

MINISTRY OF GENDER LABOUR & SOCIAL DEVELOPMENT



**PRESENTATION AT THE 23RD ANNUAL JUDGES
CONFERENCE HELD AT MESTIL HOTEL KAMPALA.**

BRIEF OVER VIEW OF THE CURRENT STATUS OF THE INDUSTRIAL COURT

The Industrial Court is established under **S.7** of the Labour Dispute(Arbitration & Settlement) Act, 2006, which has now been amended by the **Labour dispute(arbitration & settlement)(amendment)act, 2021**

This law was assented to by H.E the President on **10th March 2021**.

The commencement date of the Amendment Act was **23rd day of July 2021** and the Commencement Instrument, **S.I No.49/2021** was gazetted on the **13th day of August 2021**.

Key among the amendments is the composition of the Court whereby court hearings will now be conducted by a single Judge sitting with 3 members of the panel. Previously the panel comprised of two judges sitting together with three members.

Secondly the amendment has provided for the recruitment of 3 more Judges, bringing the total number of Judges to 5 and Panelist to 15. Currently only 2 positions of the Judges are filled that is , the head Judge, Hon.Justice Asaph Ruhinda Ntengye and the Judge, Hon. Justice Linda Lillian Tumusiime Mugisha. However, the Head Judge is scheduled to retire this year.

The amendment has also provided for the appointment of a Registrar and Deputy Registrar of the court.

The Ministry of Gender Labour & Social Development has already written to the Judicial Service Commission regarding the declaration of vacancies so that recruitment of substantive position holders is carried out

The increased number of Judges and Registrars will in turn increase the efficiency of the court in terms of output

PERFORMANCE FOR FY 2020/21

Category	Cases B/F	Registered	Completed	Part-Heard	Pending
Labour Dispute	317	1	16	86	302

Claim					
Labour Dispute References	1220	276	88	377	1408
Labour Dispute Appeals	138	28	19	4	147
Labour Dispute Misc. Application	557	194	142	55	609
Labour Dispute Mediations	148	106	196	58	58
TOTAL	2380	605	461	580	2524

Performance for Q2 FY 2021/22

Category	Cases B/F	Registered	Completed	Part-Heard	Pending
Labour Dispute Claim	299	0	0	83	299
Labour Dispute References	1438	89	31	463	1408
Labour Dispute Appeals	142	6	6	18	147
Labour Dispute Misc. Application	629	61	47	65	609
Labour Dispute Mediations	60	15	26	49	58
TOTAL	2380	605	461	678	2524

- 79 cases out of the 678 part-heard cases are pending delivery of awards.

CASE MANAGEMENT

We use the session-based method to schedule cases. We have not been holding scheduling conferences in a bid to save time.

Lawyers are advised to file a joint scheduling memorandum, pre-trial documents and witness statements prior to the pre-session hearing.

CHALLENGES

- The cost of handling a labour dispute is high, for example, although the court has completed 110 cases the total number of part-heard cases totaling to 678 cases has a cost implication because the panelist are paid a sitting allowance per sitting and therefore where a given number of cases are not completed according to plan/scheduled sittings additional expenditure is incurred bringing the total unit cost above the planned unit cost of shs. 3,300,000/-
- The current number of Judges is not sufficient to handle the current work load.
- Labour Officers require training to enable better references to court
- The law needs review and harmonization
- Although one of the Courts has been digitalized, there is need for the other court to be digitalized.
- we shall need space to house the new Judges, currently we share premises with the National councils for Women and Children.
- covid led to a number of cases being brought forward as part heard cases.