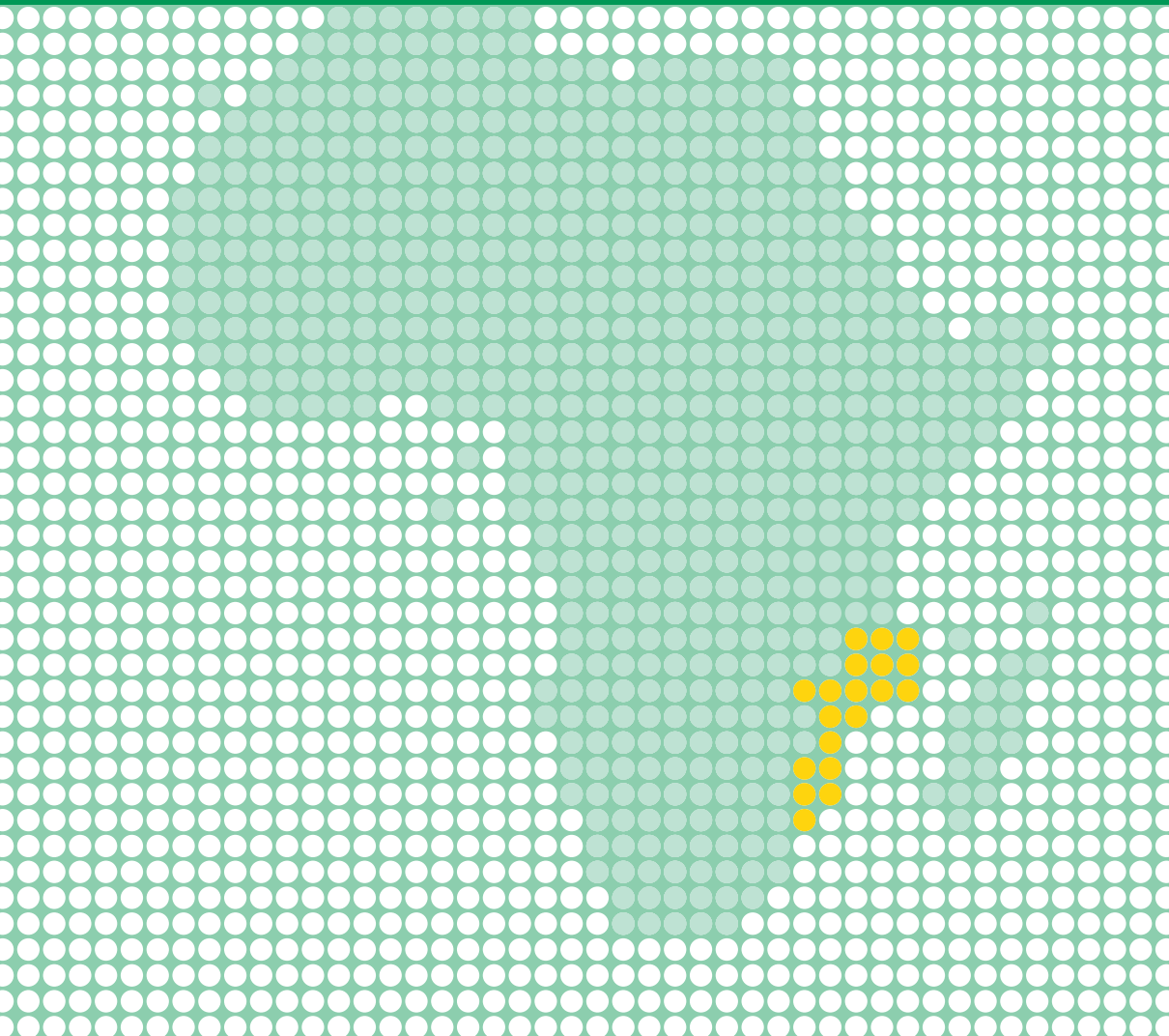


International
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National Profile of Working Conditions in Mozambique



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1st edition 2009

International Labour Organization

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About this report

This national profile report presents a concise overview of working conditions in selected sectors of Mozambique. It is mainly drawn from ILO's eighteen-month project (2008-2009) on "Improving Job Quality in Africa through concerted efforts by Governments, Employers and Workers". This project was supported by Danish International Development Assistance and carried out in Mozambique and the United Republic of Tanzania.

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I. Introduction : Improving the quality of working life in Mozambique

Working conditions are key dimensions of decent and productive work. Workers place their wages, working hours, safety, and ability to accommodate their personal and family needs among their chief concerns regarding the dignity and quality of their working life. These aspects of working life are also important determinants of workplace productivity and competitiveness.

As the Economic and Social Council reported in 2007, global economic growth is increasingly failing to create the kinds of new and better jobs that can lead to a reduction in poverty. Despite high and sustained economic growth in many developing countries, unemployment is rising, a large proportion of the labour force is paid below poverty-level wages, and the majority of non-agricultural employment is in the informal economy. It is therefore not surprising that in recent years there has been a shift of focus from exclusive interest in economic growth to a broader concern with improving the quality of working.

Indeed quality of working life is integral to both human and socio-economic development. The notion of quality of working life has shifted from a preoccupation with only certain dimensions of paid labour – primarily working hours, wages and maternity protection – to including a wider range of elements of both paid and unpaid work. It also encompasses the intersection between the labour market and the lives of workers that take place beyond paid work. This new paradigm embraces dimensions of working life central to concerns about the impact of economic and social change on workers and their families. These issues are yet to be fully integrated into the most prominent policy responses to the globalized economy.

Governments across Africa have called forcefully for action to meet these challenges. The African Union Extraordinary Summit on Employment and Poverty Alleviation in Africa (Ouagadougou, September 2004) overwhelmingly endorsed the ILO's Decent Work Agenda, which emphasizes

the creation of quality jobs. Mozambique's poverty reduction strategy (2006-2009) and the strategy for employment and training (2006-2015) reflect this.

As a response to this pan-African initiative, the present report documents the current status of working conditions in selected sectors in Mozambique and draws attention to related policy gaps. The report first outlines the framework of labour laws and other relevant policies governing working conditions on the mainland. It then examines actual working conditions in the informal economy and in the tourism sector, in order to identify the gaps between the aspirations embodied in the legal standards and the realities of working life. Finally, the report outlines a set of policy considerations that could be taken into account by the Government, the social partners and other interested parties. It concludes with a document adopted by a national stakeholders' workshop held to discuss the results of the ILO project on which this report is based.

II. Background and context

Mozambique has experienced sustained economic growth since the end of the civil war in the early 1990s. Economic growth has remained strong in recent years, with an estimated average GDP growth rate of 7.7 per cent between 2003 and 2007. This impressive economic performance, especially compared to other African countries, can to a large extent be attributed to political stability and economic reforms, which have also attracted foreign direct investment. At the same time, the economy has become more open in that the share of trade as a percentage of national product has increased considerably in recent years (from 42 per cent in 1996 to 75 per cent in 2005). One of the leading areas of economic growth in Mozambique is the tourism sector, which employs about 35,000 workers, twice as many as in the 1990s.

Table 1. Key social and employment indicators for Mozambique, 1996–2006

	1996	2001	2007
Employment-to-population ratio (%, age group 15 years or above)			
All	78.3	77.5	77.0
Men	75.3	72.7	71.3
Women	80.9	81.7	82.2
Employment status (% of total employment) (urban sector, in parenthesis)			
Waged and salaried workers			13.3 (36.2)**
Self-employed workers			62.1 (52.3)**
Contributing family workers			24.6 (11.5)**
Employment by sector (% of total employment, urban sector only)			
Senior officials, professionals, technicians, etc.			10.1**
Clerks			3.1**
Personal service and sales workers			23.5**
Skilled agricultural workers and fishery workers			39.1**
Craft and related trade workers			10.1**
Unskilled workers, elementary occupations			11.3**
Others			2.7**
Labour productivity (GDP per person employed, constant 1990 US dollar at PPP)			
	2,157	3,058	3,863**
Gini index	44.5*	47.1***	
Working poor (% of total employment)			
US 1 dollar or below (per day)	53.0*	42.5***	
US 2 dollars or below (per day)	91.7*	88.1***	
Gross domestic product (GDP) per capita (constant 2000 US dollars)			
	183	234	292**
Trade (% of GDP)	41.9	72.2	74.9**
Earnings from tourism (million US dollars)			144 million
Life expectancy at birth (years)	43.8	42.6	41.8**
Population (growth rate, %)	2.9	2.5	2.2**
Adult illiteracy rate	61.3*		
<i>Sources: ILO Key Labour Market Indicators; Economist Intelligence Unit country report; other national sources</i>			
<i>* 1997 figure ** 2005 figure *** 2003 figure</i>			

One significant negative aspect of this development is the economy's increasing reliance on foreign aid. Net official development assistance is estimated to be about 20 per cent of GDP. Fiscal dependency is even more serious, some 40-50 per cent of government expenditure being financed through external assistance. There is increasing recognition of the importance of fiscal autonomy in achieving sustainable economic growth.

Despite the rapid economic growth, overall living standards in the country remain low. The majority of workers are poor, earning less than two US dollars a day. Even with a lower threshold of one US dollar a day, the proportion of working poor is still high at about 40 per cent. There is some indication that income inequality has been on the rise, although available data are rather limited.

The structure of employment is characterized by a high proportion of self-employment and the underdevelopment of wage employment. In the case of the urban sector, however, wage employment accounts for a significant proportion of employment (about 36 per cent in 2005). In the urban sector, the structure of occupation is polarized between agriculture/fishery and service sectors. Most personal service and sales workers are believed to be engaged in informal economic activities predominantly casual and temporary work (World Bank 2008).

III. Regulatory framework and policies

The history of the implementation of labour laws in Mozambique is intimately linked with the country's colonial past. Historically, both labour relations and working conditions were influenced by colonialism. The mark left by its colonial past was strongest in the initial years after decolonization. However, even now, it can be felt in labour relations, particularly in terms of discrimination in employment.

As far as labour legislation is concerned, the post-independence period in Mozambique was characterized by ratification of many ILO conventions. In fact, Mozambique ratified the greatest proportion of international conventions in 1977. The reason for these speedy ratifications was twofold: firstly, Mozambique lacked its own national system of labour law and ILO conventions provided the country with a labour legislation framework; secondly, ratifying those rights-based conventions was a way for the Government to attempt to improve the country's global participation record, which was the result of colonialism.

The main labour laws in Mozambique include Law 8 of 1985, Law 8 of 1998, and the New Labour Law, Law 23 of 2007. The Government of Mozambique also has other regulatory frameworks for working conditions and employment, which include: Agenda 2025, the Five-Year Plan (2005 – 2009) and the Action Plan for the Reduction of Absolute Poverty (PARPA II), all of which the Government has explicitly linked to the Millennium Development Goals; the National Strategy for Employment and Vocational Training; and social protection legislation.

The New Labour Law, which now provides the general framework for labour regulation, is concerned with working conditions and the intersection of working life with family/social life. It includes standards on working hours (including maximum working hours, overtime, night shifts, holidays, etc.); part-time work; breaks during the working day; annual leave; wages and remuneration (i.e. the minimum wage, methods of remuneration); and maternity, paternity and family leave.

Box 1. Key labour standards

Working hours (*New Labour Law*)

- 8-hour daily limit
- 48-hour weekly limit with possible extension up to 56 hours if accompanied by additional time off or in exceptional circumstances
- Maximum 200 hours' overtime per year
- 24 hours' weekly rest, usually on Sunday

Minimum wage (*determined by tripartite negotiation*)

- Sectoral minimum wage of between 1,486 and 2,758 MZM in 2009
- | | |
|--|----------------|
| Agriculture, livestock, hunting and forestry | 1,486 to 1,500 |
| Fisheries | 2,050 |
| Mining | 2,120 |
| Manufacturing | 2,300 |
| Electricity, gas and water | 2,403 |
| Construction | 2,215 |
| Non-financial services | 2,250 |
| Financial activities | 2,758 |

Maternity Protection (*New Labour Law*)

- 60 consecutive days' maternity leave which can begin up to 20 days before expected birth of child
- 1 hour per day paid breastfeeding break (which can be divided into 2 half-hour periods) for up to 1 year after the birth

Family Leave (*legislated in the New Labour Law*)

- 1 day's paid paternity leave the day after the birth
- 5 days' compassionate leave in the event of death of a spouse, father, mother, son, stepson, grandmother, stepfather or stepmother
- Two days' leave in the event of death of a father-in-law, uncle, cousin, nephew, grandson, son-in-law, daughter-in-law or brother-in-law

The new law was introduced in response to the concern that ‘rigid’ labour regulations had constrained business environments. It was aimed at boosting employment by providing greater ‘flexibility’ while at the same time bringing labour regulations into line with ILO standards. For example, the new law makes provision for increased hours of overtime (see Box 1).

The New Labour Law has introduced major changes in relation to previous labour legislation. Some of its most important features are :

- enhanced protection of the dignity and security of employment;
- clear definition of the fixed-term employment contract system so that it can be better adapted to the temporary or non-permanent needs of companies;
- emphasis on amending the employment contract, especially regarding adaptability of working hours and dismissal;
- focus on reducing absenteeism and stimulating work by providing for absences and vacation days;
- introduction of temporary work as one method of hiring foreigners, who are often needed in the tourism sector;
- emphasis on youth employment;
- emphasis on the role and potential of collective agreements;
- amendments to the labour inspection system that acknowledge its educational role without reducing its regulatory function.

The main weakness of the current law is the exclusion of a substantial number of informal sector workers, as well as a weak attempt to maintain a healthy work/family balance, as reflected in the provisions on maternity/paternity leave, working hours, and so on. It can even be said that labour laws in Mozambique have been designed without taking into account the informal sector. Given the size of the informal sector and the number of people it includes in Mozambique, this inevitably means that most workers do not benefit from the provisions and protection of the law. The significance of the failure of the labour laws to reach this particular sector is most clearly demonstrated by the fact that working hours in the informal sector continue to be unregulated and are much longer than those laid down in the legislation.

Current provisions on maternity protection and paternity leave also leave much to be desired. For example, paternity leave consists of only one day: the day after the birth of the child. In view of this, it seems unlikely that the target of improving the status of women in Mozambique will be reached as the lack of paternity leave entrenches the idea of reproductive responsibility lying with women in the law of the country. Similarly, maternity protection is less than that provided in comparable countries, such as Tanzania. In Mozambique, the legislation gives women workers half the time for breastfeeding breaks (a total of 60 minutes) that is provided in Tanzanian legislation. Legislation in Mozambique does, however, offer women with children 30 'explained' absences a year, which can be used if, for example, a child is in hospital.

IV. Actual working conditions

While the labour laws in Mozambique lay down minimum standards, actual working conditions often do not comply with them. Where employees are subjected to conditions well below legally required minimum working conditions, the substance of labour laws is undermined. A recent survey of working conditions (see box 2) provided useful insights into the gaps between the law as it stands and the reality of the quality of working life (see table 2).

Box 2. Survey of working conditions in Mozambique

The Global Module for Working Conditions Survey was implemented in 2009, focusing on the urban sector and including three major urban areas (Maputo, Tete and Nampula), with a total sample size of 1,224. The tourism sector received special attention with a selected sample of 368 drawn exclusively from the formal sector. For further details, see Centre for Policy Analysis (2009b).

Table 2.
Overview of working conditions in Mozambique, 2009

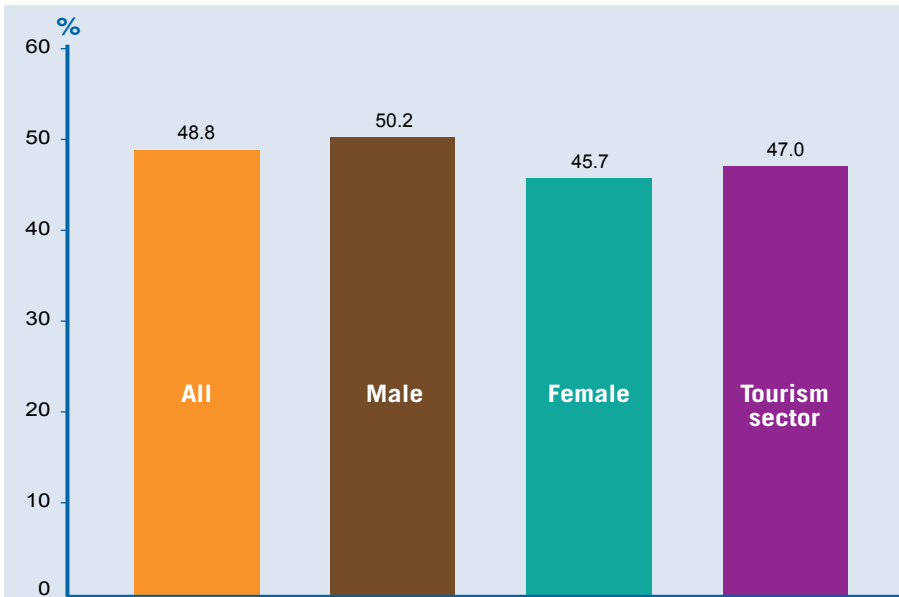
	All	Male	Female	Tourism sector
Employment contract				
Having a written contract or agreement (%)	48.8	50.2	45.7	47.0
Contracts having details on (% of respondents who have a contract or agreement)				
<i>Wages</i>	90.8	92.5	87.2	83.8
<i>Working hours</i>	78.9	78.3	80.4	64.7
<i>Holidays</i>	61.2	59.4	65.2	75.2
<i>Maternity/paternity leave</i>	NA	17.3	NA	46.3 (women)
Covered by a collective agreement (%)	19.1	19.4	18.6	21.3
Legal awareness				
Awareness of legal entitlements (%)				
<i>Minimum wages</i>	64.4	61.5	70.5	77.0
<i>Working time</i>	58.6	61.5	52.1	71.2
<i>Maternity protection</i>	71.9	71.6	72.6	76.3
Leave benefits and protection				
Paid annual leave (%)	26.8	28.3	23.7	40.8
Paid sick leave (%)	49.8	50.7	47.9	56.8
Maternity leave (%)	NA	NA	43.9	49.7 (women)
Redundancy pay (%)	18.5	18.5	18.6	18.3
Contributions to pension funds (%)	21.8	21.5	22.4	33.6
Working time				
Having more than one job (%)	5.6	7.2	3.6	0.3
Weekly working hours				
<i>Short hours (less than 30 hours)</i>	22.4	22.7	22.0	13.6
<i>Long hours (more than 50 hours)</i>	59.3	58.9	59.8	68.0
Working hour preference compared with current working hours (% of respondents)				
<i>More hours</i>	14.5	13.7	15.6	4.2
<i>Same hours</i>	67.4	68.9	65.4	66.9
<i>Fewer hours</i>	18.1	17.4	19.0	28.9
Working time regularity (% of workers who have fixed starting and finishing time)	41.5	46.5	35.6	62.0
Compatibility between working time and family and social life (% of workers who say that their working time fits in with family or social commitments)	68.1	67.3	68.9	43.0
Physical work environment and risks				
Physical risks (% of workers who are exposed to the following risks around 3/4 of the time or more)				
<i>Noise</i>	26.6	31.7	20.3	29.0
<i>High temperatures</i>	17.5	15.4	19.9	13.5
<i>Smoke, fumes, dust</i>	30.8	34.3	26.5	22.8
<i>Dangerous people (thieves, poachers, etc.)</i>	18.1	19.7	16.1	15.1

	All	Male	Female	Tourism sector
Physical work environment and risks				
Well informed of safety risks (%)	44.4	50.9	36.8	45.9
Organization of work				
Working at high speed (%, 3/4 of the time or more)	27.8	34.2	20.2	35.5
Working to tight deadlines (%, 3/4 of the time or more)	22.0	29.1	13.1	26.5
Having enough time to get the job done (%, "often" and "almost always")	70.6	69.3	72.2	73.5
More training is needed to cope with the current job (%)	39.8	41.0	38.3	35.2
Violence at work				
Physical violence from people in the workplace	9.9	11.9	7.5	20.3
Physical violence from other people	9.9	12.7	6.5	15.2
Bullying and harassment	8.0	10.3	5.3	25.8
Work and health				
Work affects your health (%)	32.3	39.1	24.0	39.4
<i>Backache</i>	70.3	74.3	63.5	70.3
<i>Headache</i>	47.3	44.5	52.2	58.1
<i>Muscular pain</i>	74.1	76.9	69.2	59.7
<i>Injury</i>	36.8	46.7	19.5	27.9
<i>Stress</i>	40.5	42.4	37.2	49.6
<i>Fatigue</i>	46.3	49.0	41.6	58.9
<i>Anxiety</i>	13.4	12.4	15.2	14.5
Absent due to health problems (%, over the past 12 months)	18.3	19.0	17.3	26.6
Earnings				
Low paid workers (% of workers earning (MZM)				
<i>Less than 2,000</i>	53.9	51.4	60.3	51.7
<i>Less than 5,000</i>	86.0	86.8	89.8	92.0
Evaluating working conditions				
Working conditions have improved compared to the previous year (%)	42.2	46.6	41.2	42.1
Job satisfaction				
<i>Pay</i>	30.4	31.5	28.2	22.0
<i>Amount of work</i>	48.6	45.1	56.0	36.9
<i>Working hours</i>	49.3	46.1	55.9	35.7
<i>Training</i>	37.2	40.5	30.3	31.7
<i>Job security</i>	49.9	50.5	48.6	51.9
<i>Workplace safety</i>	52.2	53.2	50.0	57.9
<i>Overall</i>	41.2	42.2	39.0	45.3

Work without a contract and little protection

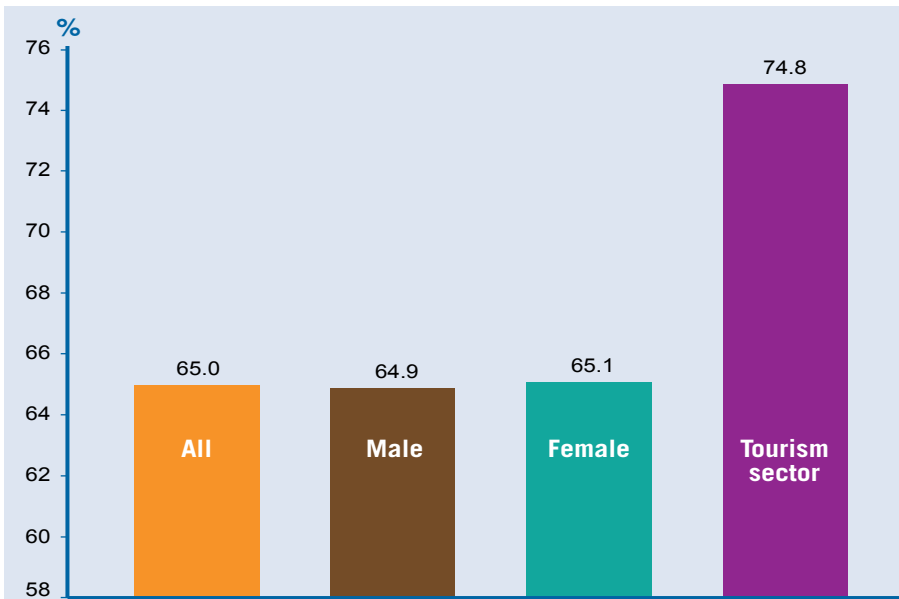
Employment in the urban sector is largely informal, many workers lacking an explicit employment contract. Only about half of workers have a contract or agreement, and rather fewer than that in the tourism sector. Where there is an explicit contract, it tends to include details on wages and working time, but not necessarily on paid holidays and maternity-related arrangements. Temporary employment is estimated to affect more than 18 per cent of workers, employers often preferring this type of employment because it is not covered by the statutory regulations governing regular employment contracts. Temporary contracts are less frequent in the tourism sector (about 11 per cent). Significantly, the incidence of stable and permanent employment tends to be higher among workers with higher educational attainments. The proportion of workers covered by collective agreements is small (less than 20 percent).

Figure 1.
Percentage of workers with a written contract or agreement,
Mozambique, 2009



This informal nature of the employment relationship is related to the fact that a considerable proportion of workers are not aware of their basic legal entitlements in relation to the minimum wage, maximum working hours and maternity leave (see figure 2). About one third of workers are unaware of existing legal entitlements, although the proportion is lower in the tourism sector (about one quarter). Legal awareness is associated with better working conditions. For example, the incidence of working long hours (e.g. 50 hours per week) tends to be significantly lower among those workers who are aware of the statutory maximum hours (52 per cent versus 62 per cent).

Figure 2.
Percentage of workers aware of their legal entitlements concerning the minimum wage, working hours and maternity protection, Mozambique, 2009

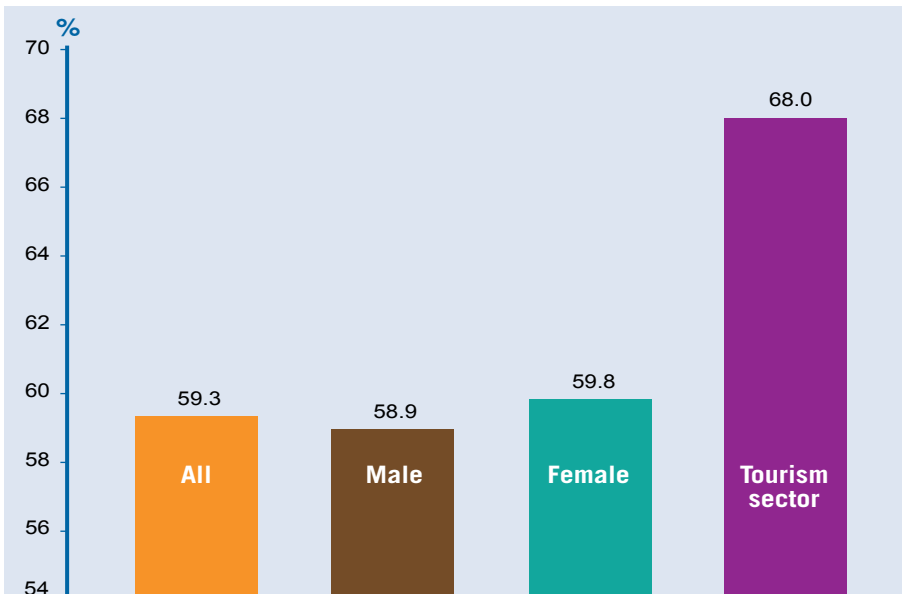


Most workers in the informal economy have little or no social protection and receive little or no social security either from their employers or the Government. Furthermore, when workers are covered by social security, their social security deductions often leave them with very little on which to live. Only 22 percent of workers are reported to contribute to pension funds. The majority of workers do not benefit from maternity leave or sick leave. Paid annual leave is far less frequent and affects only 27 percent of workers.

Working-hour deficits

Under the law, employees may work a maximum of 48 hours per week, with a maximum of 200 hours overtime per year. In reality, however, in both the informal and tourism sectors, working hours are polarized between very long and short hours (workers working short hours tend to be underemployed). For example, 59 per cent of workers work more than 50 hours per week (see figure 3), while another 22 per cent work fewer than 30 hours. Only a small minority of workers work 'standard' hours: between 30 and 50 hours. Workers with shorter hours (about 15 per cent of workers) are often in 'time-related unemployment' in that their short hours are simply due to the lack of work. Thus, these workers would like to increase their hours whenever work is available. By contrast, another 18 per cent of workers, who typically work long hours, would like to reduce their hours but are not able to do so because of various constraints in the workplace.

Figure 3.
Percentage of workers who work more than 50 hours per week,
Mozambique, 2009



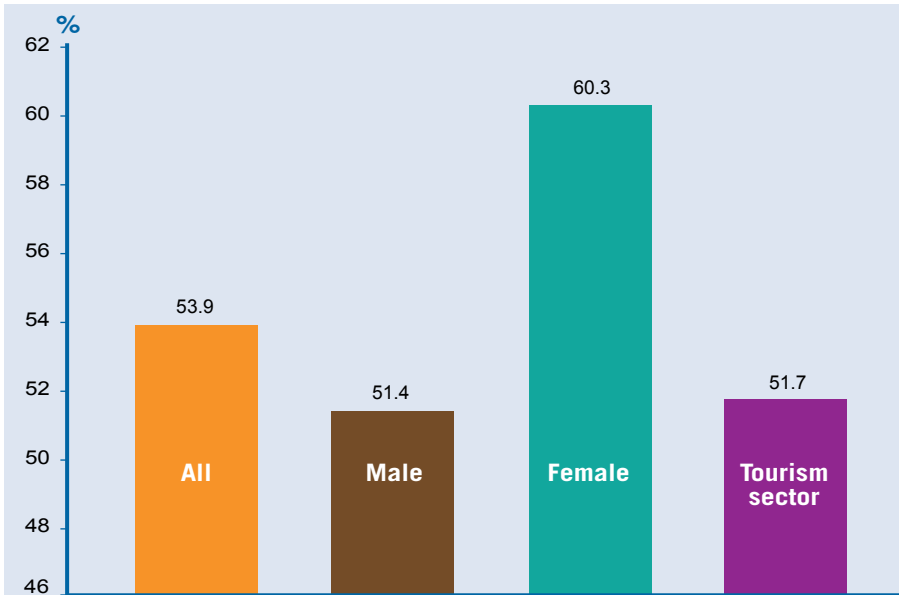
Long working hours are particularly common in the tourism sector where labour is required 24 hours a day. There is an extreme system of working hours in this sector, which has two 12-hour shifts and no rest day in between, resulting in 72 working hours per week. Workers with long working hours are more likely to have health problems and difficulties in balancing work and family life. As a result, overall job satisfaction is low.

Coupled with the polarization of working hours, the majority of workers (about 60 per cent) have irregular working time patterns in that they do not have any fixed time for starting and finishing work. Their working time tends to be determined by the level of demand for labour.

Low pay and working poor

Mozambique has a different minimum wage for different industries, ranging from 2,050 to 2,758 MZM (2009 rate). The majority of workers earn less than the relevant minimum wage, however. Payment below the minimum wage is particularly frequent among women workers and in small enterprises. Only 37 per cent of workers in small enterprises (fewer than 10 employees) earn the minimum wage or more. The fact that 86 per cent of workers earn less than 5,000 MZM (about twice the minimum wage) illustrates the massive presence of low pay in Mozambique. The incidence of low pay is significantly higher among women workers.

Figure 4.
Working poor: percentage of workers who are earning less than MZM 2,000 per month, Mozambique, 2009



High exposure to physical risks at the workplace

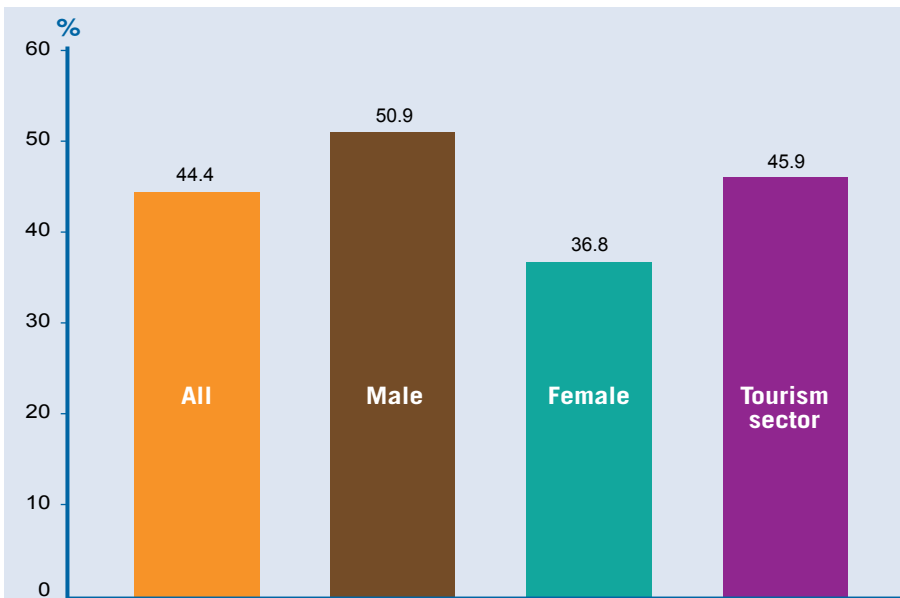
Workers in Mozambique are exposed to various types of physical risk. Noise, especially from loud music and people is a common risk in overcrowded informal sector activities. Moreover, given the nature of the climate, high temperatures particularly affect workers in the informal sector.

Workers are often vulnerable to risks from dangerous people (such as thieves and poachers). The incidence of physical violence and harassment is particularly high in the tourism sector as workers in this sector are more likely to be attacked by thieves, especially when they hold cash after sales.

Many workers in all sectors are also subject to inadequate safety and health standards and environmental hazards. They are also often poorly

informed about risks at work (see figure 5), which means that they are not well prepared to cope with them. Women workers are more vulnerable to such risks.

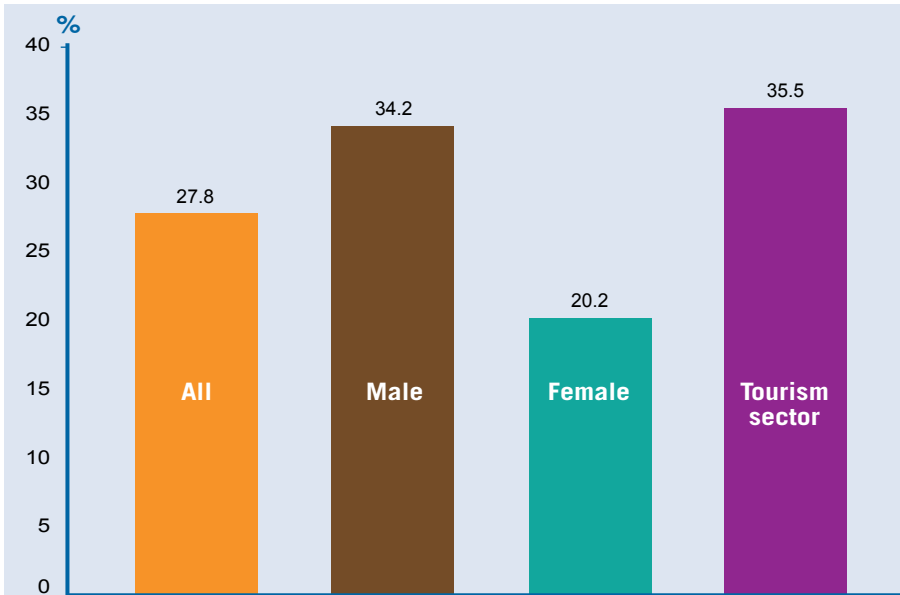
Figure 5.
Percentage of workers who are well-informed about safety risks, Mozambique, 2009



Work intensity and skills mismatch

Working hard under pressure characterizes working life for the majority of workers. They not only work at high speed (see figure 6), but also under tight deadlines. As a result, the overwhelming majority do not have enough time to do their jobs. This time pressure in the workplace appears to be related to skills mismatch: many need more training to cope with their current jobs.

Figure 6.
Percentage of workers who are working at high speed three-quarters of the time or more, Mozambique, 2009



Influence of work on health

About 32 per cent of workers report that their health is affected by their work (see figure 7). Overall fatigue, hearing problems and backache are the most commonly cited negative health effects of work. Not surprisingly, those workers subject to physical risk in the workplace (such as working in tiring positions and repetitive movements) are much more likely to have health problems. They also tend to be more pessimistic about the possibility of working when they are older (at 60, for example). Significantly, the incidence of work-related health problems is much lower where workers are well-informed about workplace risks. In 2008, 18 per cent of workers were absent from work for at least one day for health-related reasons.

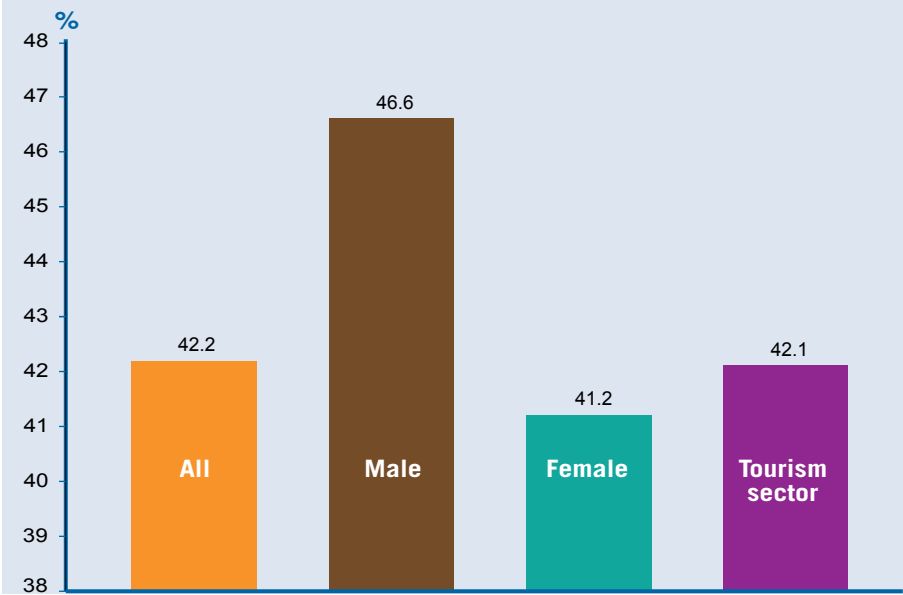
Figure 7.
Percentage of workers who report that work affects their health,
Mozambique, 2009



Low job satisfaction

Forty-two per cent of all workers questioned report that their working conditions have improved (see figure 8). Women workers are slightly less positive than male workers about recent developments. At the same time, the overall level of job satisfaction is not high. Only 41 per cent of workers are satisfied with their current working conditions. Overall, workers are more concerned about pay and training than they are about job security and safety at work.

Figure 8.
Percentage of workers who report that their working conditions have improved compared to the previous year, Mozambique, 2009



V. Policy considerations: looking forward

This review of legal and actual working conditions in Mozambique highlights a series of primary ‘gaps’ in both the implementation of labour legislation and the content of the legislation compared to the country’s development goals. The differences between the law and the reality of the situation are particularly stark in the areas of working time, work/family balance, and social protection. The widespread practice of unreasonably long hours and the massive incidence of payment below the minimum wage are causes of great concern. Moreover, the legislation itself neglects workers with family obligations and workers in the informal sector. As a result, job satisfaction is low and health and safety concerns are high.

Improving labour inspection

The difference between the law and the reality of working life for many in Mozambique indicates that the labour inspectorate should be improved. The role of the Labour Inspection is of great importance. Its main function is to control and ensure that all types of companies, be they public, private, mixed, etc., comply with labour law. The role of Labour Inspectors needs to be strengthened not only in order to penalize offenders, but also to prevent further neglect of the law. This could be done through a process of continuing education.

The General Labour Inspection also needs to be strengthened so that it is able to perform its oversight function, not only in the cities, but also in the rural areas where there are widespread breaches of employees’ rights. Moreover, significant proportions of workers conduct their activities at home, at a market, on a footpath or street or in an open space and labour inspection and the scope of the law should extend to such workers.

Social security challenges

It is a daunting challenge to design social security measures that cover both the formal and informal sectors, but this would help to end the vicious circle of poor job quality, low income and dangerous working environments of workers and children who are without social protection. As the informal sector accounts for a large proportion of the labour force and is generally beyond the reach of social security, it is suggested that informal sector workers should be included in the implementation of social security programmes. One of the major solutions to the problem of weak social protection is to bring sectors within the jurisdiction of control and regulatory institutions. Despite the magnitude of the challenge, this must be tackled if successful development is to be ensured.

Family Concerns

The weak maternity and paternity protection provided by the law and legislation on work/family balance in Mozambique adversely impact on both women's ability to have true equality in the workplace and children's ability to grow and develop. The single day of paternity leave provided by labour legislation and the provision of family leave only for mothers entrenches in law the idea that women should be solely responsible for caring for children in Mozambique. In addition, the fact that employers are responsible for providing maternity benefits may cause discrimination against women workers. As the Committee of Experts on the Application of Conventions and Recommendations has suggested, one way to remedy this would be to ensure that maternity benefits were provided either by social insurance or public funds so that employers were not individually liable for the cost of such benefits (CEACR Individual Observation to Libyan Arab Jamahiriya (C103) of 1998). In order to ensure that the goal of improving gender equality in Mozambique is reached, this imbalance in the law needs to be addressed.

The informal economy

In view of the size of the active labour force employed in the informal sector, it is recommended that the Government engage in a massive effort to integrate the informal sector into the formal economy. The largest group in the Mozambique labour force is the self-employed, who are not covered by the labour legislation and therefore have unregulated working conditions. The Government should take measures to ensure that the informal sector is brought within the scope of the regulatory framework.

The first step could be to change the definition of “employee” in the labour legislation so that informal workers are included within the scope of the law. Despite the implementation difficulties of covering rural and informal workers, simply including them within the legislative framework would be a step towards improving their working conditions and therefore the working conditions of a large portion of working people in the country.

VI. Tripartite policy suggestions

This document was adopted during the concluding session of the National Tripartite Workshop on 15 October 2009, which discussed the findings of the new working conditions survey and the regulatory framework review. It identifies key areas for policy action. The original version is in Portuguese.

Mozambique has made significant efforts to reduce unemployment and poverty. Recently, the PARPA made social inclusion and income security central objectives of national policy. This advance is an opportunity to work towards combining job creation policies with attention to the quality of the jobs being created. In part, the aim of this new policy is to promote social justice by reducing the impact of unacceptable working conditions on the welfare of workers and their families. As the global financial and economic crisis had made clear, it is important to ensure that the new jobs created are of high quality and sustainable in the long term.

The need for sustainable job creation policies underlies the International Labour Organization initiative on improving job quality in Africa, launched in November 2008 to support research-based decision-making policies on working conditions. The programme was designed to promote rigorous and objective analysis of current working conditions and the laws governing them and to assess the influence of national legal standards on current conditions. This new methodology was introduced in Mozambique with a particular focus on the tourism sector as one of the primary growth sectors in which job quality has raised concerns. To this end, two studies were commissioned to review working conditions and the legal framework in Mozambique.

The reports of both studies were analysed in depth during the workshop and were the subject of vigorous debate. With regard to the regulatory framework, the issues that attracted particular attention included: (1) the possibility of integrating reconciliation of work and family responsibilities in the legal framework; (2) extending maternity leave; (3) improving labour

inspection, with greater emphasis on its educational role; (4) making the minimum wage more effective.

The results of the survey on working conditions were also presented, the discussion focusing on: (1) long working hours and their impacts; (2) health and safety concerns; (3) low job satisfaction; (4) inadequate social protection; (5) low pay.

The workshop also reviewed the policy recommendations submitted for discussion by the research team. The participants thought the recommendations were relevant and needed to be taken into account in future policy-making. Considering the constraints in terms of time and resources and the urgency of the various measures, the participants concluded that the following areas should be taken into account for the purposes of policy-making:

- There is an urgent need to strengthen the role of Labour Inspectors, not only in order to penalize offenders, but also in order to take preventive measures through continuing education.
- Trade unions should take a leadership role in all matters concerning the improvement of working conditions.
- An effort should be made to integrate the informal sector into the formal economy.
- Technical and professional training is needed for workers in both the formal and informal sectors.
- The existing legal instruments should be used to encourage informal sector workers to organize in order to give themselves a collective voice.
- Efforts should be made to establish a clear link between employers and workers through the application of existing standards and laws that encourage employment and labour relations on the basis of explicit and consensual contractual arrangements.
- The possibility should be studied of extending the current period of maternity leave to at least 90 days and paternity leave to five days in view of the impact this would have on workers' lives.

- Incentives should be given (in addition to wages) in order to meet the rising cost of living.
- Social security should cover both the formal and informal sectors.

It is hoped that the outcome of this workshop and the project reports will be discussed further in order to formulate policies.

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