure to knowledge regarding their privileges, entitlements and obligations in the informal economy. This is attributed to their comparatively poor educational standards, lack of associations and any some other agency that organizes representation. The reality that the informal market remains uncontrolled generates a condition where woman employees cannot recognize their privileges and entitlements or assert them. The study showed unexpectedly that some of the employers themselves did not recognize the rights, entitlements and obligations of women employees in both the formal and informal economies. Many who meet them are not necessarily able to grant the privileges because, in terms of human resource hours and budgets, they perceive them as expenses to the company. Some of the formal economy organizations have established policies which support woman employees. Such policies give woman staff access to health facilities and resources for HIV. With the provision of HIV care and therapy, the informal market is very small and thus women working in the informal sector have little to no exposure to such programs.

The problem is getting worse for domestic female employees, who are often lonely and disadvantaged and have little to no exposure to education, treatment, and help services. Domestic staff are particularly prone to occupational violence and contraction of HIV and AIDS because they are in a precarious environment and are frequently unwilling to tolerate the physical harassment of male household leaders (who might be diagnosed and HIV+) because of their inferior status and domestic isolation.

They suggested viable, functional, and cost-effective solutions with a measurable influence on focus audiences. And if fully applied, increase consciousness about the needs of women staff, as well as steps to
support employers secure women's interests in both the formal and informal economies. The studies demonstrate in particular that, as in their national legislation, it is critical for individuals to have adequate rates of knowledge of their rights at the workplace. Individuals are expected to uphold certain facets of the law by suing over the infringement thereof themselves. Lack of knowledge of labour law by workers puts their contractual rights and responsibilities in a disadvantaged role. But the loss of knowledge of labour law among the workers puts their contractual privileges and responsibilities in a disadvantageous situation.

It can be deduced that in both traditional and informal societies, women employees do not have adequate and fair access to knowledge about their privileges at the workplace. Although, in the informal sector, it's still found highest of migrant workers. Women employed in the informal sector have little to no exposure to knowledge regarding their interests because of their comparatively low degree of employment, absence of unions and even some other organization that organizes representation.

From the studies above it shows that, employees are mostly aware of some of their rights related to payments but are unaware of a lot relating to condition of services and entitlements. As each party become aware of its implied rights, and which procedures to follow when one among the players violate the law, they would be able to seek redress whenever those rights are violated. Employees should only be allowed to assert their privileges because they realize that their boss is in breach of the legislation and recognize where to seek knowledge and guidance should they have an issue about their privileges at work.

**Materials and methods**

There were several concerns that the study aims to finding answers to. These are: to what extent are employees at the company aware of their employment rights? How do employees understand the labour laws in Rwanda? To what extent are employees aware of the processes of seeking redress when their rights at work are violated? The questionnaires were conducted to elicit specific answers that would reflect the consciousness of the workers at MTN company regarding their job rights. Interviews were conducted in English with the people at management level. Data were examined and after verification from the questionnaires a database was generated. Data analyses were conducted using graphs and tables, and interpreted and introduced using the Statistical Package for Social Sciences (SPSS). We used descriptive statistics to explain the data obtained.

**Background information of respondents**

**Gender**

From the data collected, 55% of the respondents were males whiles 37% were females. 8% of the respondents did not indicate their gender. The findings indicate a male dominance in the company’s workforce.
Age
The data also revealed that 47% of the respondents were between 20 – 30 years, 33% were between 31 – 40 years, 13% were between 41 – 50 years, 6% were between 51 – 60 years and only 1% was above 60. From the data above, it can be said that the company's workforce is characterized by young and energetic employees.

Marital Status
From the data, it was also gathered that 35% of the respondents were single, 45% were married, 16% were divorced, 2% were widowed and another 2% did not answer question on their marital status.

Educational Level
In terms of the educational background of the respondents, the findings further revealed that WASSCE/SSCE holders form 7% of the respondents, First Degree holders were 70%, Master’s Degree holders were 22% and Doctorate Degree holders were only 1%. This shows that a majority of the company’s workforce hold first and second degrees.

Duration of work
It was also found that 39% of respondents had worked at the company for less than one year, 27% from 1 - 3 years, 11% from 4 - 6 years, 15% from 7 - 9 years whiles 8% did not answer question relating to their years of work at the company. The finding shows that a majority of the company’s employees have worked for more than a year but the single largest group of workers were those who have worked for less than one year.

Position
The respondents used in the researched hold various positions in the company. 1% of them are Accountants, 3% are Branch Managers, and 8% are Credit Officers. 9% Customer Service Personnel and 2% represent Drivers. General Managers make 1% of the respondents, 1% are Human Resource Managers, 7% Marketers, 3% National Service Personnel, 20% Operation Officers, 1% Procurement Officers, 6% Relationship Managers and 25% Sales Executives. It further showed that 9% of the respondents are agents with 2% being Messengers but 1% did not provide an answer.

Employment Contract
Forty-six percent of the respondents are Full Time employees of the company, whereas 9% are Part-time employees. 43% are on Contract and 2% could not provide answers as shown by the Table 1 below. The results showed that a majority of the company's employees were either on contract or part-time employees.

<table>
<thead>
<tr>
<th>Table 1. Background Information of Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
</tr>
<tr>
<td>Not Answered</td>
</tr>
</tbody>
</table>

### Workplace rights of workers

From the data gathered, 81% of the respondents thought that they have rights at the work place that must be adhered to whiles 15% thought they did not. Some 4% of the respondents failed to answer the question. It

---

**Source:** Field data, 2019.
was interesting to find out that 19% of the respondents are very well informed of their rights at work. 18% are well informed, 44% admitted they are not very well informed and 19% said they are not well informed at all. When the respondents were asked to state any laws that protect their rights at the workplace, 17% could not answer. 48% answered and 35% of them said they have no idea.

Out of those who stated laws that protect them at work, 16% mentioned their right to fair salaries, 15% could not mention any law that protects them even though they claimed they knew them. 12% of the respondents knew of their right to safe and healthy conditions at the workplace. The percentage of respondents who mentioned the labour Act as a law that protects them was 11%. 7% were able to mention their right to freedom of expression whiles 7% said human right law. Six percent of the respondents mentioned their rights to annual leave, privacy and promotion respectively whereas 4% stated their rights to join association of their choice. The rights to information were mentioned by 3% of those who replied.

Two percent of those who replied said their rights to equal opportunities, free health care, severance package and only 1% mention hours of work. The findings also showed that, 39% of the respondents were not aware of their rights to minimum whereas 61% of them were. A majority of the respondents also indicated that they had no idea as to how much the national daily minimum wage is. 46% of them said they have no Idea. 2% stated it is USD 1.20, 15% gave USD 1.40 and 3% stated USD 1.48. A large number, 12% said USD 1.56 with 7% saying USD 1.65. 8% of the respondents mentioned their rights to minimum whereas 61% of them were. A majority of the respondents also indicated that they had no idea as to how much the national daily minimum wage is. 46% of them said they have no Idea. 2% stated it is USD 1.20, 15% gave USD 1.40 and 3% stated USD 1.48. A large number, 12% said USD 1.56 with 7% saying USD 1.65. 8% of the respondents said it was USD 1.68.

The highest amount of USD 1.74 was mentioned by 6% of the respondents and 1% did not give an answer. These data show how employees are unaware of the daily minimum wage of USD 1.53 which has been increased to USD 1.68 to take effect in January 2018. When asked about the minimum period of employment to be secured by a written employment contract, 2% of them did not answer, 17% said 3 months, 7% said 4 months, 43% said 6 months and 31% answered 12 months

Table 2. Daily Minimum Wage

<table>
<thead>
<tr>
<th>Minimum wage</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aware</td>
<td>54</td>
<td>61%</td>
</tr>
<tr>
<td>Not aware</td>
<td>35</td>
<td>39%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>89</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Field data, 2019.

Table 3. Period to secure a Written Contract

<table>
<thead>
<tr>
<th>Period to be secured by contract</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not answered</td>
<td>2</td>
<td>2%</td>
</tr>
<tr>
<td>3 months</td>
<td>15</td>
<td>17%</td>
</tr>
<tr>
<td>4 months</td>
<td>6</td>
<td>7%</td>
</tr>
<tr>
<td>6 months</td>
<td>38</td>
<td>43%</td>
</tr>
</tbody>
</table>
When they were asked what the minimum period for leave with full pay is, 4% could not answer, 19% chose 7 working days, a majority representing 63% chose 15 working days and 13% chose 20 working days. A majority representing 63% of the respondents chose eight hours as the maximum number of hours a day for an employee. However, a whopping 27% chose ten hours whereas 8% chose five hours and 2% chose fifteen hours. 87% of the respondents were attempted to give examples of leaves at the work place that an employee can enjoy as part of his or her employment rights. 13% did not try it at all. Among those who tried, 3% said they had no idea, whereas 22% stated annual leave, 8% stated casual leave, 30% stated maternity Leave. 4% also mentioned paternity leave, with 3% said sabbatical leave and 28% mentioned sick leave.

When the respondents were asked to mention documents in which they would find information about their employment rights, 6% of them said it could be found in their Appointment letters, 2% said company rules, 22% said the Constitution of the Rwanda, 24% of them said Human Resource policy document whiles 36% said the Labour Act of Rwanda. 4% mentioned TUC manual as the source of such information and 4% stated the company’s operational manual.

However, 1% said they could find it on the company’s notice board, whereas 2% mentioned CHRAJ, 1% said Emails and 6% said the National Labour Commission. A majority of the respondents representing 62% said they had none of the documents in which they can find information about their employment rights. 13% of them said they have a copy of the Constitution of the Rwanda. 9% said they have the company’s Human Resource policy document. 7% stated they have their Appointment letters that can help them find information on their employment rights. 6% have a copy of the company’s code of conduct and a tiny 3% confirmed they have a copy of the Labour Act of Rwanda.

When those who said they have a copy of document that help them find about their employment rights were asked how often they read those documents to familiarise themselves with labour laws, 8% of the respondents said they read it very often. 17% read it quite often whereas 35% do not often read it. A whopping 40% of the respondents said they do not read that all.

The findings have also shown that 17% of the respondents have copies of the Labour Act whiles 81% of them have no copies. Out of those who have copies of the Labour Act, 4% read it very often with 15% read it quite often. It further showed that 43% read it not often and 38% do not read it at all. When they were asked whether they have received any training relating to their employment rights since their appointment, 17% said yes and 83% said no.
A majority of about 60% of the respondents do not belong to any workers union with 29% admitting they belong to workers union. 11% provided no answer. About 38% of respondents found out about their employment rights from their Friends/colleagues. 20% found out from Printed/E-materials while 17% from Union representatives. 12% heard about their employment rights from their employer with 10% finding out from State institutions and 2% of the respondents provide no answer.

Respondents were also asked to describe their readiness to know about their rights at the workplace and the following findings were made. 2% of them did not provide any answer. Six per cent claimed they learned a great deal regarding their privileges at work. 34 percent indicated they could know more about their freedoms and would like to hear more about them. Around 34 percent have claimed they couldn't say more and would like to hear more about their working freedoms. 16% said they should learn more, but they didn't see the need and 9% stated they couldn't learn much because they didn't believe they wanted to recognize their rights at work.

Employees Understanding of their Labour Laws

When questioned about the minimum time a worker's job would be covered by a signed contract, the respondents offered several differing opinions. A majority of them representing 48% said it is 12 months whiles 27% chose 6 months. 15% chose 3 months with 6% choosing 18 months where as 4% provided no answer. The legislation stipulates that, according to the terms and conditions of an employment contract between an employer and an employee, the employer shall supply the employee with a formal explanation of the key provisions of the contract to be signed by all parties. This will be achieved within a fixed timeline after the employer's approval of the employee. When respondents were asked what this time period is, 12% indicate it is 1 month. 18% indicated it is 2 months whereas a majority of 44% indicated 3 months with 10% stating 6 months and 16% provided no answer.

On the issue of termination of contract, a majority of 43% of the respondents think it’s the Employer who can terminate an employment contract. 20% of them think its both employer and employee. However, 2% think it is the Employee who can terminate his own contract. 12% of them thing it’s the Human Resource manager who can terminate. Another 2% think that, it’s the employees’ supervisor who can terminate the employees’ contract and 20% did not answer. With respect to the right to annual leave with pay, 30 percent of respondents claim that each employee is entitled to annual leave with pay under every undertaking, while 65 percent disagrees with them and a 4 percent has given no comment.

In fact, 28 percent of respondents agree that public holidays and departure from service owing to sickness approved by a professional provider impair the worker's paid leave right. Nonetheless, 70 percent of the respondents disagreed and claim that this should not impact the worker's annual leave right, with 2 percent offering no reaction. When questioned to the respondents if an employer would appoint a pregnant woman
to a position outside her place of residence after to complete the fourth month of pregnancy whether the assignment is harmful to her wellbeing in the view of a medical practitioner or midwife. 35 per cent said yes and 61 per cent claimed no boss was unwilling to distribute. Four per cent gave no comment.

Respondent were asked to share in their opinion what constitutes a fair termination of a contract of an employee. 12% of the respondents indicated that a termination is fair if it’s Consensus between the employer and the employee. 2% also said that it is fair when the contract expires and it is not renewed. 20% believed if the contract is terminated based on misconduct on the part of the employee. The majority of 35% however think the termination is fair if it’s based on non-performance and 30% think it’s only fair if severance package due the employee is paid in full.

When the respondents were told what they should do, e.g. whether they thought they were being handled differently or did not gain their privileges, they had a question. A majority of them about 30% seem to have no Idea of what steps to take to fight for their rights. 4% indicated they would report to CHRAJ, 7% said they would report to their employer. 9% stated that they would report to the Human Resource Manager of the company where as another 7% would resort to the National Labour Commission. 2% however indicated they would report to the Police. A tiny percentage of 1% would report to the board of directors the company. 4% indicated they would tender their resignation. The other 2% would report to social welfare with 7% indicating they would report to their supervisors. A large number of 26% said they would report to their Union.

Respondents were also required to include input about when, should the need occur, they could obtain details regarding their privileges at the workplace. With 39 percent saying Yes they do and 56 percent saying No they don't do, 4 percent did not respond. Amongst those who know, 66% could not mention exactly whereas 6% mentioned the Company website. 8% said the constitution of the Rwanda. 7% indicated they will go to the Human Resource Manager. 6% would resort to the Internet and 8% to the Labour Act. On whether respondents’ rights have ever been violated at the workplace, 72% said No and 22% said Yes with 6% not being able to answer. Among the 22% who said their rights have been violated before, 9% of them reported of violation in terms of annual leave, 9% in relation to freedom of association, 9% in Delay in paying allowances and another 9% was delay in payment of salaries.

14% reported violation in healthy conditions for work with 9% complaining about freedom of speech. 14% cited violation their rights to information whereas 9% reported violation in Pay increment and 18% reported in breach of promotion. Majority of the respondents did not know where to report if their rights at the workplace are violated. 42% answered Yes that they know where to report and an overwhelming 58% answered No they do not know where to report to. 23% would report to CHRAJ, 8% to the Ministry of Labour, 18% would resort to the National Labour Commission with 9% going to the social welfare. 6% responded that they would go to the NCCE. 14% would report to TUC with 21% having no idea where to
report to. When they were asked whether one need a lawyer before one can report violations to those institutions, 25% of the respondents said Yes whiles 73% said No and 2% could not give an answer.

**Conclusion**

The study initially targeted 100 staff of the company and 100 questionnaires were given out. Unfortunately, only 89 of the questionnaires were completed. However, the study managed to represent all the employees of the company in terms of gender, age, educational level, age, and other demographic factors. Generally, the results indicated that, there were sections of employment rights the employees were aware of and there were other sections they were not aware of. Below is a summary

- 81% of the respondents thought that they have rights at the work place that must be adhered to whiles 15% thought they did not.
- 19% of the respondents are very well informed of their rights at work. 18% are well informed, 44% admitted they are not very well informed and 19% said they are not well informed at all.
- 48 per cent of respondents could mention certain legislation governing their employment freedoms and 35 per cent indicated they had no clue.
- Out of those who stated laws that protect them at work, 16% mentioned their right to fair salaries, 15% could not mention any law that protects them even though they claimed they knew them. 12% of the respondents knew of their right to safe and healthy conditions at the work place. The percentage of respondents who mentioned the labour Act as a law that protects them was 11%. 7% were able to mention their right to freedom of expression whiles 7% said human right law.
- 6% of the respondents mentioned their rights to annual leave, privacy and promotion respectively whereas 4% stated their rights to join association of their choice. The rights to information were mentioned by 3% of those who responded.
- The results further found that 39 percent of respondents were ignorant of their freedoms to a minimum while 61 percent of respondents were ignorant.
- A plurality of respondents has suggested they have no idea how high the average minimum national wage is.
- The study shows majority representing 63% of the knew the maximum the maximum number of hours a day for an employee is eight hours.
- 87% of the respondents were able to give examples of leaves at the work place that an employee can enjoy as part of his or her employment rights. Among those who tried, 3% said they had no idea, whiles 22% stated annual leave, 8% stated casual leave, 30% stated maternity Leave. 4% also mentioned paternity leave, with 3% said sabbatical leave and 28% mentioned sick leave.
- Respondents were generally not aware of documents in which they would find information about their employment rights.
The findings also showed that 17% of the respondents have copies of the Labour Act whiles 81% of them have no copies. Out of those who have copies of the Labour Act, 4% read it very often with 15% read it quite often. It further showed that 43% read it not often and 38% do not read it at all.

A majority of about 43% of the respondents think it’s the Employer who can terminate an employment contract.

65 per cent of respondents disagreed with the idea that each staff is entitled to paid work leave.

However, 70 percent of the respondents disagreed and claimed that national holidays and departure from service owing to illness approved by a professional practitioner should not impact the worker's annual leave right

Where respondents were questioned if an employer might appoint a pregnant woman to a position outside her place of residence if the posting, in the judgment of a medical practitioner or midwife, might be harmful to their safety. 35% said Yes and 61% said no employer cannot assign. 4% provided no answer

The majority of 35% however think the termination is fair if it’s based on nonperformance.

A majority of them about 30% seem to have no idea of what steps to take to fight for their rights and they would report to their Union.

Fifty-six per cent of respondents do not realize where they can locate details about their employment privileges if need occurs.

72% respondents their rights have never been violated at the work place, and 22% said who said their rights have been violated before in terms of annual leave, freedom of association, delay in paying allowances and delay in payment of salaries.

Majority of the respondents 58% did not know where to report if their rights at the workplace are violated. Those who know where likely to report to CHRAJ

The Labour Code accounts for working conditions, rights and obligations, the Working Institutions Code governs the governing agencies responsible for enforcing labour laws. This implies that, they act as a compass in regulating all matters relating to employment in Rwanda between the two players namely the employers and employees. The study has shown an immense variation on the employee’s awareness of labour laws as well as weaknesses on the supporting mechanisms for enhancing the awareness of employee’s right at the workplace. Lack of employees’ awareness of the labour law places their statutory rights and obligations in a disadvantageous position. In view of the findings above, the researcher was in position to make the following recommendations.

• Job programs are desperately required to ensure that employers are well educated about labour regulations, and that workers are more and more covered.
• Labor unions should tell workers of Administrative laws and legislation, voluntarily appointing their members, coordinating their operations and programs and formulating their action plans.
• Employers should also create an enabling environment for their employees to learn the labour laws through training sessions and workshops periodically as part of capacity building for its workforce.

In other areas of the Rwandan economy, the researcher is recommending a parallel analysis and extending it to cover health and safety at the workplace as stipulated by statute.

References


**Mrs MUHIMPUNDU Nadege** is a master candidate at the school of Public Affairs, University of Science and Technology of China under the supervision of **Prof. Chu Jianxin**. Her research interests lies into the use of Technology to fight corruption, E-government, Education policies, Policy formulation and Implementation, Good governance, Role of Media in promoting good governance among others. **Nadege** has contributed actively to various published papers and she is much passionate in research related works.

© 2021 by the authors. Author/authors are fully responsible for the text, figure, data in above pages. This article is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license (http://creativecommons.org/licenses/by/4.0/)