



Labour Practices in Ghana - A Case Study of the Ghana Water Company Limited

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Abstract

This study assesses Labour Practices in Ghana from the context of Ghana Water Company Limited (GWCL). A total of 216 workers of Ghana Water Company Limited (GWCL) were sampled for the study. Questionnaire and interview were used to solicit information from the respondents. Out of the 206 questionnaires administered, 149 responded in addition to 5 management staff who were interviewed, giving the total of 154 respondents for the study. The study revealed that, workers of Ghana Water Company Limited belong to Labour Unions. It was further revealed that most of the workers at the Ghana Water Company Limited belong to the Public Utility Workers' Union (PUWU), one of the 17 unions that constitute the Trades Union Congress (TUC) of Ghana. Unfortunately, in Ghana, the trade unions are weak and the underlying causes are complex and often multifaceted. In the Ghana Water Company Limited, there are functioning workers' committees that give the employees the opportunity to engage in dialogue with the management. In the case of dismissal of workers, the study revealed that some workers have faced dismissal at certain times. The results gathered by the researchers appeared to paint a picture that labour inspection is not up to expectation or is rarely experienced such that it was not as extensive as it should be. Based on the research findings, it is recommended that management should emphasis on giving advice and assisting workers to join labour unions. Labour inspection should be frequently undertaken to improve the industrial lives of employees, create good fortunes for employers.

Keywords: Labour Act; Implementation; Empirical Study; Public Industries; Ghana Water Company Limited.

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1. Introduction

Labour issues are assuming increasing dimension worldwide after the Industrial Revolution era due to the complexities of modern developments and technologies. In Ghana, the Labour Act, 2003 (Act 651) and the National Labour Commission Regulations, 2006 (L. I. 1822) are among the current documents enacted to regulate effective employer-employee relationships. However, an unfair labour practice refers to certain actions taken by employers or unions that violate the National Labour Act, 2003 (ACT 651). Good Labour Practices (GLP) programme is a comprehensive industry improvement programme that combines establishment of industry labour guidelines with a supportive good labour practices [1]. Such a platform ensures the achievement of the dual objective of productivity increase and an improvement in the quality of work life. Generally, the Labour Act, 2003 (Act 651) is designed to address issues including employment, individual employment relationships, wages and remuneration, conditions of work, health, safety and welfare, social security, trade unions, and labour management relations.

The Labour Act gives much credence to the protection of workers against discrimination in employment on the grounds of sex, ethnicity or race and disability. To eliminate this practice, the Labour Act, 2003 (Act 651) of Ghana was passed to promote equal treatment of men and women at all stages of their employment relationship. Sections 10(b) and 68 of Act 651 of Ghana stipulate that every worker shall receive equal pay for equal work without distinction of any kind. These provisions, according to [2], seem to be a re-enactment of Article 24 of the 1992 Constitution, which provides that “Every person has the right to work under satisfactory, safe and healthy conditions and shall receive equal pay for equal work.” This provision of the 1992 Constitution also echoes Article 15 of the African Charter on Human and People’s Rights which states, “every individual shall have the right to work under equitable and satisfactory conditions and shall receive equal pay for equal work.”

Certainly, there is a great demand of careful consideration on how to use labour most effectively as one means of improving national productivity. Hence, the Labour Act, 2003 (Act 651) sufficiently outlines steps to ensure proper recruitment, special incentives, particulars of contracts of employment, training, transfer of individual employees with special needs.

Stressing on the need to ensure employee safety, Nunez and Villanueva [3] commented that, occupational health and safety should be considered among the sources of intellectual capital of the firm. The Labour Act in the same vein states under Section 118 to 121 the need to ensure general health and safety of employees, measures to avoid exposure to imminent hazards, and the need for employers to report occupational accidents and diseases to the appropriate government agency.

According to Al-Tuwaijri [4] the economic burden of poor Occupational Safety and Health (OSH) practices is staggering with roughly 1.2 trillion US dollars siphoned off annually by costs such as lost working time, workers compensation, the interruption of production and medical expenses. These costs arise since several laws seek to ensure employee safety and that workers should to be duly compensated when they suffer industrial accidents.

This article investigates labour practices of Act, 2003 (Act 651) in Ghana from the context of the Ghana Water Company Limited (GWCL). This study is part of a larger research project into the awareness and implementation of the Labour Act, 2003 (Act 651).

2. Methods and Materials

This section is devoted to explaining the methods used to obtain the data needed for the study. It explores the sources of data required for the study and identifies the population, the sampling frame, and sampling techniques adopted to carry out the study.

This study sought to investigate the disposition of Labour Practices in Ghana. The study targeted a population of employers and employees of Ghana Water Company Limited (GWCL). The organisation employs a total of 386, categorised into Management staff, Senior staff and Junior staff, who formed the target population for the study. This study goes beyond the existing body of research by applying a sampling method that is different from other studies. Using , the required sample size was 196. However, a total of 216 respondents were sampled from the target population. The sample size was drawn based on the staff strength of the various departments including Customer Care, Distribution, Production, Accounting and Finance, Human Resource, and Management Information Systems (MIS) departments. Questionnaire was designed to solicit information from the respondents. The questionnaire were given to the respondents to fill. Questionnaire were given out to be completed by the respondents. Fisher [2] explains that a questionnaire is a technique for collecting data in which a set of options or scenarios is developed and written into questions for respondents to complete by entering their preferences or their judgments about the probability of each scenario. The study also employed the use of interviews to confirm the responses received from the questionnaire. The respondents comprised of 10 management staff and 206 workers of the Ghana Water Company Limited.

The researcher employed the use of Microsoft Excel in the data analysis, mainly due to its availability and enhanced visibility of figures. Where applicable, the use of modest bar charts or graph and pie charts were employed. These diagrammatic or pictorial representations of information present facts using figures and percentages to explain the disposition of Labour Practices in Ghana.

3. Results and Discussions

3.1 Labour Union Membership

The study revealed that most of the respondents belong to Labour Unions. The respondents indicated that they belong the Public Utility Workers' Union (PUWU), one of the 17 unions that constitute the Trades Union Congress (TUC) of Ghana. In all, 132 (86%) of the respondents indicated they belong to the labour union PUWU. The remaining 22 (14%) did not belong to the Trade Union. This distribution can be understood when one considers the provision in sections 79 (9) and 80 (1) of the Labour Act that every worker has the right to form or join a trade union of his or her choice to promote and protect his economic and social interests and that two or more workers employed in the same undertaking may form a trade union respectively. The 22 (14%) who did not indicate their membership were as a result of two main reasons as uncovered by the research. First, the

management staff of 5 (3%) did indicate that they do not belong to the union. This is clearly in agreement with the provision in section 79 (2) of the Labour Act which provides that a worker whose function is normally considered as policy making, decision making, managerial, holding position of trust, performing duties of highly confidential nature, or an agent of a shareholder, may not form or join trade unions. Second, 17 (11%) of respondents who did not belong to the union outside the set of the management staff were also applicable since such respondents did not indicate their answers to the question designed to solicit this information. The figure below illustrates the results.

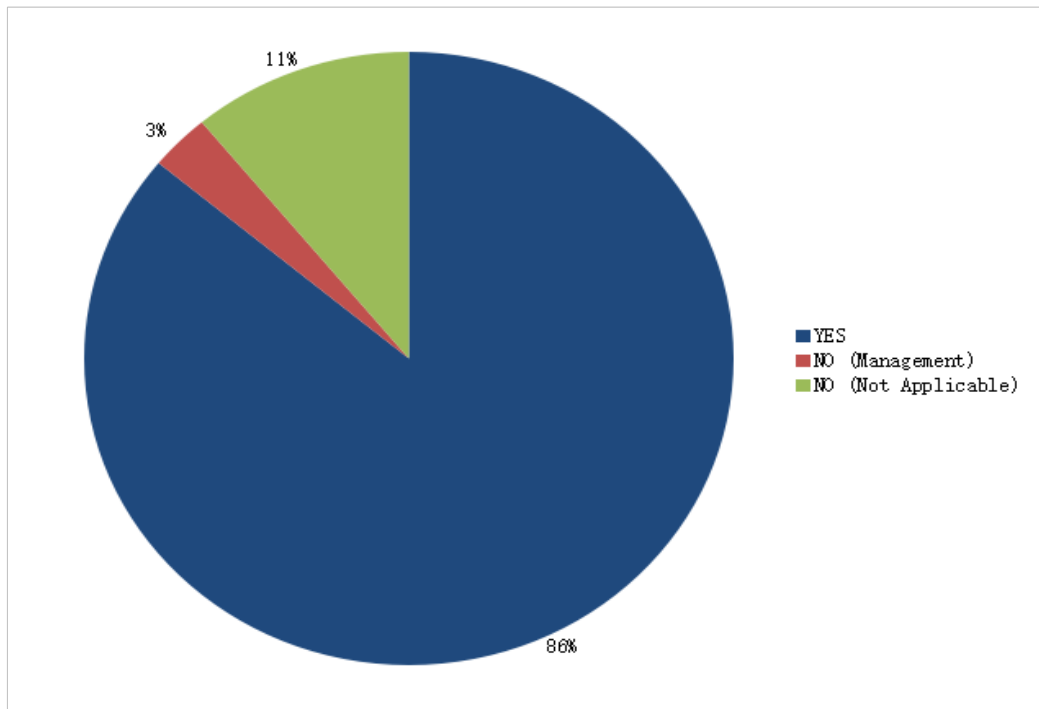


Figure 3.1: Labour Union Membership

Source: Researcher's field work

Concerning labour union activities and interference by the employer, the results from respondents gave an encouraging picture. Although a remarkable 145 (94%) responded that the employer does not interfere in union activities, the remaining 9 (6%) indicated otherwise. Such interference, according to the 9 (6%) respondents took the forms of the employer trying to influence union leaders to the employer's advantage and the effort to arrange the carrying out of some legitimate tasks such that it took union leaders away to other destinations so as to weaken union coordination and cohesion. This was seen as very negative since it could not ensure achievement of the union's important role of seeking to redress the balance of power between employees and employers who are almost always in a stronger position to dictate the terms of the employment contract. This negative development failed to provide, as in the words of Armstrong [5], a 'collective voice' to management and thus bring actual and desired conditions closer together. Figure 3.2 presents this information.

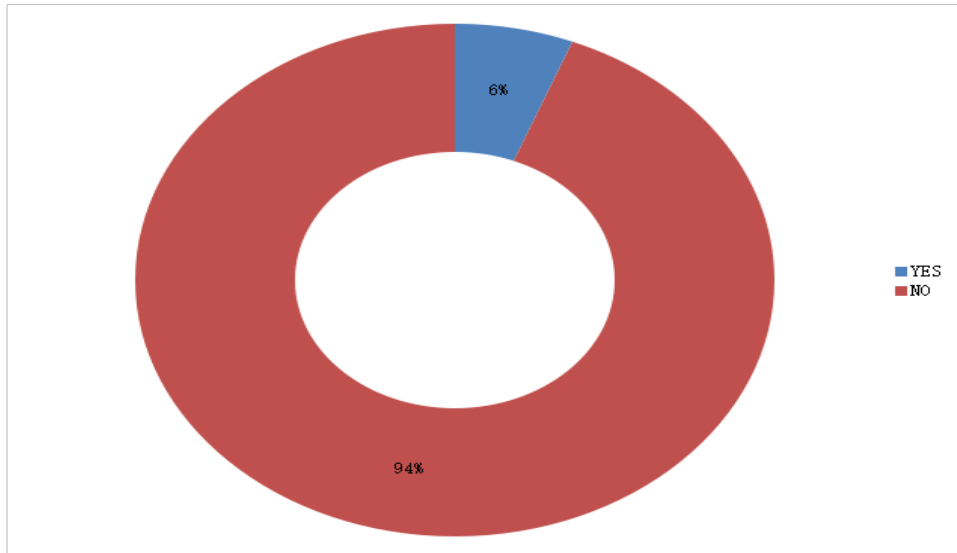


Figure 3.2: Union Activities

Source: Researcher’s field work

3.2 Dismissal of workers

As noted by Al-Tuwaijri [4], dismissal may be necessary when an employee demonstrates a gross case of incapability or misconduct. This position is clearly in congruence with the provision under section 62 (b) of the Labour Act that proven misconduct can be a ground for fair termination of employment. In the light of this, the responses showed that some workers have faced dismissal at certain times in the organisation. The responses indicated that 86 (56%) of the respondents indicated that they have witnessed this before while 68 (44%) have not witnessed such occurrences before. Table 3.1a shows the specific percentage of workers’ experience on incidences of dismissals.

Table 3.1a: Workers Dismissal

Dismissals	Frequency	Percentage
Yes	86	56
No	68	44
Total	154	100

Source: Researcher’s field work

On the question of whether the dismissals so far witnessed were fair, 84 (55%) did indicate that all such decisions by management were fair. Only 2 (1%) responded that what they have witnessed was unfair with the remaining 68 (44%) being inapplicable due to failure of respondents to indicate their experience on this.

Table 3.1b: Workers Dismissal

Dismissals	Frequency	Percentage
Yes	84	55
No	2	1
Not Applicable	68	44
Total	154	100

Source: Researcher’s field work

3.3 Labour Inspection

A labour inspection is an organisation-wide exercise, and would normally not escape the notice of workers at the workplace. The results gathered by the researcher appear to paint a picture that labour inspection is not or is rarely experienced in the company. This is because, 146 (95%) disclosed that they had no such knowledge of an inspection taking place while only 8 (5%) indicated ever witnessing such an exercise. A further examination of those who answered in the affirmative showed that 5 (63%) of the respondents who were management staff were aware of this with only 3 (37%) of them belonging to the general working staff. This may guide readers to the conclusion that even the inspection carried out may either be on just a single or few cases, or that it was not as extensive as it should be. Since information gathered during the labour inspection is to serve and improve the industrial lives of employees, create good fortunes for employers, and feed government with vital information, the researcher believed much was to be expected than what the current results show. Also, 8(5%) of the respondents who informed they have witnessed an inspection did not provide much information on the effect or changes brought about by the inspection but only suggestions from inspectors to improve the workplace. Figure 3.3 illustrates results on labour inspection.

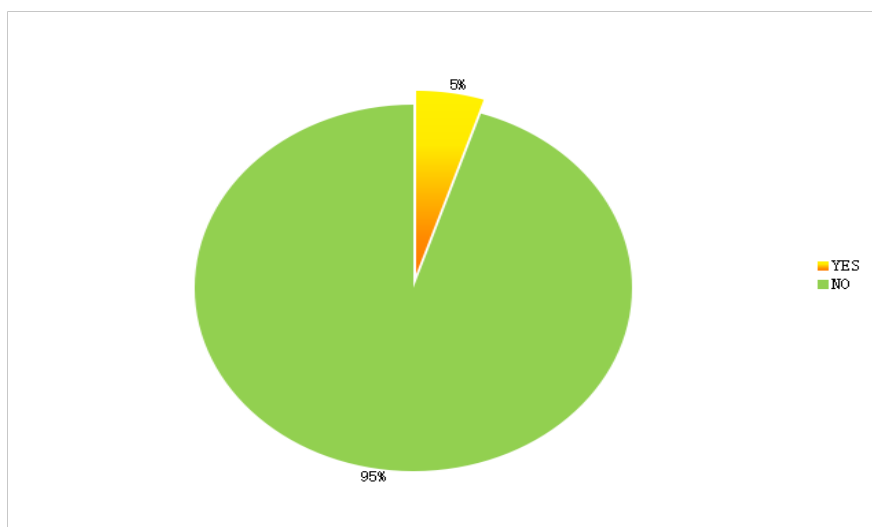


Figure3.3: Labour Inspection

Source: Researcher's field work

4. Conclusion

The study revealed that, in Ghana, most of the workers belong to Labour Unions. The right to join a Labour Unions and to engage in collective bargaining is a basic right enshrined in Labour Act, 2003 (Act 651). Having the opportunity to join a Labour Union and engage in collective bargaining is the primary goal, but establishing Labour Unions remains the workers' own responsibility. It was further revealed that most of the workers at the Ghana Water Company Limited belong to the Public Utility Workers' Union (PUWU), one of the 17 unions that constitute the Trades Union Congress (TUC) of Ghana. Unfortunately, in Ghana, the trade unions are weak and the underlying causes are complex and often multifaceted. In the Ghana Water Company Limited, there are functioning workers' committees that give the employees the opportunity to engage in dialogue with the management.

In the case of dismissal of workers, the study revealed that some workers have faced dismissal at certain times at the Ghana Water Company Limited. The results gathered by the researchers appeared to paint a picture that labour inspection is not up to expectation or is rarely experienced such that it was not as extensive as it should be. Since information gathered during the labour inspection is to serve and improve the industrial lives of employees, create good fortunes for employers, and feed government with vital information, the researchers believed much was to be expected than what the current results show.

5. Recommendations

Based on the research findings, it is recommended management should emphasis on giving advice and assisting workers to join labour unions. Labour inspection should be frequently undertaken to improve the industrial lives of employees, create good fortunes for employers, and feed government with vital information.

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