

INVESTIGATION OF DECENT WORK PRACTICES IN TOURIST

HOTELS IN TANZANIA

A CASE OF SELECTED FIVE HOTELS IN ARUSHA CITY

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**A DISSERTATION SUBMITTED IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE AWARD OF MASTER DEGREE IN LABOUR
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SOCIAL WORK DAR ES SALAAM**

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CERTIFICATION

I, the undersigned, certify that I have read and hereby recommend for acceptance by the Institute of Social work, a dissertation entitled ***“Investigation of Decent Work Practices in Tourist Hotels in Tanzania (A case of Selected Five Hotels in Arusha City)”*** in partial fulfillment of the requirements for the Award of Master Degree in Labour Laws, Mediation and Arbitration of the Institute of Social Work, Tanzania.

.....

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Date

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I Julieth Mchunguzi, declare that this dissertation is my own original work and that it has never been presented and will not be presented to any other university or higher learning institution for a similar or any other degree award.

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DEDICATION

I dedicate this work to my beloved Father, Mr. Jovith Mchunguzi, the late Georgia P. Byakuzana my precious mother, and my adorable daughter Georgia. You are my all in all.

ABSTRACT

The study investigated Decent Work practices in Tourist Hotels in Tanzania, A case of five selected hotels in Arusha city. The reasons of investigating decent work practices in tourist hotels in Tanzania was centered on the fact that, the study lacked empirical evidence on whether decent work agenda is practiced in these hotels, provided that Tanzania as ILO member state promotes and protects the agenda through national labour laws and international instruments. Specifically, the study examined the status of working conditions; the practice of workers' fundamental rights and protection; the practice of social protection; and the practice of social dialogue in tourist hotels in Tanzania. The Psychology of Working Theory, and interdependences of decent work pillars model were employed to support the study. A qualitative approach based on exploratory design was employed. In-depth-interview was used as a method for data collection. Thematic analysis was then employed to analyze the collected data. The findings revealed that the overall practice of decent work in tourist hotels in Tanzania is very poor especially in the medium, low and unrated star hotels compared to high rated hotels. Employment in tourist hotels is characterized by poor working conditions such as long hours of work, lack of monetary overtime payments, absence of monetary payment on public holidays, insecurities, low wages which are below the minimum wage law, poor Occupational Health Safety standards, short-term or non-existence of employment contracts, poor enforcement of regulations, unlawful termination of employment, workplace harassment, discrimination, inadequate exercise of the right to freedom of association, restricted collective bargaining practices, insufficient health insurance coverage, poor remittance of employees' contributions to NSSF and poor social dialogue practices. It is therefore recommended that the government through its responsible ministry should effectively ensure compliance with labour laws in tourist hotels through strengthening labour inspection services in order to effectively ensure compliance of employment standards that promote the practice of decent work in tourist hotels.

LIST OF ABBREVIATIONS

CHODAWU	Conservation, Hotels, Domestic and Allied Workers Union
ELRA	Employment and Labour Relations Act
FPRW	Fundamental Principles and Rights at Work
HRM	Human Resources Manager
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILFS	Integrated Labour Force Survey
ILO	International Labour Organization
KII	Key Informant Interview
LESCO	Labour, Economic and Social Council
NEP	National Employment Policy
NHIF	National Health Insurance Fund
NSGRP	National Strategy on Growth and Reduction of Poverty
NSSF	National Social Security Fund
NSSFA	National Social Security Fund Act
OHS	Occupational Health and Safety
OSHA	Occupational Safety and Health Authority
PWT	Psychology of Working Theory
SD	Social Dialogue
SDGs	Sustainable Development Goals
SSS	Social Security Schemes
TDV	Tanzania Development Vision
UDHR	Universal Declaration on Human Rights
UHC	Universal Health Coverage
WHO	World Health Organization

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CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE PROBLEM

1.1 Chapter Overview

This chapter contains the summary of general background information that leads to the research problem, statement of the problem, objectives of the study, research questions and significance of the study. The purpose of this study was to investigate decent work practices in tourist hotels in Tanzania – A case of selected five hotels in Arusha city.

1.2 Background to the Problem

The International Labour Organisation (ILO) which coined the term "decent work" described it as "productive work in which rights are protected, and generates an adequate income, with adequate social protection" (ILO, 1999). The idea of decent work was initiated since the establishment of ILO in 1919 as part of the Treaty of Versailles to address global labour policy challenges. Decent work was first defined by the ILO Director-General Juan Somavia in his first report to the International Labour Conference in June 1999, in the following words:

“The primary goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work in conditions of freedom, equality, security and human rights” (ILO, 1999).

The ILO's framework on the decent work agenda revolves around four pillars which are full employment, workers' rights, social protection and social dialogue which effectively illustrate the four primary principles that Juan Somavia defined (ILO, 1999; Bell & Gibbons, 2007; Pereira *et al.*, 2019). The four pillars' distinctive scope

is based on their interdependence, mutual support, and inseparability. This implies that the success of the other pillars would be hampered if any of them were not promoted.

Access to a decent job is a human right concern as stipulated in numerous international instruments such as the ILO declaration of Philadelphia, 1944; the Universal Declaration on Human Rights (UDHR), 1948; the ILO Employment Policy Convention No. 122 (1964); the International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966; the ILO Declaration on Social Justice for Fair Globalization, 2008 and the Sustainable Development Goals (SDGs) Agenda 2030, specifically SDG 8 that calls for “Promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”.

The UDHR and ICESCR promote the right to work for everyone, social security, free choice of employment, equal pay for equal work, right to just and favorable remuneration, the right to form and join trade union, safe and health working conditions and decent living. The ILO declaration on social justice and a fair globalization requires ILO member states to ensure that commitment and efforts on promoting full and productive employment and decent work is premised at the center of economic and social policies (ILO, 2017 & Muchichwa, 2019). Furthermore, the ILO's 1998 Declaration on Fundamental Principles and Rights at Work (FPRW) was incorporated into the decent work initiatives along with Somavia's four strategic goals (ILO, 1999 & Deranty & MacMillan, 2012).

The United Republic of Tanzania adopted the decent work agenda as a social commitment to the growth and welfare of the nation. The concept of decent work was for the first time placed in the National Employment Policy (NEP) 2008, with the objective to promote the goal of decent and productive employment as a national priority and enable all participants in the labour force to gain productive and full employment (URT, 2008). Since then, Tanzania has made notable progress in improving the social and economic contexts for decent work (ILO, 2010a). The ratification of various ILO conventions, the legal and institutional framework for employment matters, the National Strategy for Growth and Reduction of Poverty (NSGRP) or the MKUKUTA, the Tanzania Development Vision (TDV) 2025, the Decent Work Country Programme are the efforts made by Tanzania to promote the realization of decent work.

Priorities of the Decent Work Country Programme include reducing poverty through fostering decent employment with an emphasis on young people and women, reducing the prevalence of child labour and its worst manifestations and reducing the socio-economic effects of HIV/AIDS (ILO, 2010a). On the other hand, goal three (3) of the NSGRP II ensures creation and sustenance of productive and decent employment, especially for women, youth and people with disabilities (ILO, 2017a). Despite these efforts, it was revealed that the formal sector in Tanzania does not create sufficient decent jobs (LMP 2021/2022).

Tanzania's economy currently rests mostly on the tourist sector which is the nation's top source of foreign exchange and employment creation (LMP, 2021/2022;

Wamboye *et al.*, 2020; Anderson *et al.*, 2021; Kyara *et al.*, 2021). The hotel industry sub-sector of the tourism sector has long been considered a mirror of the economy (Imori *et al.*, 2020). Hotels, as one of the private investments in the service sector have remarkable contribution in development compared to other industries, World Bank (2007). In Tanzania specifically, the hospitality and food service business employed 10.2% of the persons working in the formal sector, as reported by the Formal Sector Employment and Earnings Survey (FSEES) 2016 (Kinyondo & Pelizzo, 2020).

The Integrated Labour Force Survey (ILFS) 2020/2021 revealed that in Tanzania, employment in the service sector such as tourist hotels increased from 27.1% in 2014 to 30.9% in 2020/2021(ILFS, 2020/2021), making it the second largest employed sector (LMP, 2021/2022). Tanzania Development Vision (TDV) 2025 predicts that 50% of working women and men will be employed in the tourist and free zone industries by 2025. This indicates the crucial role played by tourist hotels on employment creation in Tanzania.

The need to investigate the practice of decent work in tourist hotels in Tanzania was inspired by the view that working people in all entities desire decent and productive work (Ghai, 2006). Winchenbach *et al.*, (2019) argue that tourism work implies more than mere job creation. It includes the need to pay fair wages, employment protection, equal opportunities among women and men, freedom of expression, and opportunities for career development and mobility. Again, Somavia argued that it is not sufficient for people to only have access to paid employment but rather such

employment must also be "decent work" which means that the quantity of employment cannot be divorced from its quality (ILO, 1999).

Due to its labour-intensive nature which requires the employment of people and human component to ensure the delivery and quality of its good and services, tourist hotels offer chances for those who either have no job experiences or are having trouble obtaining work elsewhere. It was argued that the sector contributes to the creation of employment for low-skilled workers and workers with little training in general, migrants, young people as well as women (UNWTO & ILO, 2014). Shift and night work, seasonality, temporary, part-time employment as well as other non-standard forms of employment were more experienced in THs (ILO, 2017a; ILO, 2022; UNWTO & ILO, 2014; Aynalem *et al.*, 2016; & Winchenbach *et al.*, 2019).

Despite the tourist hotels potential on employment creation to a number of women, migrant, youth, skilled, and un-skilled labour, the practice of decent work was questionable. This was due to the fact that such jobs are characterized by poor working conditions, inequality of opportunity and treatment, sexual harassment, low wages, long working hours, a high turnover rate and limited social protection as pointed out by ILO (2017a). Therefore, working in such environments undermines the attainment of decent work agenda. It was for that reason this study was conducted to investigate the practice of decent work in tourist hotels in the city of Arusha, Tanzania.

1.3 Statement of the Problem

Tourist hotels are crucial drivers of inclusive socio-economic development and have the potential to significantly encourage entrepreneurship and job creation (ILO, 2017a). Tourist hotels are recognized as good employers and entry points into the labour market for young workers and a catalyst for employment of low-skilled or unskilled workers, women, youth, migrants and those with no work experience or who are experiencing hardship in obtaining employment in other sectors (ILO, 2017a; ILO, 2022). Despite playing a significant role in employment creation, ILO (2022) revealed that the sector faces decent work deficit globally.

Tanzania as an ILO member state is devoted to promote decent work for all and ensure that no one is left behind. Various interventions have been made by Tanzania to promote and protect the practices of decent work in all employment undertakings. Such interventions include enactment of labour laws and its regulations, employment policy, ratification of various ILO conventions, incorporating decent work agenda in economic and social policies, the decent work country program, and the establishment of the institutional framework responsible for compliance of employment standards.

In spite of the potential of tourist hotels in employment and the efforts made by Tanzania on the promotion of decent work, empirical evidence on the practice of decent work in tourist hotels in Tanzania was very limited. This was also supported by Baum *et al.*, (2016) who argued that the tourism sector lacks accurate, current and reliable empirical evidence on whether it promotes decent work. On the other hand,

most studies conducted on decent work in tourist hotels focused on one aspect or pillar of decent work rather than investigating all the pillars. This study therefore investigated decent work practices in tourist hotels in Tanzania in order to cover the prevailing gap.

1.4 Objectives of the Study

1.4.1 General Objective

The general objective of this study was to investigate decent work practices in tourist hotels in Tanzania.

1.4.2 Specific Objectives

- i. To examine the status of employment conditions in tourist hotels in Tanzania.
- ii. To examine the practice workers' fundamental rights and protections in tourist hotels in Tanzania.
- iii. To examine the practice of social protection in tourist hotels in Tanzania.
- iv. To examine the practice of social dialogue in tourist hotels in Tanzania.

1.5 Research Questions

- i. What is the status of working conditions in tourist hotels in Tanzania?
- ii. How are workers' fundamental rights and protections practiced in tourist hotels in Tanzania?
- iii. What is the practice of social protection in tourist hotels in Tanzania?
- iv. How are employees engaged in social dialogue in tourist hotels in Tanzania?

1.6 Significance of the Study

The study would be a useful source of information or part of literature review to other researchers who intend to research further on the practice of decent work in tourist hotels in Tanzania as these findings will help them to broaden the topic in other areas that have not been covered yet or fully examine by this study.

The findings of this study provide a clear picture on the practice of decent work in tourist hotels to the policy makers such as the government, development partners, international organizations and employers and enable them to take necessary measures to ensure the attainment of decent work in Tanzania.

The study would further provide awareness to employers, employees and their trade unions on the practice of decent work in tourist hotels in Tanzania and encourage them to participate effectively in the implementation of the designed policies and programmes related to decent work. This will improve decent and productive employment and ultimately raise their living standard.

CHAPTER TWO

LITERATURE REVIEW

2.1 Chapter Overview

This chapter presents a summary of the information gathered from the review of literature. The review was conducted to provide a picture on what has been done and what needs to be done, focusing on a discussion of the concept of decent work and its practice in tourist hotels. The chapter also presents definitions of key terms, theoretical and conceptual framework, empirical review as well as the research gap.

2.2 Conceptualization of the Key Terms

2.2.1 Work

This notion generally refers to expending energy through a set of coordinated activities aimed at producing something useful (Morin, 2004). Nizami & Prasad, (2017) define work as an effort on the part of the service provider (i.e. worker) that may use his physical, analytical or creative thinking. Standing (1999) defines work as an activity that encompasses ‘creative, conceptual and analytical thinking and use of manual aptitudes. According to the ILO (2010a), work is defined as any economic activity done for one hour or more during the reference period.

Work in the decent work paradigm refers not just to wage jobs but to work of all kinds; self-employment, wage employment and work from home. It refers to full-time, part-time and casual work and to work done by women, men and children (Ghai, 2005).

2.2.2 Decent Work (DW)

Decent work involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in decisions that affect their lives; and equality of opportunity and treatment for all women and men (URT, 2008; ILO, 2011; & ILFS 2020/2021). Decent work means opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity (ILO, 1999; Bell & Gibbons, 2007).

In a broader context, decent work is productive work for women and men in conditions of freedom, equality, security and human dignity. It involves opportunities for work that delivers a fair income; provide security in the workplace and social protection for workers and their families. It offers better prospects for personal development which also encourage social integration; give people the freedom to express their concerns, to organize and to participate in decisions that affect their lives; and guarantee equal opportunities and treatment for all. Productive employment is one of the key mechanisms for ensuring effective distribution of economic development since a major portion of family income, and the livelihood of individuals, essentially emanates from earnings generated in the labour market (ILO, 2008; Winchenbach *et al.*, 2019).

2.2.3 Pillars of Decent Work

Decent work rests on four pillars which are: Full employment, rights at work, social protection, social dialogue (ILO, 2011).

Full Employment: Employment in decent work paradigms refers not just to wage jobs but to work of all kinds (self-employment, wage employment and work from home). It refers to full-time, part-time and casual work and to work done by women, men and children. It provides that there should be adequate employment opportunities for all those who seek work and it should be freely chosen. It should offer a remuneration (in cash or kind) that meets the essential needs of the worker and the family members, ensure health and safety of those who work, protection of workers against excessively long hours of work, guarantee of the right to form and join trade unions, engage in CB and social dialogue with employers and government authorities on work related matters and access to essential minimum of social security (Ghai, 2005).

Rights at Work: Rights at work constitute the ethical and legal framework for all elements of decent work. Their objective is to ensure that work is associated with rights of freedom of association, non-discrimination and abolition of forced labour, collective bargaining, the provision of benefits on cessation of work, adequate remuneration, social security and safety and health at work (Ghai, 2005; Bell & Gibbons, 2007). All ILO member states are obliged to abide by these rights whether or not they have ratified the respective conventions

Social Protection: The purpose of social protection is to provide security against a variety of contingencies and vulnerabilities. These include ill-health, maternity

needs, accidents, unemployment, destitution, extreme economic fluctuations, natural disasters and civil conflicts (Ghai, 2005).

Social Dialogue: provides voice and representation to participants in the production process. It is a means for them to defend their interests, to articulate their concerns and priorities and to engage in negotiations and discussions with other actors in the production system and with the public authorities on social and economic policies (Ghai, 2005; Bell & Gibbons, 2007; & ILO, 2011).

2.2.4 Hotels

With regard to Tanzania, section 2 of the Hotel Act, CAP. 105 R.E. 2006 defines hotel as any establishment intended for the reception of travelers or visitors who may choose to stay there with a view to profit or gain. Furthermore, the law excludes any establishment which has accommodation for less than six guests; any establishment which provides sleeping accommodation in dormitories only; or any government rest-house from being termed as hotels.

2.2.5 Tourist Hotels (THs)

"Large or tourist hotels" means all operated hotels at a high level with great benefits including camps that provide accommodation and other services for tourists (URT, 2022). ILO, (2010) provides that the hotel and restaurant subsectors of tourism include accommodation (hotels, boarding houses, motels, tourist camps, holiday centres, resorts and youth/backpacker hostels) and wider hospitality (restaurants, bars, cafeterias, snack bars, pubs, nightclubs) and other similar establishments.

2.3 Theoretical and Conceptual Framework

Theories are formulated to explain, predict, help understand phenomena and to challenge and extend existing knowledge within the limits of critical bounding assumptions. They serve as a guide to research as they provide the base for other parts of research, Grant and Osankoo (2014). In the course of undertaking this study, the researcher applied the psychology of working theory and the interdependencies of decent work pillars model to analyze and discuss the practice of decent work in tourist hotels in Tanzania.

2.3.1 The Psychology of Working Theory (PWT)

Originally advanced by Blustein (2001, 2006), the PWT has sought to highlight and examine the role of human rights in the workplace and the impact of work in the fulfillment of essential human needs. The theory highlights three issues that promote human rights and employees' well-being that include, needs for survival, social connection, and self-determination within broader psychological, social, and economic contexts. Survival is fulfilled by work characteristics such as job security, job stability, provision of a living wage, benefits such as health insurance and paid time off and a sense of independence and control in the work place. Social connection describes the aspects of work that provide access to relationships with others as well as a sense of connection to society and the world at large. Self-determination in the workplace is generated by opportunities for autonomy, relatedness, and competence, with an emphasis on value congruence and access to the opportunity structure (Blustein, 2006; Duffy *et al.*, 2016).

Among others, the PWT points out that work functions as a major context for individual well-being (Blustein *et al.*, 2016; Duffy *et al.*, 2016). The proponents of the PWT maintain that decent work is a human right and describes how performing decent work leads to need satisfaction, work fulfillment and well-being of employees thereby promoting employees' mental health. The PWT proponents maintain that access to decent and dignified work is a basic human right. They drew upon the notion of decent work as stipulated in the 1948 UN Declaration of Human Rights, which included the following position with respect to work:

(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. (2) Everyone, without any discrimination, has the right to equal pay for equal work. (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. (4) Everyone has the right to form and to join trade unions for the protection of his interests.

The PWT was directly linked with the practice of decent work in the tourist hotels in Tanzania because all employees in tourist hotels regardless of their nature of employment, whether full-time, part-time or casual employment, whether skilled, semi-skilled or low skilled are entitled to decent work as a human right. The need for survival, social connection, and self-determination largely depends on the practice of decent work pillars such as workers' rights, full and productive employment, social dialogue and social protection. Thus, the practice of decent work is crucial in tourist hotels.

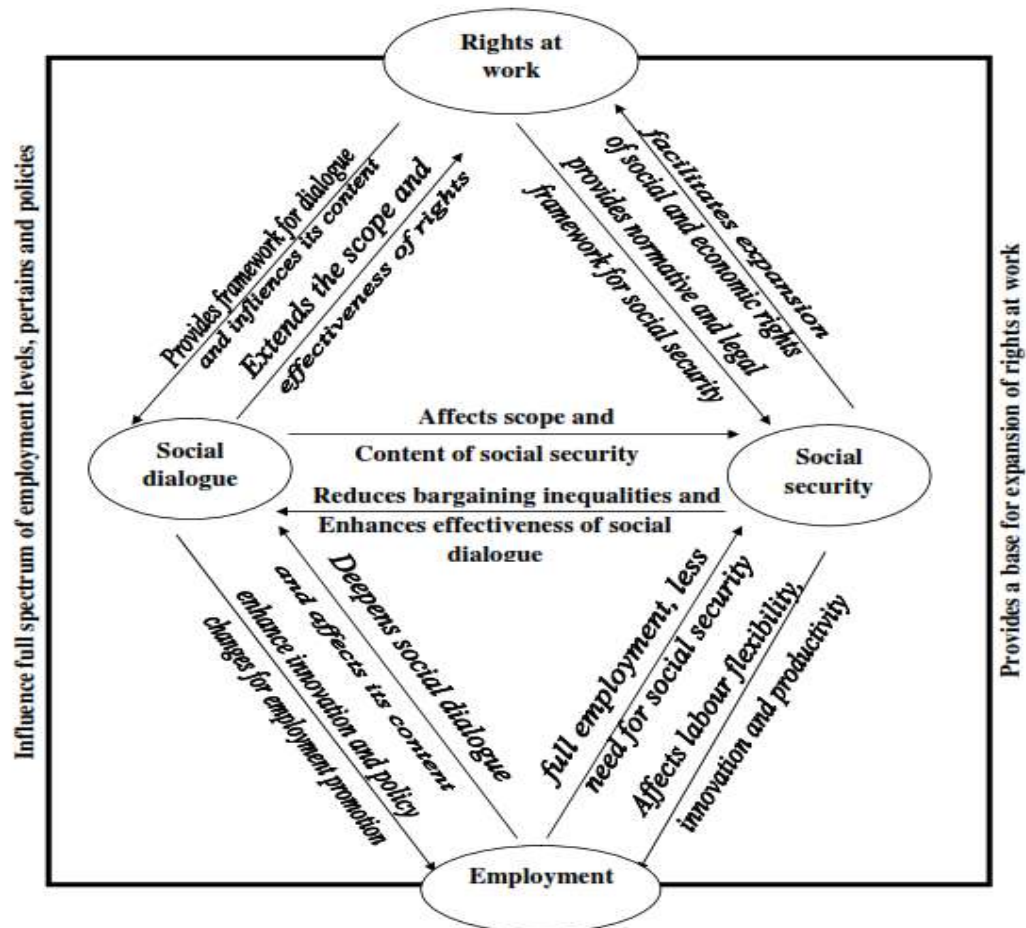
2.3.2 Interdependencies of Decent Work Pillars Model

This model was developed by Ghai in 2005 to show the interdependence of decent work pillars. The founder of the model was of the view that pillars of decent work

depend greatly on each other. The employment dimension makes it possible for other dimensions to be realized, rights at work dimension also impacts all features of work. For instance, rights to a minimum wage and a healthy working environment affect the form and volume of employment. The right to freedom of association and collective bargaining has consequences for the degree and pattern of social protection. It also affects the nature and substance of social dialogue (Ghai, 2005). Social dialogue provides a vehicle for negotiation on the rights at work and it makes it possible to influence the implementation of these rights.

This model was directly linked with this study because the full practice of decent work in tourist hotels requires acknowledgment of all four pillars of decent work. In the absence of one or two pillars, other pillars cannot be full realized because they depend on each other. That was why this study investigated the practice of decent work in tourist hotels by examining all its pillars.

Figure 2.1: Interdependence between rights at work, employment, social security and social dialogue components of decent work as adopted from Ghai (2005).



Source: Adopted from Ghai, 2005

2.4 Empirical Review

Several scholars have shown their concern on the tourism sector particularly tourist hotels and its potential to economic contribution and employment creation globally. Therefore, hereunder is the discussion of reviewed literatures which have a close link with the practice of decent work in tourist hotels.

De Beer *et al.*, (2014) conducted a study on Decent Work in the South African Tourism Industry: Evidence from Tourist Guides. Methodologically, they employed literature review and mixed methods approach to conduct the study with the tour guides. Data were gathered and analyzed quantitatively and qualitatively. The study revealed that despite the Southern African government's efforts to strengthen the decent work policy in tourism, there have been limited research on the nature of employment in the country's growing tourism economy. The findings further revealed that the majority of South African tour guides work in an unsafe and insecure environment. However, the study did not address the practice of decent work in tourist hotels but it rather addressed decent work in South African tourism sector, tour guides being the case study. This study was applied because it captured decent work in the tourism sector, hence it provided insightful information for this study and shared experience of decent work in the context of South Africa.

Aynalem *et al.*, (2016) conducted a study on ***“Employment Opportunities and Challenges in Tourism and Hospitality Sectors”*** in Ethiopia. The study used secondary data whereby selected articles, reports, and studies about challenges and opportunities of tourism and hospitality employment were reviewed, compared and summarized. The findings of the study revealed that hotels generate diverse employment in Ethiopia. The study further contended that despite the sector's potential on employment creation, workers in the tourism and hospitality sectors in Ethiopia are subjected to low wages, poor working conditions, sexual harassment, discrimination, unequal treatment, low education and training, lack of democracy, stress, long working hours, seasonality and political instability which result in

reduced number of visitors and high labour turnover. However, the study did not investigate the practice of decent work, instead, it addressed the challenges in the tourism and hospitality industry in Ethiopia. Even though the study was conducted in Ethiopia, it was useful for the current study because it highlighted the challenges faced by workers in the tourism and hospitality industries.

The study by Melubo & Buzinde (2016) on “*An Exploration of Tourism Related Labour Conditions: The Case of Tour Guides in Tanzania*” examined labour conditions experienced by tour guides, particularly safari guides in Arusha, Tanzania. The study employed thematic analysis to evaluate the content of the semi- structured interviews conducted with safari guides and a wide range of other tourism stakeholders located in Arusha, Tanzania. The findings indicated inadequate working conditions endured by safari guides. The study suggested that the tourism sector in Tanzania needs to incorporate labour rights standards within its core business practices in order to positively contribute to human capacity building, guest/provider relationships, and future sectorial growth.

The study concentrated only on the working conditions in the tourism sector particularly the tour guides in Arusha but it did not address the practice of decent work in tourist hotels in Tanzania. The study was applied because methodologically it employed qualitative approach and thematic analysis and investigated one pillar of decent work. So, the similarity of the study areas and methodology contributed to the attainment of relevant important information in this study.

A study titled ***“Decent Work in Hotel Industry in Zanzibar: Practices, Possibility and Challenges. A Case of Hotel Industry in Stone Town Zanzibar”*** by Salim, (2018) investigated the current status of decent work practices in the hotel industry, specifically in Stone Town, Zanzibar. The study employed convenience sampling method for selection of 335 respondents. Questionnaire and in-depth interview were the methods for data collection. The study findings revealed that employees in the hotel industry have poor job security as they are employed under temporary conditions, they are paid low salary, low trade union membership, moderate social security coverage, lack of collective bargaining and social dialogue, hence lack of opportunities to express their interest (Salim, 2018).

The findings of the study were relevant to this study but the it was conducted to investigate decent work practices, possibility and challenges in the hotel industry in Zanzibar and it employed mixed methods. For that case, the findings in Zanzibar may be different from what may be found in tourist hotels in Tanzania mainland, hence geographical gap. The study revealed how workers in tourist hotels in Zanzibar encounter decent work deficit. The study was adopted because it examined decent work, particularly its practice, possibility and challenges in the hotel industry. It also drew a geographical gap since it was conducted in Zanzibar.

Malleo & Mtengwa (2018) conducted a study on the ***“Role of Tourism in Tanzania’s Economic Development”***. The study used a panel data analysis to determine the possible impact of tourism for economic development in Tanzania by using person correlation under inferential analysis. The findings of the study

recognized the remarkable contribution of the tourism sector particularly the tourist hotels on Gross Domestic Product (GDP) as well as income and employment creation. The study was adopted in this study because it was conducted in the Tanzania context and provided insightful information on the contribution of tourist hotels in employment generation. This captured a pillar of full employment in the decent work agenda.

The study only concentrated on the role of tourism in economic development in Tanzania and its potential on employment generation. The study employed quantitative methods and did not investigate if there is a practice of decent work in the sector despite its potential on employment creation. Therefore, the study presents contextual and methodological gaps.

Another study was carried out by Fischer (2018) on the “*Contested ‘Rrespectability’: Gender and Labour in the Life Stories of Tanzanian Women and Men in the Hospitality Industry*”. The study applied a life-story methodology with a sample of 20 male and female employees. Full-time wage employment with a minimum of three years working experience in hotels, restaurants and bars were used as sampling criteria. It used interview as a method of data collection. The study found out that employment in hospitality is portrayed with low pay below the minimum wage, lack of respect, job insecurity and poor working conditions. It further revealed that the Conservation, Hotels, Domestic and Allied Workers Union (CHODAWU-Tanzania) represents few workers. The study suggested that there is a need to provide training and ensure decent work realization so as to protect hospitality workers from

disrespectable situations (Fischer, 2018). The study presents conceptual gap as it only examined one aspect of decent work that is rights at work, which promotes protection of workers against discrimination, sexual harassment and respect human dignity. The study was used in this study because it was conducted in the hospitality industry in Tanzania and it investigated some dimensions of decent work.

A study by Winchenbach *et al.*, (2019) entitled ***“Rethinking Decent Work: The Value of Dignity in Tourism Employment. Journal of Sustainable Tourism”*** was guided by Brookfield’s ‘Critical Thinking’ (CT) on cross-disciplinary literature review. It applied the theoretical and conceptual arrangement with dignity at work to demonstrate examples of tourism employment literatures. The findings of the study explained the way the tourism and hospitality sectors manipulate workers through overworking and underpaying them. Lack of respect and recognition, poor communication, poor pay and poor working conditions are also among the most cited decent work challenges in the sector. However, this study looked into only one dimension of decent work in the perspective of dignified work. Methodologically, the study employed the review of literatures that is secondary data. It never captured the real feelings of workers in the sector and its findings are global. The study was used because it provided experiences of the practice of decent work around the globe focusing on the value of dignity in tourism employment.

Said & Tanova, (2021) conducted a study on ***“Workplace bullying in the hospitality industry: A hindrance to the employee mindfulness state and a source of emotional exhaustion”***. It investigated how workplace bullying leads to employee emotional

exhaustion through its detrimental effects on mindfulness. The study employed Conservation of Resources theory, tested with data from 426 full-time employees in the hospitality industry in Zanzibar using Partial Least Squares Structural Equation Modelling. It revealed that workplace bullying is seen as a major problem in the hospitality industry due to poor work organization with high work pressure, low discretion, unregulated managerial control and use of vulnerable workers. The study only concentrated on workplace bullying in the hospitality industry and it was conducted in Zanzibar. The study was used in this study because it was conducted in the hospitality industry and it captured an aspect of decent work, since workplace bullying may be a sign of decent work deficit in tourist hotels.

Baum *et al.*, (2016a) on their paper “***Tourism Workforce Research: A Review, Taxonomy and Agenda***” argued that different viewers have noted the inadequate attention of tourism employment and its labour force in the academic domain. They also stated that despite the available evidence that the tourism sector’s working conditions are poor, both the tourism sector and academics have failed to come up with measures to address these challenges. However, the study by Baum *et al.*, (2016a) was adopted in this study because it pointed out the need to give attention to tourism employment on the practice of decent work. Therefore, this study intended to pay attention on decent work practices in the tourist hotels in Tanzania.

2.5 Research Gaps

2.5.1 Conceptual Gaps

Some of the reviewed literatures indicated that there was a limited knowledge on the practice of decent work in tourist hotels, particularly in Tanzania. Most studies investigated one pillar or just one dimension of decent work instead of investigating all the pillars. With this observation, it was noted that the pillars of decent work are interrelated and complement each other. Therefore, decent work is more than examining one pillar. For example, the study by Winchenbach *et al.*, (2019) only assessed the “Value of Dignity in Tourism Employment; Fischer (2018) investigated Contested ‘Respectability’ and Said & Tanova, (2021) focused on workplace bullying in the hospitality industry. Despite the insightful findings contained in these studies regarding decent work, they did not capture all pillars.

2.5.2 Methodological Gaps

Methodological gap is the missing gap of knowledge on a more appropriate underlying method(s) which can be used in research instead of the previous one (Baraka, 2023). Some of the reviewed literatures employed mixed methods, quantitative methods and desk reviews to study decent work. The quantitative method only answers the “how” and not the “why” question and it is hard to get the real meaning and feelings of workers about what is happening in tourist hotels. On the other hand, reviewing already studied problems (secondary data) cannot capture the real situation as collecting primary data from the field where a researcher interacts directly with the participants. De Beer *et al.*, (2014), Winchenbach *et al.*,

(2019), Said & Tanova, (2021), Salim, (2018), and Baum *et al.*, (2016) are some of the studies which presented a methodological gap.

2.5.3 Contextual/Geographical Gap

A geographical gap is the missing piece(s) in the research literature. It is the area that has not yet been explored or is under-explored (Baraka, 2023). A study conducted by De Beer *et al.*, (2014) in South Africa, Aynalem *et al.*, (2016) in Ethiopia; and Salim, (2018), in Zanzibar presented a geographical gap since they were conducted in other countries. Therefore, this study intended to bridge this knowledge gap by investigating the practice of decent work in tourist hotels in Tanzania.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Chapter Overview

This chapter presents the research methodology. It gives a description on how the study was conducted. It presents the research approach, research design, target population, sample size and sampling technique, data collection methods, data processing and analysis, and ethical considerations.

3.2 Research Approach

A qualitative research approach was employed in this study. Qualitative research is a means for exploring and understanding the meaning individuals or groups ascribe to a social or human problem (Creswell, 2014; Mohajan, 2018). Likewise, Polkinghorne, (2005) argues that qualitative approach is exploratory and seeks to explain ‘how’ and ‘why’ a particular social phenomenon or program operates as it does in a particular context. Viswambharan & Priya, (2016) view qualitative approach as an approach that helps the researcher to systematically capture participants’ view points on a certain problem and generate new concepts and theories. It is a very flexible approach that allows great impulsiveness and adaptation of the interaction between the researcher and participants.

The employment of qualitative research approach was based on the fact that it is rooted in people’s everyday lives, focuses on individuals and person to person interactions, and the researcher is an integral part of the research process. It offers rich and detailed information about affected populations. It allows people to open up

and gives room for new evidence that was not even initially considered. Furthermore, the approach fosters creativity and innovative explanatory frameworks (Mack *et al.*, 2005, Mohajan, 2018). Therefore, this approach enabled the researcher to explore and capture the real feelings of the participants as well as understand and acquire in-depth and first-hand information regarding the practice of decent work in tourist hotels in Tanzania from the participants.

3.3 Research Design

According to Creswell (2014), research designs are types of inquiries within qualitative, quantitative, and mixed methods approaches that propose particular directions for procedures in a research design. Asenahabi, (2019) argues that research design is a reflection upon a researcher's ideas. Therefore, research design enables the researcher to articulate what data is needed, what methods to be used in data collection and finally how data is analyzed to answer the research questions.

This study used exploratory research design. Exploratory research design is defined as the research which is carried out when there is insufficient information available about the issue at hand, or, in other words, the researcher has either no knowledge or limited knowledge (Ahuja, 2001 & Swaraj, 2019). Yin, (1994) provides that it is flexible and applied by the researcher when a problem is general and not yet clearly defined. Swaraj, (2019) points out that exploratory research seeks to better define problems, clarify concepts, gather justifications and acquire insights about a problem. It just attempts "to see what is there rather than predict the relationships that will be founded (Katz, 1953).

The reason behind the employment of exploratory research design was the limited knowledge and information regarding the practice of decent work in tourist hotels. The available information was too general and or too specific and not well defined in such a way that the researcher could not understand and get detailed insights about the study.

3.4 Study Area

The study was conducted in Arusha City, which is considered as the centroid of tourism activities in Tanzania. The area was chosen because of the availability of tourism attractions that are more marketable and popular with tourists and worldwide compared to other parts of Tanzania (Mato & Mosoma, 2022). The city is located in the northern tourist circuit comprising of the regions of Tanga, Kilimanjaro and Manyara. It is the headquarter of the East African Community. The major tourist attractions in the northern circuit include the Kilimanjaro Mountain (the roof of Africa), Ngorongoro Conservation Area (NCA), the Olduvai Gorge, Tarangire National Park, Mkomazi National Park and Arusha National Park. The city has a high concentration of tourism facilities like hotels, lodges, restaurants and tour companies, to mention a few.

3.5 Study Population

Kothari, (2004) defines study population as all members, group or elements that the researcher wants to gain information from and to represent in the study and from which to draw conclusion. The target population of this study included employees working in the tourist hotels in Arusha (both men and women), employers in tourist

hotels in Arusha, trade union officials (CHODAWU- Arusha) and government officials from the Labour Office in Arusha. Five tourist hotels such as Mount Meru Hotel, Gold Crest Hotel, Panone Hotel, Lush Garden Hotel, and Ambassador Hotel were selected using the snowballing sampling technique.

Table 3.1: Population and Reason for Inclusion

Category	Reason for Inclusion
Employers in tourist hotels	Employers are key players and responsible actors on ensuring the compliance with employment standards and promotion of decent work
Employees in tourist hotels	They were the main targeted population as they have first-hand information regarding the practice of decent work. They can share their feelings and experiences over what is real happening in tourist hotels on the practice of decent work
Trade Union Officials (CHODAWU)	They have insightful information regarding the practice of decent work particularly the right to freedom of association, collective bargaining and social dialogue as well as employment standards in general
Labour Officers	These are professional officers with knowledge and information on the overall status of decent work practices in the workplaces including the tourist hotels since they ensure compliance or non-compliance with labour laws through labour inspections

Source: Researcher, 2023

3.6 Sample Size and Sampling Procedures

3.6.1 Sample Size

Teddlie & Yu (2007) elaborate that researchers do not put more emphases on the number of informants or participants in qualitative studies but rather the depth of information collected. However, other scholars such as Sparkes & Smith (2009) and Creswell, (2014) recommended a varying number of sample sizes in most of the

qualitative studies. They asserted that 15 to 30 participants are enough to provide information in qualitative studies. For the purpose of this study, the researcher gathered data from 20 employees working with tourist hotels, five employers in tourist hotels, one trade union official from CHODAWU, and one Labour officer. This made a sum of 27 participants after reaching the saturation point, since there were no new emerging themes. Amongst the 27 participants, thirteen (14) were male and twelve (13) were female.

3.6.2 Sampling Procedures

Sampling techniques refers to the process of selecting the sample from the population (Ahuja, 2001; & Kothari, 2014). There are different sampling procedures in research. These can either be probability or non-probability sampling. Non-probability sampling in the form of convenience (accidental) sampling, purposive sampling, quota sampling, snowball sampling, and volunteer sampling are preferred in qualitative studies. The study used snowball and purposive sampling techniques to select participants.

3.6.2.1 Snowball Sampling

This is a sampling technique whereby a researcher begins with few participants who are known and available. Subsequently, these participants give other names of people who meet the criteria of research who in turn give more new names (Ahuja, 2001). Mack *et al.*, (2005) argue that in snowball sampling, the contacted participants have already made use of their social networks to refer the researcher to other people who could potentially participate in or contribute to the study.

The snowball sampling was used in this study because of the sensitivity of the sector and the nature of work and business in tourist hotels as it might be hard to gather information from both employers and employees. The technique enabled the researcher to make prior arrangements through phone calls with the labour officer in Arusha, who recommended some hotels where the researcher was to start collecting data. Thereafter, other hotels were recommended by participants, in the course of data collection, until the saturation point was reached.

3.6.2.2 Purposive Sampling

Purposive sampling is a type of sampling in which the participants are select by a researcher based on specified characteristics like experience and knowledge (Kothari, 2014; Ahuja, 2001; & Mack *et al.*, 2005).

In this study, purposive sampling was employed to select the key informants such as employers in in tourist hotels, trade union officials (CHODAWU-Arusha) and government officials from the Labour Office - Arusha. The selection of the key informants was based on the fact that they had specific characteristics and were well informed about the practice of decent work in the tourist hotels in Tanzania. Data from key informants were collected through semi-structured interview whereby the researcher was guided by an interview guide.

3.7 Methods of Data Collection

Kothari (2004) argues that there are two types of data collection sources which are primary and secondary. The study used both the primary data and secondary data in investigating the practice of decent work in tourist hotels in Tanzania.

3.7.1 The Primary Data

The primary data are those which are collected afresh and for the first time and thus happen to be original in character (Kothari, 2004). In this study, primary data as regards the investigation of the practice of DW in tourist hotels were directly collected from participants in tourist hotels, government institutions and trade union so as to get fresh information through in-depth interview.

3.7.1.1 In-Depth Interview

In qualitative interview, a researcher conducts face-to-face interviews with participants. Telephone interviews or focus group interview between the interviewer and interviewees can also be conducted (Creswell, 2014). Mack *et al.*, (2005) argue that an in-depth interview technique helps to draw out a clear picture of the participants' viewpoints on the study issue. Therefore, the person interviewed is considered the expert and the researcher is considered a student. Mack *et al.*, (2005) point out that in-depth-interview enables the researcher to engage with participants by posing questions in a neutral manner, listening attentively to participants' responses and asking follow-up questions and probes based on those responses.

In this study, face-to-face interviews with participants were employed to collect data from employees working in THs. On the other hand, key informant interviews (KII) were employed to collect data from THs employers, Labour officials and CHODAWU officials. It enabled the researcher to collect deep and first-hand information while making clarifications on emerging misunderstandings based on participants' responses.

3.7.2 Document Review

Secondary data are those data which have already been collected by someone else and which have already passed through the statistical process (Kothari, 2004).

In this study, secondary data were obtained through review of journal articles, books, government reports such as the ILFS, and Decent Work Country Profile; labour laws and regulations such as the ELRA CAP. 366. R.E. 2019, NSSFA CAP.50. R.E 2018, NEP, 2008, The Wage Order G.N. 687, 20022, and OHSA No. 5, 2003; International instruments such as ILO conventions on employment standards, UDHR of 1948, ICESCR of 1966, and DFPRW of 1998 were reviewed.

3.8 Data Processing and Analysis

According to Hatch (2002), data analysis is a process of developing answers to questions through examination and interpretation. Data analysis is actually a dynamic process weaving together emerging themes, identification of key ideas or units of meaning and material acquired from the literature (Mohajan, 2018). In this study, a thematic analysis process was applied.

Braun & Clarke, (2006) define thematic analysis as a foundational method of analysis that needed to be described and defined to solidify it in qualitative research. The reason for using this type of analysis was to allow flexibility to the researcher with a view to enabling the study to reach detailed and complex descriptions of the collected data. The following six phases, as recommended by (Braun & Clarke, 2006), were followed when analysing data by using thematic content analysis.

Phase one: In this phase, the researcher got familiar with data by recuperating and understanding the collected information or data and wrote down the impressions from the collected information, look for meaning and determine which piece of data is important for the study. The researcher also labelled the collected data from participants by identifying them and adding one or more meanings.

Phase two: generating initial codes. In this part, the researcher generated initial codes after reading and re-reading so as to be familiar with the collected data and generated an initial list of ideas based on what was in the collected data and what was interesting in relation to the study.

Phase three: searching for themes. After generating the initial list of ideas, the researcher developed themes which captured interesting data or research questions (Based on specific objectives). This involved transcription of the collected data.

Phase four: reviewing themes. After capturing the interesting data from different patterns then the themes were reviewed, modified and redeveloped so as to bring a clear picture or sense in relation to the study.

Phase five: defining and naming themes. After modifying and redeveloping themes in a way that they made more sense, the researcher defined the themes and named them so as to make analysis and interpretation easy; to know them and what they were all about or what part of data was captured.

Phase six: producing the report. In this phase, the researcher wrote up the thematic analysis of the study. However, in this phase the researcher was satisfied that there were no errors, hence this report was produced from the collected data.

3.9 Rigor and trustworthiness of the Qualitative Data

The following methods were used to determine the rigor and trustworthiness of the study.

3.9.1 Trustworthiness of Qualitative Data

The researcher used credibility whereby the use of member checks technique was applied. The member check focused on the assessment of two issues, namely to determine if the informants' information is recorded correctly and whether their words match what they actually intend to say. During and after an interview, the researcher read the responses provided by the informants to confirm their correctness. In addition, at the end of every interview, the researcher read the recorded responses to an informant in order to provide opportunity for the informants to ascertain whether what was recorded was exactly what they wanted to say.

3.10 Ethical Considerations and Logistics

Ethical procedures were observed in the course of preparation and execution of the study as explained hereunder.

3.10.1 Research Clearance Letter

In this study, the researcher requested permission from the Institute of Social Work (ISW) for data collection by way of clearance letter. ISW provided the clearance permit to the researcher which was later submitted to the Regional Commissioner's Office (RCO) in Arusha. The introductory letter from the RCO was then submitted to

the specific tourist hotels in Arusha City Council (ACC) in order to ask for permission to conduct the research in the respective area.

3.10.2 Confidentiality and Anonymity

In ensuring confidentiality of the participants with their information, the researcher met with the participants in a private area during data collection in the field. Therefore, even before giving out information, the participants were assured that the information they provide would be treated with utmost confidentiality and privacy, and that it was only for purposes of the study. Secrecy of the participants was carefully observed by the researcher while reporting the findings. For example, the names of the participants were not mentioned directly. Instead, they were given numbers or letters (alphabets). Therefore, the confidentiality and privacy of the study participants were adhered to.

3.10.3 Informed Consent

Kothari (2004) defines informed consent as a process for getting permission before conducting research. It is a mechanism for ensuring that people understand what it means to participate in a particular research study so they can decide in a conscious and deliberate way whether they want to participate (Mack *et al.*, 2005). In this study, requesting informed consent from participants was taken into account prior to their participation in the study. The researcher ensured that the participants were given sufficient information about the purpose of the study and their willingness to participate or withdraw their participation at any time without penalty.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSION OF FINDINGS

4.1 Chapter Overview

This chapter presents the findings, analysis and discussion of the research questions which reflect research objectives on the study about “Investigating the Practice of Decent Work in Tourist Hotels in Tanzania”. The desire to investigate the practice of decent work in tourist hotels was informed by the fact that the decent work agenda strives to ensure that all workers, whether employee or self-employed, have access to work that is productive, delivers a fair income with security, ensures social protection, safeguards basic rights, ensures equality in relation to opportunities and treatment, offers personal development, offers the chance of recognition and to have one’s voice heard (Eurofound & ILO, 2019).

Therefore, based on the decent work concept in ILO’s perspectives, research objectives were developed in accordance with decent work pillars. This part presents data data presentation, analysis and discussion of findings. The findings have been organized in accordance with the specific objectives of the study and the emerging issues and themes generated from data. The study intended to respond to four research questions namely;

- i. What is the status of working conditions in tourist hotels in Tanzania?
- ii. How are workers’ fundamental rights and protections practiced in tourist hotels in Tanzania?
- iii. What is the practice of social protection in tourist hotels in the city of Arusha, Tanzania?

- iv. How employees are engaged in social dialogue in tourist hotels in Tanzania?

4.2 The Status of Working Conditions in Tourist Hotels in the Tanzania

The first objective of this study aimed to examine the status of working conditions in tourist hotels in Tanzania. The analysis of this theme raised seven sub-themes namely; employer's compliance with labour laws, employment contract, hours of work, remuneration, leave, termination of employment, and occupational health and safety, which are hereunder discussed in detail;

4.2.1 Employer's Compliance with Labour Laws

The study findings unveiled that labour laws compliance among tourist hotels was very limited especially in the medium, low and unrated star hotels. High rated star hotels seemed to comply with the laws. For instance, five- and four-star hotels were registered with Workers Compensation Fund (WCF), Occupational Health and Safety (OSHA), National Social Security Fund (NSSF) and the National Health Insurance Fund (NHIF). Furthermore, trade union practices, discrimination policies and health and safety policies were in place in some of these hotels. The situation was different in three-star, two-star and unrated star hotels where by most provisions and legal directives pertaining to employment standards were highly not observed. During the interview with the labour officer, it was revealed that;

“Most high rated star hotels like five-star and four-star hotels do comply with municipal and labour laws because they depend very much on foreigners. Foreigners like good and quality services so employers in these hotels at least ensure compliance. For the medium and low rated star hotels, compliance is more of a challenge because they are profit oriented and lack awareness and education on these laws. For example, when you ask them about providing

employment contracts, they will tell you “I have good relationship with my employees, so there is no need for it” (KII-Labour Officer, June, 2023, Arusha).

Again, it was added that;

“Employers in tourist hotels comply mostly with municipal laws than labour laws because they are severely punished if they breach them. They comply with registration of their businesses so as to get business license from Tanzania Revenue Authority (TRA). They don’t comply with labour laws mainly because the Labour office is more of social dialogue than imposing punishment compared to TRA and other institutions that strictly impose penalty and fines on non-compliance. That is why hotel owners comply largely with TRA laws than labour laws” (KII-Labour Officer, June 2023, Arusha).

The assertions above imply that non-compliance with labour laws in tourist hotels is caused by lack of strict punishment imposed on employers. Employers complied more with municipal laws because they suffer serious consequences for non-compliance while on the other hand, they are reluctant to comply with labour laws because the labour office encourages negotiation and social dialogue rather than punishment. It was revealed that labour inspection services are provided in employment settings including the tourist hotels. It was found that labour inspectors were required to conduct routine and regular inspections at workplaces but that was not the case because such inspections were not conducted as required due to insufficient financial and human resources as opposed to the number of business entities under their ambit.

During the interview, the labour officer revealed that;

“Inspection is conducted regularly at workplaces including the tourist hotels. There are two types of inspection; one is regular inspection that is conducted regularly to ensure compliance with labour laws, and another is organized/special inspection. We do conduct special inspection when there is a complaint from

employees or trade union but sometimes, we can't reach all workplaces due to limited funds and personnel” (KII-Labour Officer, June, 2023, Arusha).

The limited labour inspection services in tourist hotels and the world of work generally is a clear indication of non-compliance with labour laws, hence poor practice of decent work. The study discovered that there is a shortage of labour inspectors and lack of resources in Tanzania, which is an obstacle to effective compliance with laws in employment establishments. ILO (2010) pointed out that a lack of resources and labour inspectors in Tanzania has impeded efforts to address decent work issues effectively. Recently, the Tanzania and Zanzibar Labour Market Profile (TZLMP) 2021/2022 also reports the same. The report disclosed that, of the 88 listed labour inspectors in Tanzania, one inspector was supposed to attend 39,000 employees. On a broader view of total employment, one labour inspector served 280,000 workers. This was against the ILO framework on labour inspection services which recommends one inspector per 40,000 workers in less developed countries (DTDA, 2022).

4.2.2 Employment Contract/ Contracts with Employees

According to the decent work practice, employees' stability and security in their job are evaluated based on whether they have a permanent contract that ensures their employment (ILO, 2015). Employment contract is one of the crucial aspects in employment relations and the practice of decent work generally that stipulates terms and conditions of work, rights and obligations of both employer and employees as well as security of work as regards employees. According to study findings, majority of the employees in tourist hotels either had only short-term contracts lasting six

months or a year or had no employment contracts at all. Few workers in five-star and four-star hotels were found to have permanent contracts. During the interview, one participant stated that;

“I have never received an employment contract. Instead, I began working here after a friend informed me that there was job opportunity. So, I came and they offered me a job. Only the manager told me what to do orally. I have neither troubled myself to ask for it nor received it from my manager ever since,”
(Employee – two-star hotel, June 2023, Arusha).

The statement above indicates that majority of the workers especially in low rated and unrated hotels were employed informally and that they lacked employment contracts. This finding is supported by Fischer (2018) who argued that, in most cases, employment contracts are informal or non-existent in tourist hotels which leads to job insecurity and usually appalling working conditions. Again, Baum *et al.*, (2016) pointed out that employees in tourist hotels mostly have temporary contracts or none at all.

During the KII, one participant revealed that;

“There is no security of employment in many of tourist hotels because most of employees have no employment contracts and others are working on temporarily/causality basis. Consequently, the employers can terminate employees any time they feel like doing so” (KII – labour officer, June 2023, Arusha).

Additionally, one employee added the following during the interview;

“Some of us have one-year employment contracts while others have six-month employment contracts. For instance, I have been working here for two years now but my six-month contract gets renewed every six months. The employment relationship ends if the boss decides not to renew because I have witnessed our boss refusing to renew contracts for some colleagues of ours” (Employee -three-star hotel, June 2023).

Inference can be drawn from the foregoing quotation that majority of employees in tourist hotels lack employment contracts and that those with contracts have short-term contracts such as six months or one-year contract. Therefore, employers have the discretion to decide whether to renew it or not, subjecting employees to insecurities. The short-term contract is portrayed by high seasonality of the business in tourist hotels; thus, employers prefer short-term contracts or casual basis employment in order to reduce employees during low seasons or when the business is not operating well. Various studies conducted in tourist hotels and tourism sector can support the findings of this study.

For example, the study conducted by ILO (2022) revealed that the tourism sector in general including the tourist hotels is characterized by the seasonality and temporality of business which is combined with poor enforcement of regulations. Aynalem *et al.*, (2016), argued that employers in the hospitality business tend to cut off staff during the months of the year where the number of tourists is very low. Moreover, a study conducted by Salim (2018) in tourist hotels in Zanzibar revealed that the temporary contracts which are more common in tourist hotels amount to poor job security.

Decent work practice in terms of employment contracts as per Tanzania labour laws is well provided under the Employment and Labour Relations Act, CAP 366 R.E. (ELRA, 2019). This law stipulates the nature and types of employment contracts which employers are obliged to comply with. These provisions are aligned with the ILO's decent work agenda framework on employment contracts that guarantees

security of employment to workers. Section 14(1) (a-c) of the ELRA stipulates three types of employment contracts which are; a contract for unspecified period of time, a contract for a specified period of time for professionals and managerial cadre; and a contract for specific task. Based on these provisions, employees in tourist hotels are entitled to a contract for unspecified period of time (permanent contract), excluding probationary employees. A contract for a specified period of time is for the professionals and managerial cadre. Surprisingly, this type of contract is the one commonly used in tourist hotels.

Rule 11 of the Employment and Labour Relations (General Regulations) G.N No. 47 of 2017, stipulates that *“A contract for a specified period referred to under section 14(1) (b) of the Act, shall not be for a period of less than twelve months”*. This implies that employees in tourist hotels are entitled to permanent contract or one that is for unspecified period of time since a contract for specified period is for professionals and those taking managerial positions. On the other hand, the law insists that a contract for a specified period should not be less than twelve months. The availability of a six month and one year contract of employment implies that the practice of decent work in this context is limited in tourist hotels.

Again, during the interview one participant affirmed that;

"I have a one-year employment contract. I'm not sure if it is permanent or not but when I ask others, they say that one is." I'm in a dilemma. I was first given a one-year contract during my probationary term after which I stayed for something like five months without a contract or any other official documentation. I made the decision to follow up with my manager after receiving a confirmation letter and a written permanent contract. I'm confused since I'm not sure if it's a one-year contract or a really permanent one. More

clarifications were requested but I did not receive satisfactory answers” (Employee – Four-star hotel, June 2023).

From the quotation above, it is clear that majority of the employees have limited knowledge about the types of contracts they have and the particulars therein. This indicates that the employers do not explain in detail about the terms and conditions and the nature of contracts to employees, hence poor practice of decent work. This is supported by Section 15(1, 3 and 4) of the ELRA, CAP.366. R.E. 2019 which stipulates that the employer is required to supply an employee with written particulars of employment. Again, if an employee does not understand the written particulars, the employer is mandated to explain in detail to that employee in a manner that the employee understands. When any matter stipulated in the contract changes, the employer should consult the employee and thereafter that term may be revised. This denotes that the employer has the responsibility to explain the terms and conditions of the contract to employees so as to create a common understanding for both parties to the contract (the employer and employee).

Based on the discussion above, it can therefore be inferred that the practice of decent work pertaining to employment contracts as per ILO framework and national framework and guidelines is poor in tourist hotels especially in the three, two and unrated star hotels whereby employees either have temporary or no contracts at all.

4.2.3 Hours of Work

Adequate working time arrangements constitute an essential part of decent work (ILO, 2013). The study findings noted that working hours are not constant in most tourist hotels because the time an employee spends at work depends largely on the

availability of customers and arrangements of shifts. Some participants from low and medium rated hotels revealed that sometimes they work for 24 hours continuously and rest for 24 hours while some participants in high rated star hotels pointed out that they work per shift lasting nine hours even though they may be required to double shifts at times depending on the customers. During the interview, one participant disclosed that;

“About hours of work it depends because it is not constant. For example, when I come for morning shift, let say at 08:00 am I have to work until 08:00 am the next day. That is almost 24 hours (double shift). On the next day I have to take a rest for 24 hours. But when I come for evening shift, I work till morning when another employee comes in. That’s how we work. There is a rotation of people but there is no payment for overtime or night shifts” (Employee -unrated hotel, June 2023).

Another participant also said that;

“Mmmmmh, you know in the hotel industry hours of work are different from other industries. There is a time when we have many visitors, you cannot leave them while they need service. So, we have to work extra hours. These hours can be compensated later in terms of days/hours not money, but we are paid night allowance for the night shifts” (Employee -Four-star hotel, June 2023).

The foregoing revelations indicate that the practice of hours of work in the tourist hotels is different from other sectors and that the industry is characterized by inadequate work schedules. In the tourist hotels, employees may work for 24 hours continuously without taking any rest but they also get time off to rest the hours worked previously. The research findings are supported by Winchenbach, *et al.*, (2019) who argued that the most cited challenges of the tourism employment include inadequate working schedules and overwork. According to Article 4 of Working Conditions (Hotels & Restaurants) Convention 1991 (No. 172), workers in hotels and restaurants are entitled to reasonable normal hours of work and overtime provisions

in accordance with national laws and practice. That means despite the tight schedules in the tourist hotels, employees have the right to work normal hours as stipulated by Tanzania labour laws.

The ELRA and its regulations provide for the number of hours, overtime, night work and working on public holiday directives. Section 19 of the ELRA stipulates that an employer should not require or permit an employee to work for more than 12 hours in any day. It means, the working hours per day are nine hours which entails that if an employee has to work overtime, it should not exceed three hours which makes a sum of 12 hours in any working day. Again, the law specifically stipulates the maximum number of ordinary days or hours that an employee may be permitted or required to work, which are six days in any week, 45 hours in any week and nine hours in any day, this is in accordance with section 19 (2) (a-c) of the ELRA, CAP. 366. R.E. 2019. With this regard, there is violations of the law pertaining to hours of work in tourist hotels.

4.2.3.1 Overtime Work

Furthermore, the research findings found that employment in tourist hotels is highly characterized by overtime work and that employees are not compensated for the overtime worked. This challenge was found in all hotels from five star-hotels to unrated tourist hotels. During the interview, one participant disclosed that;

“I am supposed to work for nine hours per day but sometimes I work overtime. For example, as you see me now my shift has already ended but I am here because am waiting for visitors from the airport. I don’t know if am entitled to be paid overtime and I have

*never heard any of any employee being paid overtime, never”
(Employee -Five-star hotel, June 2023).*

Through the KII, it was disclosed that;

“One of the most challenging working conditions in tourist hotels is overtime. As a union, we are receiving so many complaints from our members working in these hotels. They work long hours without any payment for the overtime worked. We have tried our best to initiate meetings with employers so as to discuss this matter without success because collective bargaining is also very limited since employers are not willing to recognize trade union as exclusive bargaining agents so as to facilitate discussions. This is disturbing” (KII -Trade union officer, June 2023).

The quotation above reveals that overtime work is one of the challenges hindering the full practice of decent work in tourist hotels. The study finding indicated that there is no monetary payment for overtime work, instead employees are compensated in terms of hours or days worked. Besides, the trade union was not afforded an opportunity to negotiate and discuss, with employers, the terms pertaining to overtime work. This finding is supported by different scholars who argued over long hours of work without payment of overtime in tourist hotels and the tourism sector respectively. For instance, the study conducted by Aynalem *et al.*, (2016) revealed that the hotel industry is characterized by excessive labour hours without payment for overtime. Again, Winchenbach *et al.*, (2019) and Baum *et al.*, (2016) maintained that employees in tourist hotels work long hours with split shifts.

Citing the ELRA, CAP. 366. R.E. 2019, employees who work overtime are entitled to monetary payment. Section 19 (5) of the Act states that “*an employer shall pay an employee not less than one and one-half times the employee’s basic wage for any overtime worked*”. The interpretation of this provision suggests that the overtime

payment in terms of days or hours as practiced in tourist hotels is against this law. The law is very clear and straight forward, that employers are obliged to make overtime work payment in monetary terms and not otherwise. On the other hand, majority of the employees are not aware of this entitlement for overtime payment. This indicates that there is low awareness on workers' rights and employment standards in tourist hotels. Arguing along the same line, another participant stated that;

“As I know working overtime requires an employee's consent but here the practice is different. You may find that a manager or supervisor is forcing us to work overtime even if we are not willing. And remember there is no payment. At least they should be speaking to us politely, but they just force us, whether you like it or not. Imagine I do double shifts from morning to 22:00 pm and am required to be at work the next morning” (Employee -Four-star hotel, June 2023).

The study findings demonstrate that employees' consent and willingness to work overtime is not considered in tourist hotels. Managers and or supervisors decide by themselves without the consent of the employees. Worse enough, they do not consider whether the employees are in a position to work without affecting their personal matters or arrangements. This concurs with the findings by Aynalem *et al.*, (2016) who disclosed that rigid leadership which is against the concept of democracy in tourist hotels affects employees' decisions. Similarly, in accordance with Article 4(4) of the Working Conditions (Hotels & Restaurants) Convention 1991 (No. 172), hotel and restaurant employees must be given enough advance notice of their work schedules for them to plan their personal and family lives accordingly. On the other hand, in Tanzania particularly, Section 19(3)(a) of the ELRA, CAP 366. R.E. 2019 stipulates that an employer should not require an employee to work overtime unless

there is an agreement. Moreover, sub-section 4 of the same section provides that an agreement to work overtime should not require an employee to work more than the 12 hours limit that is contained in subsection (1) of the same section. Therefore, the violation of these provisions in tourist hotels undermines the practice of decent work.

4.2.3.2 Night Work

The study findings identified that the payment for night work was done in five and four-star hotels while there was no such payment in the medium, low and unrated hotels. On the hand, participants pointed out that pregnant employees and mothers who were still breastfeeding were not required to work during the night shift as postulated by the law. During the KII, one Human Resource Manager from a high rated star hotel claimed that;

“We know the implication of night work for pregnant women and breastfeeding mothers, so all female employees who are pregnant are not permitted to work night shift. We also ask employees with health complications to avail medical certificates” (KII – Human resource manager, June 2023).

Additionally, during the interview, one employee in a high rated star hotel divulged that;

“We work for 8 hours. We have three shifts; morning shift, afternoon shift and night shift. When I work at night shift, I get paid night allowance. The night allowance is 25,000/= for five days (which is equivalent to 5,000/= per night shift). So, in order to be paid I must have worked five-night shifts. This is not fair and the amount is very little” (Employee – five-star hotel, June 2023).

The finding above portrays that employees who work night shifts in high rated star hotels are paid night shift allowance. Therefore, employers in these hotels have complied with the provisions of the ELRA which stipulated directives for night

work. Section 20(4) of the Act provides that the employer is required to pay an employee at least 5% of that employee's basic wage for each hour worked at night. The payment of 5,000/= per night shift is in accordance the provision of labour laws. On the other hand, employees who are working in medium, low and unrated tourist hotels were not compensated for night work.

4.2.3.3 Working on Public Holidays

The research findings revealed that due to the nature of business in tourist hotels, employees work mostly during the public holidays as the hotels tend to have many customers during that period. Despite working on public holidays, it was found that they were not paid as stipulated in the ELRA and there were no other internal arrangements for incentives like bonus or service charges. This was echoed by interviewed participants who stated as follows;

“There is no monetary payment for working on public holidays (PH). For example, if I work on PH, I get compensated in terms of days. As such, I am supposed to find another day to rest as compensation for the days/hours I worked during the PH” (Employee-three-star hotel, June 2023).

Another participant added that;

“On public holidays we get compensated public holiday allowance which is not on monetary basis but in terms of days/hours. Let say if I worked one day during public holiday, I will take one day from the normal days or add that day to the annual leave. You know, we have been requesting our boss to give us something like bonus or service charge. At least this would help us but there is no such payment or incentive. For example, sometimes foreigners appreciate our hospitality and leave some amount left at the hotel as a gesture of appreciation but unfortunately that amount is not given to us” (Employee -Two-star hotel, June 2023).

The quotations above confirm that there is limited compliance with labour laws as regards public holiday guidelines in tourist hotels. Public holiday payment was not made in all tourist hotels. Employees in five stars to unrated hotels were not given monetary compensation on working during the public holidays, instead, they were compensated in terms of days. In Tanzania, specifically, Section 25 of the ELRA, CAP.366. R.E. 2019 stipulates that *“if an employee works on a public holiday specified in the public holidays Act, the employer shall pay the employee double the employee's basic wage for each hour worked on that day”*. The law specifies amenably that public holidays are compensated on monetary basis and not as practiced in tourist hotels.

Therefore, the practice of hours of work in tourist hotels is different from what is stated in the labour laws particularly the ELRA. For example, in the findings above, participants revealed how they worked 24 hours continuously, that is, beyond the maximum number of ordinary hours an employee is required or permitted to work, which is 12 hours in any working day. Speaking of the practice of hours of work generally (number of hours worked, rest period, overtime, night work, public holiday) in tourist hotels as per the ILO's decent work guidelines, together with the national labour laws, it is therefore revealed that there is decent work deficit in tourist hotels. As discussed above, employees in tourist hotels in Tanzania work long hours, have no monetary overtime payment, work on public holidays without any monetary compensation and in case of unplanned work schedule are denied their right to freely agree on the proposal. The situation is worse in low or unrated star

hotels. Under decent work framework, the employer is obliged to comply with the right to decent hours as provided in the country employment laws (ILO, 2013).

4.2.4 Remuneration

In order to effectively implement the decent work concept, the employer must pay employees at least the sector's national minimum wage. However, the preferred pay and wages are those that are higher than the national minimum wage and that may allow people to live decently by providing for their fundamental needs (ILO, 2013).

The research findings discovered that employment in tourist hotels is associated with low pay. This was more so in three-star, two-star, and unrated hotels as compared to five-star and four-star hotels. It was found that majority of workers in medium, low and unrated hotels were paid between Tanzania Shillings 100,000/= and 200,000/=:, while in high rated hotels, employees wage earnings ranged between 180,000/= Tsh and 300,000/= Tsh. Few workers who were much experienced and have been working in hotels for several years were earning above 300,000/= Tsh per month in high rated star hotels. Participants maintained that majority of employees in tourist hotels are paid below the minimum wage, though there are some employers in high rated star hotels who are striving to pay the exact amount of the minimum wage and very few paying above the minimum wage. During the interview, one participant indicated that;

“We are paid depending on the unit, but the lowest salary here at our hotel is Tanzania Shillings 100,000 and the highest is 170,000. For example, I am a supervisor for house keepers and am paid 170,000/= per month” (Employee-Unrated hotel, June 2023).

Furthermore, the following was disclosed during the KII with a trade union official;

“Among the challenges that are highly faced by workers in tourist hotels are low wages and overtime. For example, the issue of wages is more challenging in the medium or low rated star and unrated hotels. Employees in these hotels are paid below the minimum wage. At least employers in five or four-star hotels have reached the minimum wage for some positions but not all workers” (KII -Trade union officer, June 2023).

The study findings showed that compliance with the minimum wage order is very limited in tourist hotels. During the KII, it was maintained that;

“Based on my experience, wage issues are very challenging in tourist hotels. Employees are paid below the minimum wage, which ranges from 100,000 to 200,000/= Tsh in the medium, low and unrated hotels. This is mostly caused by low education level, experience and employers’ perceptions on profit maximization. Some employers in high rated star hotels have attempted to pay the exact amount of the minimum wage or a little bit above the minimum wage for experienced workers. Therefore, employees who are well paid in tourist hotels are those who have reached the minimum wage amount” (KII- Labour Officer, June 2023).

The findings above indicate the low pay on the part of workers in tourist hotels which is mostly caused by low level of skills and experience on the part of majority of the employees in the sector. The study conducted in Tanzania by Imori *et al.*, (2020) shows that the majority of employees in hotels and lodges earned between 200,000 and 300,000 shillings, which is below the national average wage. Fischer, (2018) on the other hand, maintained that the feminization of Tanzania’s hospitality industry is correlated with corrosion of wages far beneath the legally set minimum wage. It was also argued that the hospitality sector is recognized by low pay, usually below the national average, and that workers in tourist hotels depend largely on tips

and service charges since they do not earn a living wage (ILO, 2010a, Aynalem *et al.*, 2016 & Baum *et al.*, (2016).

The minimum wage for workers in tourist hotels in Tanzania as stipulated by the Wages and Terms of Employment Order of 2022, GN. No. 687 of 2022, is Tanzania shillings 300,000/= per month in big hotels or tourist hotels and 180,000/= per month in medium hotels. The order provides the minimum wage amount in big hotels or tourist hotels from hourly rate to monthly rate, which is 1,539/= per hour, 11,539/= per day, 69,236/= per week, 138,472/= per two weeks and 300,000/= Tsh per month. Furthermore, the minimum wage in medium hotels is 923/= per hour, 6,924/= per day, 41,542/= per week, 83,083/= per two weeks and 180,000/= Tsh per month. Results from this study revealed that many hotels have not complied with these minimum wage rates, instead employees are paid below the rates. Again, the study findings revealed that employees in tourist hotels are paid on monthly basis even though the payments are delayed sometimes. During the interview one participant stated that;

“As we speak, I have not been paid my salary for four months now. In this hotel, many employees have resigned because of that. The boss always claims that the business is not operating well, but we are receiving customers every day and the rooms are full all the time. Imagine, even the union is not helping us because they said our boss did not send the union dues deducted from our salary. The salary is very low and I am still having trouble getting paid. Honestly, I am tired of this. I hope I will resign very soon” (Employee- Two-star hotel, June 2023).

Another participant indicated that;

“There is a time when the business is not operating well. During that period some amount is deducted from our salary. For example, during the Covid-19 pandemic, the situation was very bad so even

our salary was reduced but we returned back to our normal salary after the pandemic. Also, during the low season our salaries are reduced. We have been requesting for salary increment but our efforts are not working” (Employee -Unrated hotel, June 2023).

The revelations above show that along with low pay faced by workers in tourist hotels, they also experience delays in their remuneration payments. The employees claimed that they are paid low wages and at the same time that small amount of money is not paid on time. Moreover, their wages are sometimes deducted or reduced especially during the low season and that the situation was even worse during the Covid-19 pandemic since the tourism sector was extremely affected.

In the Tanzania context, good and timely payment of remuneration is supported by Rule 13(1) of the Employment and Labour Relations (general regulations) G.N. 47 of 2017 which stipulates that, regardless of the type of contract of an employee, the employer is required to make monthly payment of remuneration or any other period agreed by parties. Grounded on this provision, the term monthly or any agreed period means that the payment of remuneration should be made on time as agreed. The fact that employees remain unpaid for several months contravenes the provisions of the law and hampers the realization of decent work for all.

The research findings revealed that salary increment in tourist hotels is like a nightmare affecting majority of employees. Participants complained about having worked for many years at the same hotel without salary increment. One of the participants revealed that;

“I have been working here as a cooker for the past eleven (11) years but am paid only 250,000 to date. You can imagine how much my salary was when I started working here. We have been requesting the management to increase our salaries but they have done nothing, they always say we have to wait, but wait up to when, considering that the standard of living is very high. If they can’t increase our salaries, at least they can increase service charge payments, this will help us” (Employee- Three-star hotel, June 2023).

Echoing the sentiment, another participant added that;

“I have been working here for seven years but my salary is very low. Imagine I am paid 300,000/= Tsh per month in this four-star hotel. This hotel is always booked and full but when you request salary increment, they will always say the business is not operating well” (Employee- Four-star hotel, June 2023).

The findings above indicate that there is a limited chance for employees working in tourist hotels to register any economic and social development due to the low pay that is never increased in the course of their employment. Article 23(3) of UDHR, 1948 stipulates that *“Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection”*.

The foregoing implies that a just and favorable remuneration is the one expected to rise eventually as an employee continues with employment.

That may enable an employee to accommodate her needs and those of his family as well as promoting personal growth. This is also supported by ILO (2013) in the study of decent work indicators which maintains that, work should be of self-realization filled with the notion of personal and collective purpose. Work must, of course, provide for a person's basic requirements but it must also satisfy a person's drive for personal growth and their innate urge to contribute something greater than their own

or their family's wellbeing. The ILO's thinking on decent work is that workers should obtain productive employment with adequate incomes. The declaration of Philadelphia however sets one of the ILO objectives of ensuring that there is a just share of the fruits of progress to all and a minimum living wage to all employed and in need of such protection (ILO, 2013).

Therefore, the findings of this study together with the studies conducted by other scholars as discussed above and based on the ILO's framework on decent work and the Tanzania labour laws and the minimum wage order for workers working in tourist hotels, it is clearly observed that the practice of decent work under the remuneration aspect (just, fair and productive income for all) is poor in tourist hotels.

4.2.5 Leave

All workers including those in tourist hotels are entitled to paid annual leave, sick leave, maternity leave (for female employees) and paternity leave (for male employees), (Section 31, 32, 33, and 34 of ELRA). According to research findings, leave as a right of workers is highly implemented in all tourist hotels. Participants disclosed that they were given all types of leave when need arose. During the KII, one participant revealed that;

“Honestly, every employee is provided with annual leave except probationary employees. And all types of leave are clearly stated in our policies and in employees’ contracts, so they know that they have that right. Not only leaves but also, we have employees who are breastfeeding, we complying with the law in that aspect” (KII -Human Resource Manager, June 2023).

Arguing along the same line, another participant stated that;

“Genuinely they are giving us all types of leave, for example I was pregnant and they gave me maternity leave, and when I came back to work, I was given time for breastfeeding” (Employee- Two-star hotel, June 2023).

Another participant provided that;

“I am entitled to 31 days of annual leave every year. These days may increase in case I work on public holidays. Therefore, the days worked on public holidays, if any, are added to the annual leave” (Employee -Four-star hotel, June 2023).

The revelations above reveal that there were no complaints about the provision of annual leave, sick leave, maternity leave and paternity leave. There was no reported incidence of unfair termination based on maternity leave, pregnancy, or sick leave in tourist hotels. Therefore, leave is one of most practiced and complied working condition in tourist hotels.

4.2.6 Termination of Employment

According to ILO’s concept on decent work as provided in the Termination of Employment Convention, 1982 (No. 158) and its corresponding Recommendation No. 166, employment should not be terminated unless there is a good basis for doing so, such as the worker's performance or conduct or the needs of the company's operations. Again, termination of employment that is required under the ILO’s decent work idea is that which provides period of notice, right of the worker to be heard before termination, appeal procedures against dismissal, severance pay, unemployment insurance as well as consultation with workers’ representatives, in case of dismissals for economic reasons (ILO, 2013).

The research findings unearthed that in most incidences, employees in tourist hotels were terminated unfairly. Other incidences of termination were not clearly recorded due to employer's strategies of providing term contracts which can be terminated easily. During the KII, a participant disclosed that;

“As regards procedures, what employers do is just formalities to show that they have complied with the law, but practically, procedures are not followed. For example, in disciplinary hearings, employees are curtailed their right to be represented and sometimes they are restricted to appeal to the Board of Directors” (KII -Labour officer, June 2023).

Furthermore, another participant revealed the following during the KII;

“Honestly speaking, employees are terminated unfairly most of the time, on baseless grounds. You may find that a mistake done by an employee only requires oral or written warning, but for employers it amounts to termination of employment. This is not fair at all” (KII- Trade union officer, June 2023).

The most notable issues for unfair termination were the lack of valid reasons, failure to comply with termination procedures, the mistakes that required oral or written warning amounting to termination, and employees not being afforded the right to be heard (*Audi alterem partem*) and to give reasons for the mistake committed, which is against the principles on natural justice. In Tanzania, the ELRA stipulates the grounds on which an employee can be terminated from employment. For example, Section 37(2) (a-b) of the ELRA stipulates that a termination of employment becomes unfair if the employer fails to prove that the reason for termination is valid and that the reason is a fair reason which is related to employee's misconduct, capacity, or compatibility; or operational requirement. On the other hand, the employment should be terminated in accordance with a fair procedure.

Additionally, in case of a serious misconduct, disciplinary hearing is required to enable an employee to respond to the allegation put before him/her. It was reported that in most incidences, employees are curtailed their right to respond to the allegations, representation and the right to appeal. Unfair termination of employment in tourist hotels creates employment insecurity thereby hindering the practice of decent work.

4.2.7 Safety and Health

The ILO's agenda on decent work strives to promote a conducive work environment free from diseases, accidents and other related risks pertaining to job. Therefore, it is the duty of all employers as far as tourist hotels are concerned to ensure safe and health working environments and protecting employees against occupational hazards and risks.

The research findings showed that health and safety was much more implemented in high rated star hotels rather than in medium, low and unrated hotels. Participants in high rated hotels revealed that they were given protective equipment especially house keepers. Occupational Health and safety (OHS) policies were found in these hotels and they were registered to the Occupational Health and Safety Authority (OSHA) subject to Section 16 of the Occupational Health and Safety Act (OHSA) No. 5 of 2003. During the KII, one participant from five-star hotel disclosed that;

“We are complying with health and safety issues as far as our employees are concerned. First, we are registered with OSHA and second, we have been complying in terms of providing health and safety training, protective gears, and regular medical check-ups to

our employees. Here is our OHS policy as you can see” (KII - Human resource manager, June 2023).

The situation was different in the medium, low and unrated hotels where participants claimed that they are facing health and safety challenges. It was found that during the Covid-19 pandemic, employees in these hotels were much more affected due to poor health and safety measures and arrangements. Participants revealed that they are neither provided with safety gears nor health and safety training and medical check-ups. This was also captured by ILO, (2022) which revealed that employees in the tourism sector have limited or no security and that they faced challenges regarding their safety and health at work throughout the pandemic (ILO, 2022).

During the interview, one participant revealed that;

“We have a big challenge in housekeeping especially cleanness. We are not provided with personal protective equipment like gloves. Imagine we are cleaning toilets and washing all bed sheets and towels using hands. As you know this is a hotel, sometimes the bedsheets have things that I can’t explain here, this is disgusting” (Employee- Two-star hotel, June 2023).

Again, a consulted Operational Manager of one of the low rated hotels stated the following about OHS;

“So far, we are trying our best to ensure that there is health and safety in our hotel even though we are not yet registered with OSHA but we are in the process to register” (KII-Operational Manager, June 2023).

The quotations above indicate poor OHS in medium, low and unrated tourist hotels. Employees in these categories of hotels are exposed to various hazards and risks resulting from lack of OHS trainings, protective gears such as gloves, as well as medical check-ups. This is also supported by the study conducted by ILO (2017) which discovered that the most risks experienced by workers in the tourism sector

include fatigue and injuries resulting from repeating lifting, moving and lifting beds and mattresses, bending or the overload of trays. Again, it was noted that employees in tourist hotels encounter work-related accidents such as cuts, burns, slips and falls. Additionally, it was noted that work in this sector exposes workers to psychological risks such as stress and harassments.

According to Tanzania health and safety laws, employers are obliged to register their workplaces and develop health and safety policies to ensure the physical and mental well-being of workers. This is consistent with section 16 of the OHSA of 2003 which provides that all owners or occupiers of a factory or any workplace are required to register such workplace before commencing the operation. Likewise, section 95 (1) of the Act stipulates the duty of the employer to ensure, as much as reasonably practicable, the health, safety and work of all his employees and rehabilitation of the infected employee.

Section 95(2) (c) requires the employer to provide instructions, training and supervision to ensure safety and health at work of his employee. Furthermore, section, 96 (a) provides that every employer who have more than four employees in their employment have the duty to develop a written policy on the protection of health and safety of employees, to prepare guidelines concerning the implementation of the policy, to display a copy in open areas of the workplace as well as to distribute the copies of policy and guidelines to employees.

Therefore, the findings of this study indicate that majority of tourist hotels owners are not registered nor do they comply with health and safety guidelines, which implies poor health and safety of employees in these hotels.

4.3 The Practice of Workers' Fundamental Rights and Protections in Tourist Hotels in the city of Arusha, Tanzania

The second objective of this study aimed to explore the practice of workers' fundamental rights and protections such as protection against any kind of discrimination, freedom of association and collective bargaining in tourist hotels in Tanzania. The analysis of this theme raised three sub-themes namely; discrimination in employment, freedom of association, and collective bargaining, which are hereunder discussed in detail;

4.3.1 Discrimination in Employment

Discrimination at work involves the denial of equality of treatment and opportunity to individuals in their own right or as members of a social group (Ghai, 2003). The Discrimination (Employment and Occupation) Convention, 1958 (No. 111) terms discrimination as “any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation” (ILO, 2013). On the other hand, the Fundamental Convention No. 100 (Equal remuneration Convention, 1951) requires equal remuneration for men and women workers for work of equal value. In Tanzania specifically, these conventions are reflected in national labour laws and employment

policy. The ELRA CAP.366 R.E.2019, under Section 7(5) and Rule 29(3) of the ELRA (Code of Good Practice) G.N.42 of 2007, stipulate that harassment of an employee whether of a sexual nature or else, constitutes a form of discrimination.

The study findings unveiled that discrimination in terms of treatment, pay, race, colour, sex, religion, political opinion, national extraction or social origin, gender, marital status, maternity, tribe to mention few, were neither experienced nor reported in tourist hotels. The most experienced incidence of discrimination in tourist hotels was harassment in form of assaults, abusive language, and bullying. Sexual harassment (sexual abuse) as one of the types of discrimination was not reported. Participants revealed that harassment was more experienced from customers than employers or managers/supervisors. Again, few hotels particularly high rated hotels seemed to have developed a discrimination prevention plan as provided by the law.

During the KII, one participant from one of the high rated hotels revealed that;

“Most of the time our employees experience harassment from our customers but since I came here, no employee has reported being discriminated against by a boss or fellow employee. We have a discrimination policy in place; this prohibits discrimination and sexual harassment, so they are aware of that” (KII-Human Resources Manager, June 2023).

During the interview, one employee commented that;

“We usually experience harassment from customers. For example, a customer may use abusive language, insults or even shouting to us, and discriminating an employee by saying “I don’t want to be served by this employee. This is mostly done by customers who are drunk and stressed. We have nothing to do with it because when we report our manager always says we have to take it easy because they are customers” (Employee-Two-star hotel, June 2023).

Another employee added;

“Customers are the main source of harassment because various people have varied moods when they visit. Although we try our best to be accommodating to them, occasionally a client will behave indecently right away. For instance, I might say, “You are welcome, what can I do to help you,” yet a client would reply, “You can't help me with anything.” Sometimes women fear that we will take their men, so they act aggressively right away. They refer to us as those barmaids who work in the local or street bars. They must realize that we respect ourselves and the work we do, which is why even our dress code differs from that of the bars in the streets” (Employee-Five-star hotel, June 2023).

The assertions above indicate that few employers have complied with the provision of the law on eliminating all forms of discrimination and developing anti-discriminatory plans in their workplaces. On the other hand, the assertions imply that customers in tourist hotels tends to harass workers, and most of the time it is caused by alcohol, sexual drives or customers perceptions towards hotels attendants.

The findings of this study are also supported by various scholars who conducted researches in the tourism sector and hospitality industry. For example, the study conducted by Fischer, (2018) revealed that employment in hotels, bars and restaurants is viewed as the only option available for the poor or those who failed to obtain better jobs, and customers assumes that hospitality businesses are places of uncontrolled alcohol consumption and sexuality rubs off on all employees regardless of their behaviour, something that demeans their human dignity and respect. Furthermore, the study by Said & Tanova, (2021) which was conducted in Zanzibar’s hospitality industry disclosed that employees in the hospitality sector experience harassment even though the hotel environment creates a structure that can

keep bullying and harassment unchecked and tolerated as part of the occupational culture while it creates a feeling of insecurity, discrimination and disrespect on the part of the employee.

The ELRA for example, compels employers to ensure the promotion of equal opportunity in employment and requires them to eliminate all forms of discrimination as provided under Section 7(2&4) of the Act. Further to that, employers have a responsibility to ensure that employees are not harassed by anyone including the customers. Section 7(5) of the Act provides that harassment of an employee is a form of discrimination and should be prohibited on any one. The term ***“prohibited on any one”*** means that nobody is allowed to harass an employee, let alone customers.

Again, another kind of harassment reported in tourist hotels was the use of abusive language from managers, supervisors or bosses. Participants pointed out that most managers do not respect human dignity of employees. They sometimes use languages that offend employee’s dignity. During the interview, one employee stated that;

“There is no discrimination but I can say we are experiencing harassment problems and misunderstandings between us and managers. Our manager has no humanity at all; he doesn’t care what language to use when communicating with us, or the problems we are facing at work. He just wants to see us working even if the hours of work are over, he doesn’t listen to our concerns. This is very painful, but what should we do?”
(Employee-Three-star hotel, June 2023).

Another participant was quoted as saying;

“Frankly speaking I am experiencing harassment from my boss. He may speak with me by using abusive language and he doesn’t want to listen to anybody. When I want to explain or give advice to him, he says he has the final say so he cannot listen to anybody”
(Employee-Four-star hotel, June 2023).

The findings reveal that employees in tourist hotels are harassed by their bosses who use abusive words or language and high tone. Basically, this hurts the employees and makes them feel that they are disrespected and unwanted. These findings are supported by Winchenbach *et al.*, (2019) who argued that tourism employees encounter lack of respect and recognition from managers and co-workers as well as limited workplace self-sufficiency and poor communication with their managers. Bohle *et al.*, (2017) also argued that the tourist hotels are characterized by poor work arrangements with high work stress, low discretion and unregulated managerial control.

It was also found that sensible incidences of discrimination and sexual harassment were not reported by employees in tourist hotels. Firstly, employees especially women feared to report because it is hard to prove. Secondly, sexual harassment is regarded as an act of shame and thirdly, employees were terrified to report their bosses because they were afraid of being terminated from job. Again, it was revealed that female employees are mostly affected by sexual bribes during employment search, and that sexual corruption is regarded as job entrance requirement in most situations.

During the KII, a participant pointed out that;

“Employees are not willing to reveal the situation of sexual harassment or discrimination because it is termed as a question of shame. But there is also a situation where the boss is in a relationship with an employee. This has been happening many times and you find that the one who is in a relationship with the boss harasses and discriminates against other employees. Another thing is that many girls are going through the challenge of being asked for sexual bribes when looking for a job in these hotels, now you find that after getting a job, the boss wants the act to continue while this employee does not want to. In general, employees are experiencing these challenges but they are unable to speak because it is a matter of shame” (KII- Labour officer, June 2023).

From the findings above, it is evident that employment in tourist hotels is characterized by discrimination in the form of harassment which is not highly reported by the victims as it is regarded as shameful. Additionally, employers in this sector are reluctant to take stern measures against the culprits and or develop plans on eliminating all forms of discrimination as stipulated in the ELRA together with its regulations. Section 7(2) of the ELRA requires employers to develop a plan to promote equal opportunity and eliminate discrimination in the workplace.

Again, Rule 32 (1-2) of the ELR (Code of Good Practice) G.N. 42 of 2007 stipulates that it is primarily the responsibility of the employer to ensure that there is equal opportunity in the workplace and the employer is required to adopt, communicate, implement, monitor and periodically review policies to eliminate discrimination. Compliance with these provisions is limited in tourist hotels as many employers have not developed the plan to eliminate discrimination and sometimes discrimination or harassment is perpetrated by themselves. The fact that there are no plans for eliminating discrimination in most of the tourist hotels contributes to

workplace harassment and other forms of discrimination to employees, something which prevents them from expressing what exactly they are going through.

4.3.2 Freedom of Association

A measure of freedom of association under the framework for decent work is whether the employer permits employees to form or join a union and offers them the chance to participate in decision-making, particularly where those decisions have an impact on the employees' working lives (Salim, 2018).

The research findings showed that the exercise of the right to freedom of association and the right to organize is limited in tourist hotels regardless of the status of the hotel. It was discovered that employees have limited knowledge on the right to freedom of association while employers have negative perceptions towards trade unions. Therefore, workers are curtailed their right to freely associate and organize hence undermining practice of decent work in tourist hotel.

During the KII, one participant stated that;

“There are various challenges on the exercise of the right to freedom of association. However, nowadays, there is a slight increase of workers in tourist hotels joining trade unions because at least now some of them have knowledge and education on this right. The pressure to join a trade union happened during the Covid 19 Pandemic where many workers were terminated since the tourist hotels were seriously hit by the pandemic. For the workers who were members of the union, we fought for them, at least they were able to get their rights, and some were called back to work after the pandemic” (KII-Trade union officer, June 2023).

In the same footnote, another participant said that;

"Mmmhh, Trade Union? Like how? What is it? I don't know any kind of trade union and I am not even a member". I have never seen a trade union here. And to tell the truth, we have no one to defend us. For example, you find that a person has made a small mistake and is fired and decisions are made by the management at the top. In fact, this hurts especially when you see your colleague being fired for just something small that would have been sorted through dialogue" (Employee- Unrated hotel, June 2023).

The foregoing assertion indicates that employees are not aware that the right to freedom of association is their fundamental right as provided in international treaties and national labour laws. Again, they claimed the lack of representation especially when the employer decides to terminate the employment of an employee. It was also found that the exercise of organizational rights such as trade union's access to the employer's premise, recruitment of members and branch establishment are very challenging in tourist hotels. The trade union official revealed that employers tend to impose restrictions on employees in order to stop them from joining trade union.

The trade union official revealed that;

"Other employers have positive perceptions towards trade unions (these are few), while many have negative perceptions, they term unions as their enemies because they believe we will educate employees about their rights and we will also protect them and promote their interests. Therefore, this is very challenging because they are posing unnecessary restrictions to us. They prevent us from exercising union rights or organizational rights" (KII- Trade union officer, June 2023).

The study findings also confirmed that employers in tourist hotels do not like trade unions, something which makes it difficult for employees to exercise this important right. Employers claimed that in the absence of trade unions in their work settings, operations tend to be smooth while in the presence of trade unions conflicts begin to

emerge. On the other hand, trade unions were blamed on the deterioration the relationship between employers and employees instead of becoming a bridge between them. It was added that trade unions are demanding too much beyond the capacity of the employer to fulfill the interests of workers.

During the KII, it was stated that;

“Trade unions are more of movements or activism something which brings collision between us and them. The trade union is supposed to act as a bridge between employer and employees so as to promote solidarity and harmonious relations, but sometimes trade union ruins that relations. For example, they tend to put unrealistic demands that are above the capacity of the employer simply because they have the duty to fight for the interests of their members. That’s why employers have negative perceptions towards trade unions” (KII-Human resources manager, June 2023).

Additionally, another participant revealed that;

"You know, things work better in the absence of trade unions, but most time when the union is allowed to establish a branch the situation becomes difficult due to their demands, that's why we don't see any reason why we should allow workers to join the union" (KII-Human resources manager, June 2023).

It was also reported that workers are reluctant to join trade unions because unions are not proactive. Trade union members in tourist hotels revealed that they had never received any service especially representation in disciplinary matters, negotiations of terms and conditions of employment and or even provision of training about their rights. Therefore, they pointed out that, the problem is the ineffectiveness of trade union on addressing their workplace setbacks as well as promoting and protecting their rights and interests.

A study conducted by Fischer (2018) revealed that, CHODAWU, the responsible sectoral union, had roughly 40,000 members in 2016, only slightly more than a quarter of them. Therefore, the study pointed out that low union density reflected the union's inability to represent and address effectively employees' challenges in the sector. Again, a study by Salim (2018) revealed that the right to freedom of association is very limited and there is low trade union membership in tourist hotels. Furthermore, the study found that sometimes workers were threatened to be terminated and sometimes terminated from employment because they joined trade union. The interviewed trade union official revealed that;

“Such kinds of cases have been reported to our office, some employees complained about being threatened to be terminated. You know employers are very smart, so they play a smart game, they find other reasons to terminate an employee but when we make follow up, we find out that there is no valid reason other than the fear that the employees might be a threat to them. We have been trying our best as a union to rescue the situation where such cases are reported to us” (KII- Trade union officer, June 2023).

The quotations above show that another reason for low union density was caused by employers in tourist hotels who indirectly prohibited employees to join unions by threatening to terminate them. This argument aligned with the study by Ioannides *et al.*, (2021) which revealed that tourist hotels are often poorly unionized because of employers' overwhelming antipathy towards organized labour, something which significantly reduces the workers' necessary bargaining power for improving their conditions (Ioannides *et al.*, 2021).

From the discussion above, it is evident that the practice of the right to freedom of association which is a fundamental right is poor in tourist hotels in Tanzania. The

decent work agenda strives to ensure that all workers and employers in the world of work around the globe enjoy the right to freely associate and organize. This right is clearly stipulated in the ILO's UDHR of 1948, the ILO's FPRW of 1998, and the ILO Convention No. 87 of 1948, on Freedom of Association and Protection of the Right to Organize. These international treaties which are reflected in Tanzania labour laws such as the ELRA and its regulations identify the right to freedom of association as a core right to both the employers and employees. The ILO convention on Freedom of Association and Protection of the Right to Organize on (Conv No. 87 of 1948), stipulates that;

“All workers and all employers have the right to freely form and join groups for the support and advancement of their occupational interests. This basic human right goes together with freedom of expression which is the basis for democratic representation and governance. People need to be able to exercise their rights to influence work-related matters that directly concern them. In other words, their voice needs to be heard and taken into account” (ILO, 1948).

Likewise, the ELRA particularly Section 9 -11 stipulates the right to form and join trade unions/employers' association, participate in lawfully activities of their organizations, prohibition of discrimination pertaining to exercise of these rights as well as the rights of both the trade unions and employers' associations. Therefore, employers in tourist hotels are not required to impose restrictions on employees from joining enjoying this right. Again, trade unions have the right to access employers' premise so as to exercise organizational rights at stipulated under Section 60(1-2) of the ELRA. Based on this section, the employer's perception towards trade unions whether negative or positive, should not violate the right to freedom of association in workplace or curtail employees their freedom to enjoy this right. Doing so is

tantamount to contravening the provisions of the Act, and therefore they commit an offense as stipulated under Section 102 (3) of the ELRA.

4.3.3 Collective Bargaining

The findings of this study unearthed that the practice of collective bargaining (CB) is very limited in tourist hotels. This is due to the fact that collective bargaining depends on the availability of trade union in the workplace. Therefore, in the absence of trade union there is no collective bargaining. It was also argued by ILO (2013) that “*freedom of association and the right to collective bargaining are inseparable*”. The study found that many workers in the tourist hotels were not unionized and only one hotel (four-star hotel) among the five hotels, had a union branch. Again, in the hotel where a trade union was found, that union was not recognized as Exclusive Bargaining Agents of Employees.

During the KII, one participant stated that;

“We have concluded Collective Bargaining Agreement (CBA) with some hotels in Arusha City, most of which are big hotels like four- or five-star hotels. The situation is still challenging in the medium and low rated hotels because many employees in these hotels are not our members due to restrictions posed by their employers. As for the hotels where we have members, most employers have refused to recognize us as bargaining agents. As a union, we are striving to ensure that all these workers are enjoying the right to freedom of association and collective bargaining” (KII-Trade union officer, June 2023).

From the findings above, it was inferred that only few hotels and mostly the high rated hotels have managed to conclude collective bargaining agreements. The exercise of the right to collective bargaining was very poor in the medium and or low

rated hotels whereby many employees were not unionized. It was also discovered that the limited practice of collective bargaining was to a great extent affected by restrictions imposed by employers on employees from joining trade union as well as the hardship faced by trade union officials from employers especially when they apply for the recognition as exclusive bargaining agents of employees. It was learnt that since there is limited practice of collective bargaining in tourist hotels, workers tended to engage on individual negotiation with the employer, something which lacked binding obligations.

The finding above is also supported by the study conducted by Salim (2018) in Stone Town Zanzibar. The study revealed that low collective bargaining status was discovered and it was mainly affected by the existence of low union density (union membership) among hotels workers. The study also pointed out that about 79.2% of employees in tourist hotels engaged in individual bargaining, a mere 5.7% engaged in collective bargaining and 15.2% did not have any form of negotiations. Again, Ioannides *et al.*, (2021) pointed out that workers in tourist hotels are usually not unionized hence reduction of workers bargaining power.

In Tanzania in particular, collective bargaining is recognized as a fundamental right of both the employees and employers in their working establishments. Section 9 of the ELRA CAP. 366. R.E. 2019 stipulates the right to freedom of association. It allows workers to join or form their trade unions. Since the right to freedom of association and collective bargaining are inseparable, section 9 of the Act therefore facilitates the practice of collective bargaining. Moreover, the right to collective

bargaining is stipulated under section 67(1) of the ELRA whereby it obliges the employer to recognize a registered trade union which represents majority of employee as exclusive bargaining agent of employees in that particular employment unit. The recognition of trade union by the employer enables collective negotiations and discussions over the terms and conditions of employment and any other employment matters that concern their relationship. Thus, employers have no mandate to refuse recognition of a trade union provided that the union has met the requirements of recognition and have applied for recognition to the employer as the law instructs.

On the other hand, one participant during the interview said that;

“I don’t know what collective bargaining is, may be if you can explain it clearly to me. The only thing I know is staff meeting, which is done after every three months. We discuss our customer complaints, employees’ challenges and complaints even though there is no implantation/response as far as our challenges are concerned. In case I have a problem or an issue like salary increment I can discuss it with the manager” (Employee-Unrated hotel, June 2023).

The quotation above implies that workers in tourist hotels lack knowledge on collective bargaining and they are not aware that it is their fundamental right. The participants revealed that they usually conduct staff meetings which are more of business than employees’ welfare. The decent work agenda strives to promote negotiations and discussions between labour and employers on terms and conditions of employment and matters than concern them. This is because the law provides the minimum standards.

Therefore, employees’ welfare can be improved through negotiations. Terms and conditions of employment cannot be negotiated in staff meetings because the

agreements reached in these meetings are not final and binding to the parties. The employers have the discretion to implement them or not. Negotiation through collective bargaining is well facilitated under the ELRA which imposes the duty to bargain in good faith on both the employers and trade unions and obligates employers to disclose relevant information and allow the recognized trade union to engage effectively in collective bargaining (Section 68 & 70 of ELRA).

Therefore, according to the study findings, the practice of collective bargaining in tourist hotels is very poor due to small number of unionized workers, lack of recognition of trade union as exclusive bargaining agent of employees, as well as non-compliance with legal provisions governing the practice of collective bargaining by employers. The limited protection of the right to collective bargaining was also reported in the TZLMP 2021/2022 that the government did not effectively enforce the law protecting the right to collective bargaining (LMP 2021/2022).

4.4 The Practice of Social Protection in Tourist Hotels in the city of Arusha, Tanzania

It is important to note that social protection (SP) is one of the most essential aspects in the realization of decent work in the world of work. This is broader and more inclusive than social security as it encompasses non-statutory or private measures for providing social assistance and statutory social security measures such as social assistance and social insurance. Social protection comes from the notion that everyone is contingent to risks and insecurities pertaining to sickness, maternity, employment injury, unemployment, invalidity, old age, and death of the bread

winner. Social protection therefore strives to ensure prevention and protection of individuals during the life cycles before working age, life cycles during the working-age years, and life cycle after the working years.

The third objective of this study wanted to explore the practice of social protection in tourist hotels in Tanzania, particularly the practice of SP to employees who are presently working (life cycles during the working age years) and the future protection of the working groups in tourist hotels (life cycles after the working years). It examined how employees in tourist hotels are secured and protected currently and their protection after their working cycle (retirement, incapacity and unemployment). The analysis of this theme raised two sub-themes namely social security schemes and health insurance. The detailed presentation and discussion of these sub-themes is provided hereunder;

4.4.1 Social Security Schemes

“Social security is not a charity but a fundamental human right” (ILO, 2021). The concept of social security is well stipulated in ILO’s decent work agenda, which ensures protection of workers in the time of need and against risks and contingencies. Social security schemes (SSS) as stipulated under Section 3 of the Social Security (Regulatory Authority) Act, CAP 135. R.E. 2018 in Tanzania, comprise any public or private programme initiated for the purpose of guaranteeing economic security and other benefits in kind which contain health care needs, basic housing needs, clothing and in the form of cash benefit paid to a member or dependants of the member at the time of need. Internationally, Social Security is afforded under Article

22 of UDHR of 1948. The Article provides that “Everyone, as a member of society, has the right to social security” (UDHR, 1948). Again, Article 9 of the 1966 ICESCR also refers to “the right of everyone to social security, including social insurance” (ILO, 2004). Therefore, both the national and international provisions on SSS recognize social security as a human right.

The research findings unveiled that, to a large extent, employers in tourist hotels regardless of the status of their hotel (high rated, medium, low or unrated) were registered members of the National Social Security Fund (NSSF) and were complying with the requirement of the law to insure employees with SSS. The study findings indicated that employees in tourist hotels were insured by NSSF, whereby employers contribute ten percent (10%) and employees contribute ten percent (10%) to make the sum of twenty percent (20%) which is remitted to the fund every month for each employee. This is also supported by the study conducted by Salim (2018) in tourist hotels in Zanzibar. The findings of that study show that the majority of employees (84.8%) were registered members of Social Security Fund (ZSSF).

Employees insured under the NSSF were entitled to various benefits such as retirement pension, invalidity pension, survivors’ pension, funeral grants, maternity benefit, unemployment benefit and health insurance benefit even though its applicability depends largely on the requirement of each benefit. This is well stipulated under Section 21(1) of the National Social Security Fund Act (NSSFA), CAP.50. R.E. 2018 and <https://www.nssf.go.tz/>

During the KII, one participant revealed that;

“If there is something which most employers in tourist hotels have complied with, it is social security issues. Basically, there is no complaint received from employees regarding social security in these hotels and even when we conduct inspections, we never find such a challenge (KII- Labour officer, June 2023).”

On the other hand, another participant during the KII stated that;

“We are members of the NSSF and all employees even those under probation period are insured and registered. We make deductions every month, where by the employer contributes 10% and an employee contributes the same” (KII-Human Resource Manager, June 2023).

Furthermore, the research findings revealed that even though there is compliance with social security, employees in tourist hotels complained that their contributions were not remitted to the fund as evidenced by one participant who claimed during the interview that;

“I have seen some of our former employees run into issues with their contributions. For instance, when two employees visited the Fund, they discovered that their contributions for like twelve months in different years had not been sent to the Fund” (Employee-Three-star hotel, June 2023).

Another participant disclosed that;

“When I went to the Fund to process maternity benefits, I got so much trouble because my contributions were not remitted to the Fund. Therefore, it was extremely difficult for me to get compensated. When I went back to my employer, he just said that they would be remitted. I processed my maternity benefit approximately eight months ago, but I haven't received payment as of yet. Whenever, I request my statement and make follow up on my contributions I discover that gaps still exist, which is an indication that my boss has not yet delivered the contributions” (Employee-Four-star hotel, June 2023).

The findings above imply that there is a challenge in the remittance of employee's contributions to the Fund. Some employers in tourist hotels are reluctant and

unbothered to remit contributions to the Fund while the social security systems are ineffective especially in conducting regular follow-ups with employers who are non-complying. Section 14(1) of NSSFA, CAP 50. R.E. (2018) requires the employer to make contribution payments to the Fund within one month after the end of the month in respect of which the contributions are due and payable. Again, subsection (3) of the same section stipulates that a sum equal to five per centum of the amount unpaid should be charged for each month as a penalty to the employer if the payment was not made within the period stipulated under subsection (1). It also provides that the amount of the penalty should be recovered as a debt owing to the Fund by the employer (Section 14(1&3) of NSSFA, CAP 50. R.E. 2018).

As stipulated in the provisions above, it is evident that the promotion of social security as a human right for all is weakened by employers in tourist hotels as well as the institutions responsible for ensuring compliance with these provisions. The employer is obliged to remit contributions every due date in each month but some of them default for even twelve months or more without making contribution payments to the respective Fund. This is substantiated by the speech by NSSF Public Relations and Education, Mangele, (2021), who said the following when speaking with journalists at NSSF Head quarters,

“We thank our members for giving us incredible support in 2020. What we expect from employers in the year 2021 is on time remittance of all workers contributions as per legal requirements. Some employers do not remit contributions as expected. This behavior is unacceptable and it will not be tolerated”(NSSF,2023: <https://www.nssf.go.tz/index.php/news/nssf-strongly-calls-on-employers-to-remit-contributions-on-time>).

She also pointed out that;

“Timely remitting of contributions enables the Fund to pay benefits on time and address quarrels”.

The call on employers to remit contributions on time supports the claims by employees in tourist hotels who faced difficulties getting maternity and unemployment benefits. Again, it was revealed that failure to remit contributions is tantamount to economic disruption since it creates pressure and quarrels to members. The question to be asked is where do the employers get the confidence to contravene the law while the law is very clear? Who ensures compliance and why non-compliance? May be another study is needed to find answers to these questions. In light of the fact that everyone has a right to fundamental social security, the decent work approach seeks to ensure that everyone is covered. Therefore, there is a need to increase efficacy of social security to employees so as to promote the practice of decent work in tourist hotels.

4.4.2 Health Insurance Coverage

Ensuring access to health services is a human right. This is well envisaged in Article 25 of UDHR (1948) and Article 9 of the 1966 ICESCR which promote social security including social insurance. These articles therefore promote health insurance coverage to all people including those working tourist hotels. The World Health Organization (WHO) fosters the universal health coverage (UHC) which provides that *“all should have access to the full range of quality health services they need, when and where they need them, without financial hardship”*. This includes the whole range of necessary healthcare services across the lifespan including health

promotion, prevention, treatment, rehabilitation, and palliative care (WHO, 2023: [https://www.who.int/news-room/fact-sheets/detail/universal-health-coverage-\(uhc\)](https://www.who.int/news-room/fact-sheets/detail/universal-health-coverage-(uhc))).

The WHO's definition of UHC contains three key interconnected objectives. First of all it ensures equity, which means that everyone who needs health services should get them. Secondly, the quality of health services should be good enough to improve the health of the beneficiaries. The third objective stipulates that all people should be protected against financial hardship when they need health services (WHO, 2015).

Health insurance coverage was noted in this study. The research findings revealed that health coverage was limited in tourist hotels. This is due to the fact that few workers in high rated hotels were covered by the National Health Insurance (NHIF), majority were covered by NSSF health insurance benefit and others were not covered at all.

The question of equity, quality and financial hardship protection was also raised. It was discovered that, to great extent, employees in tourist hotels are still suffering with regard to health services equity, quality and financial hardship protection. This is supported by Salim (2018) who argued that only 14% of employees working in tourist hotels in Zanzibar were ensured with health insurance. This indicates poor health insurance for employees working in tourist hotels not only in Tanzania but also in other part of the world.

During the interview one participant stated that;

“We are covered by health insurance which is the National Health Insurance Fund (NHIF), but the contributions are deducted from our salaries” (Employee-Five-star hotel, June 2023).

During the KII interview, one participant from a high rated hotel pointed out that;

"We joined the NHIF, so we are members and all of our staff are covered by health insurance. You have been waiting for me because, as you have seen today, I took a sick employee to the hospital. All we are doing is making sure that our employees' health is assured and that they have access to health care anytime they require it. Their contributions to the Fund are deducted from their salary" (KII-Human resources manager, June 2023).

The findings above reveal that some employees in high rated hotels (five-star and four-star hotels) are covered by the NHIF. It was also found that employers have no contribution arrangements for their employees, the deductions are made from employees' salaries. According to NHIF benefit packages, employees who are covered by this fund have access to consultation, medicines and medical supplies, investigation, surgical services, eye and optical services, spectacles, dental and oral health services, retirees' health benefits, and medical/orthopedic appliances. Furthermore, there are also services that are offered through a special permit (NHIF, 2023: <https://www.nhif.or.tz/pages/benefit-package-1#gsc.tab=0>).

On the other hand, other employees who were covered by NSSF health insurance benefits complained that, the quality of services provided does not accommodate their health service needs. During the interview, a participant disclosed that;

"We are covered by NSSF health insurance. Frankly speaking, this insurance does not help; it only covers simple diseases like malaria, typhoid and unitary track infection. Again, we are supposed to choose only one hospital and sometimes I pay cash for the diseases which are not covered. For example, my wife gave birth last few months, I paid cash" (Employee-Two-star hotel, June 2023).

Again, another participant said;

"For me, this NSSF insurance does not meet our needs. This insurance has conditions, for example they say we should be treated at one hospital within one region. I am here, my family is in Iringa, and so I have registered a hospital in our region so that my children

can receive treatment. This arrangement is not good at all because I pay for the treatment myself in case I fall sick” (Employee-Three-star hotel, June 2023).

The quotations above imply that majority of the workers who are insured by NSSF health benefit insurance in tourist hotels are not satisfied with the quality of health services. Additionally, the study findings indicate that workers are not sufficiently protected from financial hardship when it comes to health services and have no access to quality health services. This is due to the fact that an NSSF member should register with one hospital in one region where health services will be provided. It was found that workers whose dependents are in another region are registered with only one hospital in that respective region so as to insure them, and therefore the workers remained uncovered.

The NSSF health benefit provides a room to get treated outside the registered hospital but this is restricted to not more than four times a year for outpatients and not more than 48 hours twice a year for inpatients (NSSF, 2023: <https://www.nssf.go.tz/benefits/social-health-insurance>). This requirement indicates that employees who are covered by NSSF health benefit insurance have limited access to health services, are not protected financially because sometimes they have to pay for the service and the quality of health service provided is poor because it covers only unsophisticated diseases. This is supported by the study by Melubo & Buzinde, (2016) who discovered that employees in the tourism sector have limited access to health insurance coverage and that when they face a health challenge that requires medical attention, they are usually responsible for the expenses.

4.5 The Practice of Social Dialogue in Tourist Hotels in Tanzania

Basically, the fourth objectives of this study intended to explore the practice of social dialogue in tourist hotels in Tanzania. The research findings revealed that the practice of SD in tourist hotels is limited. The practice of SD can be tripartite in the form of collective bargaining between employer/employer's representative and employees' representatives (trade union), it can also be a tripartite negotiation between the government, employer representatives and employees' representatives to discuss issues of common interests such as formulation of labour laws, policies, regulations or any socio-economic matters which concerns them.

Social dialogue indicators are an important element in measuring progress of decent work (ILO, 2013). For SD to be effective, there must be full respect for freedom of association, to ensure that workers and employers are able to organize freely, defend their interests without outside interference, and negotiate, without pressure, between themselves and with the government, on matters of mutual interests.

The study findings revealed that both bipartite dialogue and tripartite SD were very limited in tourist hotels. Participants revealed that the poor practice of SD was to a great extent caused by non-compliance with labour laws, employers' negative perceptions towards trade unions, low union density among tourist hotels workers, as well as lack of strong trade unions. During the KII, one participant stated that;

“Social dialogue is very challenging in tourist hotels; it is almost not practiced at all. Employers are imposing many restrictions to prevent our union from recruiting employees because they will demand better working conditions for our members” (KII-Trade union officer, June 2023).

The revelations above imply that, practically there is no SD practice in tourist hotels. ILO (2010a) revealed that workers in tourist hotels raised their concerns on insufficient engagement in SD and the communication barrier between them and the management, weak representation and low union density. The study further found out that employment in tourist hotels is mostly characterized by low wages, shift work regulations, gender equality, insecurity, and OHS because of limited practice of SD which would enable the negotiation over employment issues.

It was also revealed that Tanzania has ratified various international treaties to support the practice of SD but still the practice is limited not only in tourist hotels but also in other workplaces. During the KII, one participant stated that;

“We have laws in place, our country has ratified various conventions, and there is Labour, Economic and Social Council (LESCO) established under the Labour Institutions Act. This is a tripartite board, but to me it is ineffective because it doesn’t foster discussions among key actors. We have many complaints about employment standards in tourist hotels, we have tried several times to report this for purposes of meeting considerations but nothing has been done”
(KII-Trade union officer, June 2023).

The quotations above indicate that despite the ratifications of international treaties on SD as well as the establishment of LESCO, still there is poor practice of SD in employment establishments as far as tourist hotels are concerned. According to Tanzania & Labour Market Profile TZLMP (2021/2022), Tanzania ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) and the Collective Bargaining Convention (C154) in 1998 so as to ensure effective application of SD. It was revealed that despite the fact that LESCO is established, it is not functioning well especially in the promotion of tripartite SD including in passing policies that promote the same (ILO, 2016).

Generally, the research findings revealed that the overall practice of SD be it a bipartite or tripartite dialogue is limited in tourist hotels in Tanzania. This is mainly caused by non-compliance with labour laws by employers, weak enforcement mechanisms, lack of awareness or incentives as well as fragile and some inactive SD intuitions. This was also reported by the TZLMP (2021/2022) which disclosed that although the legal framework for SD is put in place in Tanzania, the practice of SD is still limited or ineffective. This is attributed to weak implementation arrangements, dormant SD institutions and insufficient awareness or incentives, (LMP, 2021/2022).

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Chapter Overview

This chapter summarizes the main findings of this study and states whether or not the objectives have been met and draw conclusion. Hence, the chapter presents a summary, conclusions and recommendations of the study. It is anticipated that the recommendations presented here help the government, Trade Unions, employers, employees, academicians/researchers, decent work proponents and stakeholders to advocate and ensure the practice and realization of decent work in tourist hotels in Tanzania. Lastly, the study makes recommendations for further research.

5.2 Summary of the Study

The study intended to investigate the Practice of Decent Work in Tourist Hotels in the City of Arusha, Tanzania: A Case of Five Selected Hotels. The study was guided by four objectives. The first objective wanted to examine the status of employment conditions in tourist hotels in the city of Arusha, Tanzania, the second objective intended to examine the practice of workers' fundamental rights and protections in tourist hotels in the city of Arusha, Tanzania, the third objective wanted to examine the practice of social protection in tourist hotels in the city of Arusha, Tanzania, and the fourth objective examined the practice of social dialogue in tourist hotels in the city of Arusha, Tanzania. Research questions were derived from the objectives.

The literature review covered the conceptualization of key terms; empirical review; theoretical and conceptual framework. The Psychology of Working Theory by

Blustein in (2006), Structural Functionalism Theory by Emile Durkheim in (1858-1917) and Interdependences of Decent Work Pillars by Ghai (2005) were employed. The study identified conceptual, methodological and contextual gaps.

The study employed a qualitative research approach as well as the exploratory research design. Documentary review and in-depth-interview were used for data collection. Data was collected with the help of a face-to-face interview guide with employees and key informant interview guide with tourist hotels employers, trade union officials and labour office officials. Snowball and purposive techniques were engaged in sampling procedures. Thematic analysis was employed to analyze the collected data. Relevant citations from studies carried out earlier were also included in this study.

The study had three research questions. The first research question sought to find out the status of working conditions in tourist hotels in Tanzania. Various sub-themes such as employment contracts, hours of work, remuneration, leave, termination of employment and occupational health and safety emerged to inform the status of working conditions in tourist hotels. The second research question wanted to examine the practice of workers' fundamental rights in tourist hotels in Tanzania. Sub-themes such as discrimination in employment, freedom of association, collective bargaining disclosed the practice of decent work in tourist hotels.

The third research question focused on the practice of social protection in tourist hotels in Tanzania. This also gave rise to sub-themes such as social security schemes, health insurance and workers compensation to reveal the extent to which employees

in tourist hotels are protected in terms of health schemes, social security schemes as well as compensation.

The fourth question wanted to examine the practice of social dialogue in tourist hotels in Tanzania. Therefore, bipartite and tripartite social dialogues were studied to disclose the practice of social dialogue in tourist hotels in Tanzania.

The study findings revealed that, decent work practices in tourist hotels in Tanzania is very poor. The poor practice of decent work was mostly discovered in medium and low rated star hotels such as three-star, two-star and unrated star hotels when compared to high rated star hotels like five-star and four-star hotels. Employment in medium and low rated tourist hotels was highly characterized by low wages, poor health and safety, low union density, inadequate practice of collective bargaining, short-term or none-existence employment contract, long hours of work, lack of monetary overtime and public holiday payments, discrimination, insufficient health insurance coverage, poor remittance of employee's contributions to NSSF as well as poor social dialogue practices.

5.3 Conclusions

Premised on the views of various interviewed participants during the study and different reviewed documents, laws, international treaties on decent work as well as studies by other scholars' relevant to the practice of decent work in tourist hotels, it is hereby concluded that the overall practice of decent work in tourist hotels in Tanzania is very poor. The study revealed that the limited practice of decent work was very common in the medium, low and unrated star hotels (three-star, two-star

and unrated star hotels) compared to high rated hotels (five-star and four-star hotels). It was unveiled that employment in tourist hotels is characterized by poor working conditions such as long hours of work, lack of monetary overtime payments, absence of monetary payment on public holidays, insecurities, low wages which are below the minimum wage order, poor OHS evidenced by lack of safety and health policies.

Further to that, employers' non-compliance as regards registration of their workplaces at OSHA, short-term or non-existence of employment contracts, poor enforcement of regulations, unlawful termination of employment caused by the lack of substantive and procedural issues were observed as bad practices of decent work. Other bad practices of decent work unearthed by this study included workplace harassment, lack of elimination of discrimination plans, low union density, inadequate exercise of the right to freedom of association, restricted collective bargaining practices, insufficient health insurance coverage, poor remittance of employee's contributions to NSSF, lack of career development opportunities and poor SD. The poor practice of decent work in tourist hotels led to the lack of needs for survival, social connection, and self-determination as highlighted in the Psychology of Working Theory of decent work.

Furthermore, the study concludes that poor practice of decent work in tourist hotels particularly in medium, low and unrated star hotels is to a large extent caused by lack of awareness on the decent work agenda, ineffective labour administration and inspection services, employers' perceptions of employees as commodities and costs rather than viewing them as assets. Other poor practices include employers' non-

compliance with labour laws and regulations, lack of strong and powerful trade unions to protect workers' rights and promotion of their interests, and limited government support to ensure the attainment of decent work for all as far as tourist hotels employees are concerned. Therefore, there is a need to raise awareness pertaining to the practice of decent work in tourist hotels and the government should ensure that there is effective compliance with labour laws in tourist hotels in Tanzania. There is also a need to strengthen labour administration system in collaboration with other respective institutions and stakeholders to ensure the full realization of decent work agenda not only in tourist hotels but also in all employment establishments in Tanzania.

5.4 Recommendations

Based on its findings, the study makes the following key recommendations to promote the practice of decent work in Tanzania. The recommendations are directed to different stakeholders as follows;

5.4.1 To Government

Since the government has ratified and signed various international conventions which are also reflected in the national labour laws in a bid to ensure the full realization of decent work for all, it should ensure effective compliance of these policies, laws and regulations in tourist hotels in Tanzania. Sanctions and penalties over non-compliance with labour laws stipulated in the national labour laws should be imposed on employers as a punishment for non-compliance.

The government should strengthen the labour administration and inspection systems particularly labour inspection services by putting more infrastructures to facilitate regular inspections in tourist hotels and increasing the number of labour inspectors so as to reach many workplaces. It should also ensure training on labour laws compliance is provided to various stakeholders. Disseminating information regarding any changes in the labour laws and provision of advice on the effective and best way to comply with the laws to tourist hotels employers should also be high on the agenda.

Through the labour inspection department, the government should establish Electronic Complaint Filing System (ECFS) so as to enable employees to report and file complaints which need immediate action. This will empower employees to report abusive as well as oppressive acts concerning discrimination and all forms of harassment like sexual abuse because they are termed as shameful and unlawful. The system will ensure the protection of victims' humanity, dignity and privacy while guaranteeing confidentiality at its best. As such, the system will enable labour officers to obtain more information about the acts and find ways of tackling them covertly.

5.4.2 To Employers in Tourist Hotels

Employers in tourist hotels in Tanzania should comply with labour laws to ensure conducive and safe working environment for all. They should consider employees as assets and partners in the service provision process. They should also note that good service provision depends on employees' good mental health which is cultivated by

good working environment, respect for human dignity, just and fair wages and opportunity to make their voice heard.

They should consider decent work as the heart of their employment relationship. The practice of decent work should be a habit, moral and daily behavior that should be practiced everyday throughout the relationship between employer and employees.

Employers should change their negative perceptions towards trade unions. They should remember that freedom of association and the protection of the right to organize is a fundamental human right for both employers and employees. Therefore, they are mandated to allow trade unions to have access to their premises and to conduct meetings with employees.

5.4.3 To Employees in Tourist Hotels

Employees in tourist hotels should find it important to join trade unions so to strengthen solidarity, democracy, protection and make their voices heard. It will help them to promote their interests through collective bargaining by negotiating terms and conditions of employment with their employers.

5.4.4 To Trade Unions

Trade unions should invest in their members through provision of good and quality services especially training and raising awareness on employees' rights and obligations. They should also protect employees' rights and represent them in time of hardship. This will create a sense of belonging and employees will eventually find a reason for joining trade unions.

They should strive to ensure that they recruit many employees in the union because, currently, many workers in the tourist hotels are not unionized. Having many members will facilitate their recognition as exclusive bargaining agents of employees. This will ultimately create a room for negotiation for better terms and conditions of employment in tourist hotels.

5.4.5 To Decent Work Advocates

Decent work advocates such as labour relation practitioners, labour rights activists, trade union activists, researchers, academicians and ILO should raise awareness on decent work in tourist hotels and the public at large. Researchers and academicians should conduct more researches on decent work and disseminate information to employees, employers, development partners and the government so as to facilitate the realization of decent work in tourist hotels in Tanzania.

They should also conduct lobbying and advocacy to policy makers and development partners to ensure that decent work is practiced in tourist hotels and that decent work agenda is prioritized in government budgeting especially on funding researches, decent work campaigns, and strengthening the labour administration and inspection system to ensure compliance with labor laws.

5.5 Recommendations for Further Studies

Since the study covered tourist hotels in Tanzania only, there is a need to conduct another study to cover a wider area to allow generalizations of the study findings. Likewise, it is suggested that researches be conducted on:

1. Factors influencing the deterioration of the practice of decent work in Tourist Hotels in Tanzania.
2. The effectiveness of Trade Unions in addressing labour problems in Tourist Hotels in Tanzania.
3. Employers' perceptions towards the practice of Trade Unions in Tourist Hotels in Tanzania.
4. The contribution of labour administration and inspection system towards compliance or non-compliance with labour laws in Tanzania.
5. Sexual harassment and workplace bullying among tourist hotel workers:
What is the hidden agenda?

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APPENDIX I

IN-DEPTH INTERVIEW FOR EMPLOYEES IN TOURIST HOTELS IN THE CITY OF ARUSHA, TANZANIA

Dear Participant,

My name is Julieth Mchunguzi, a student at the Institute of Social Work Dar es Salaam. I am conducting a research on Investigating the Practice of Decent Work in Tourist Hotels in the City of Arusha, Tanzania as part of fulfilment for the Master's Degree Programme in Labour Laws, Mediation and Arbitration. The information I would like to collect from you is only for academic purposes and will therefore not be used for any other purposes. Therefore, you are kindly requested to participate in this research by answering the questions.

SECTION A

Demographic characteristics of Respondents

Tick (✓) on an appropriate answer

1. Sex

- i. Female ()
- ii. Male ()

2. Age

- i. 18 -22Years ()
- ii. 23-27 years ()
- iii. 28 - 32 Years ()
- iv. 33 -37 years ()

3. Education level

- i. Primary school ()

ii. Secondary School ()

iii. University degree /Equivalent ()

iv. None ()

Other(specify).....

4 Marital Status

i. Single ()

ii. Married ()

iii. Divorced ()

iv. Widow/widower ()

SECTION B

Please answer the following questions.

S/N	Interview Questions	Guide
1	Would you please describe the status of working conditions in tourist hotels in the city of Arusha, Tanzania? Follow-questions: In your what is the status of working conditions in your hotel? - How long you been working here? What type of employment contract do you have? - How much do you get paid per month, and what is the basis of payment? - Can you describe the hours you work per day? - What is your work schedule? Do you regularly work overtime, night shift, during public	<i>The follow-up question/explanation should be posed in case of misunderstanding on what it means to the status of working conditions and the meaning of decent work. It will also reveal characteristics and a general understanding of decent work.</i>

	holiday or week rest days? - How do you get paid for working night shift, overtime or on public holidays? - Who arranges your work schedule and how is it communicated? - When did you take leave and what type of leave? - Based on your experience, is there employment security or employees are terminated regularly? - What procedures are followed by the employer before terminating an employee contract of employment? Employer gives employees notice before terminating the employment contract? - How does the employer secure safe and health working environment?	Probes: annual leave, sick leave, maternity or paternity leave Probes: warning letter, notice, disciplinary hearing Probes: OHS trainings, PPE, medical check-ups
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2	How are workers' fundamental rights and protection in tourist hotels in the city of Arusha, Tanzania? - Follow-up question: - What do you know about the right to freedom of association? - In your experience here at work, how the right to join and form trade union is exercised? - To what extent does the employer allow employees to join trade unions of their choice in this hotel? - What trade union have you joined? Which trade union has majority employees? - In your experience, have you witnessed discrimination of employees who have joined trade union? Or being terminated because of that? - To what extent are employees engaged in collective bargaining? - What does the collective bargaining agreement stipulate about employees' welfare? - Do you have any other means of communicating your concerns and working conditions to your employer? - Do you feel any kind of exclusion or	<i>The question aims to get information about the respect and protection of workers' rights such as the right to freedom of association, collective bargaining, protection against discrimination and forced labour.</i> <i>Probes:</i> <i>discrimination on the basis of race, colour, sex, religion, political opinion, social origin, gender, nationality, etc.?</i>
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	preference made especially in terms of promotion, appointment, transfer or training? - In your opinions, what is the situation of sexual harassment in your working environment? Have you experienced sexual harassment practice? - What does the anti-discrimination policy at work say about discrimination? - How is the issue of discrimination and abuse handled here in your work?	Probe: harassment by employer, customers, or fellow employees
3	What is the practice of social protection in tourist hotels in the city of Arusha, Tanzania? - Follow-up questions: what social security scheme are available here? Are you covered by any social security scheme? Can you tell me the name of that scheme? - What type of social security benefit do you receive from the scheme? - Do you encounter any challenge in accessing	Probe: medical insurance, old age pension, maternity benefit, unemployment benefit, invalidity pension, survivor's pension)?

	any of the benefits? - What is the compensation in case of injury, accident or illness? - Who pays for you and your family medical bills? - What health insurance have you joined? Who pays the Fund? - How do you feel about your medical insurance? how well does it meet your medical needs	
4	To what extent are employees engaged in social dialogue in tourist hotels in the city of Arusha, Tanzania? Follow-up questions: - How are you involved in bipartite discussions about your working environment? - To what extent are you involved in social dialogues to discuss the matters that affect you as employees?	

APPENDIX II

IN-DEPTH INTERVIEW FOR EMPLOYERS IN TOURIST HOTELS IN THE CITY OF ARUSHA, TANZANIA

Dear Participant,

My name is Julieth Mchunguzi, a student at the Institute of Social Work Dare Es Salaam. I am conducting research on Investigating the Practice of Decent Work in Tourist Hotels in the City of Arusha, Tanzania as part of fulfilment for the Master's Degree Programme in Labour Laws, Mediation and Arbitration. The information I would like to collect from you is only for academic purposes and will therefore not be used for any other purposes.

Your participation in this study is voluntary and you are free to opt out any time and at any stage, though I would appreciate it very much if you could complete discussion. The responses you give are your own opinions and, thus, there is no wrong or right answer in this regard. All the information you provide is anonymous and will be handled in strict confidence and used only for the purposes of this study.

Designation of the Participant: _____

Sex: _____

Date: _____

Place: _____

S/N	Interview Questions	Guide
1	Could you tell me a bit about the status of working conditions in your hotel? Follow-questions: please, can you tell me a bit about your understanding on decent work? - Please, can you tell me about the structure positions of employees in your hotel? - How many employees do you have in this hotel? Please, can you tell me the number of female and male employees? What about the number of youth if any? - What type of employment contract do you provide to your employees? (Temporary or permanent) - Based on your experience in the hotel industry, what type of employees do you prefer to employ mostly? - What is the work schedule in terms of hour of work in your hotel? How many hours do your employees work per day? - What is your practice in terms of employees who work overtime, night shift, during public holiday or week rest days? Are there any payment arrangements for employees who work on these occasions? - What is the range of remuneration of employees? What is the lowest and highest salary? - What is your understanding on paid leave? Are your employees entitled to any paid leave? - In case you want to terminate an employee; what are the basis or reasons for terminating the employment contract? What lawful procedures do you consider? - What do you do to ensure health and safe working environment? Are there health and safety measures for protecting employees against diseases, accidents and other related occupational hazards?	<i>The follow-up question/explanation should be posed in case of misunderstanding on what it means to the status of working conditions and the meaning of decent work. It will also reveal characteristics and a general understanding of decent work.</i> Probe: unskilled, semi-skilled, skilled, women, men, youth <i>This question intends to gather information on whether employees have provided with employment contracts/written particulars of employment</i> Probe: annual, sick leave, maternity leave or paternity leave? Probe: Notice or lieu of notice, severance pay, disciplinary hearing, transport

2	To what extent are workers' rights practiced in tourist hotels in the city of Arusha, Tanzania? - Follow-up question: - What is your understanding on freedom of association? - Have you established a union branch in your hotel? How many workers have joined the union? - Which trade union is recognized as an exclusive bargaining agent of employees? - What opinions do you have about the practice of trade unions in workplaces? - To what extent are employees engaged in collective bargaining? Have you concluded any collective bargaining agreement? - Do you have any other means of communicating and discussing terms and conditions of employment with employees? - In your opinions, what is the situation of sexual harassment in your working environment? Have you received any complaint from employees about discrimination or sexual harassment practices? - What does the anti-discrimination policy at work say about discrimination and harassment? - How do you deal with discrimination and sexual harassment in your hotel?	<i>The question aims to get information about the respect and protection of workers' rights such as the right to freedom of association, collective bargaining, protection against discrimination and forced labour.</i> Probe: workers participation, meetings, Probes: discrimination on the basis of race, colour, sex, religion, political opinion, social origin, gender, nationality, etc.? Probe: harassment by employer, customers, or fellow employees Probe: Any policy, training programs etc
3	What is the practice of social protection in tourist hotels in the city of Arusha, Tanzania? - Follow-up questions: What social protection schemes do you use to protect employees? - What type of social security benefits are offered by the scheme you have joined? - What are the compensation measures taken in case of employees' injury or accident? - Who pays for the medical treatment of your employees? Are they ensured with any health insurance fund? - What health insurance fund covers your employees?	Probe: medical insurance, old age pension, maternity benefit, unemployment benefit, invalidity pension, survivor's pension)?
4	- To what extent do you engage in social dialogue with employees or their trade union? - What socio-economic matters of employment do you discuss through social dialogue	

APPENDIX III
IN-DEPTH INTERVIEW FOR TRADE UNION OFFICIAL (CHODAWU)
ARUSHA, TANZANIA

Dear Respondent,

My name is Julieth Mchunguzi, a student at the Institute of Social Work Dare Es Salaam. I am conducting research on Investigating the Practice of Decent Work in Tourist Hotels in the City of Arusha, Tanzania as part of fulfilment for the Master's Degree Programme in Labour Laws, Mediation and Arbitration. The information I would like to collect from you is only for academic purposes and will therefore not be used for any other purposes.

Your participation in this study is voluntary and you are free to opt out any time and at any stage, though I would appreciate it very much if you could complete discussion. The responses you give are your own opinions and, thus, there is no wrong or right answer in this regard. All the information you provide is anonymous and will be handled in strict confidence and used only for the purposes of this study.

Designation of the Participant: _____

Sex: _____

Date: _____

Place: _____

In-Depth Interview Questions

1. What is the practice of the right to freedom of association in tourist hotels?
2. Please, would you explain how far you have managed to reach workers in tourist hotels in Arusha?
3. Please, can you tell me how many members do you have in tourist hotels up to this moment?
4. What challenges do you encounter as a union on the exercise of the right to freedom of association and the right to organize in tourist hotels?
5. What is the situation pertaining to discrimination based on exercising trade unions rights? Is there any reported complaint by your members from tourist hotels?
6. What about termination of employment on the grounds of joining a trade union?
7. What is the practice of collective bargaining in tourist hotels?
8. How successful have you been to be recognized as exclusive bargaining agent of employees in tourist hotels?
9. To what extent do you represent your members in negotiation, disciplinary hearing and any other employment related matters?
10. What are the most reported complaints in terms of working conditions by your members from tourist hotels?

APPENDIX IV

IN-DEPTH INTERVIEW FOR LABOUR OFFICERS

Dear Participant,

My name is Julieth Mchunguzi, a student at the Institute of Social Work Dare Es Salaam. I am conducting research on Investigating the Practice of Decent Work in Tourist Hotels in the City of Arusha, Tanzania as part of fulfilment for the Master's Degree Programme in Labour Laws, Mediation and Arbitration. The information I would like to collect from you is only for academic purposes and will therefore not be used for any other purposes.

Your participation in this study is voluntary and you are free to opt out any time and at any stage, though I would appreciate it very much if you could complete discussion. The responses you give are your own opinions and, thus, there is no wrong or right answer in this regard. All the information you provide is anonymous and will be handled in strict confidence and used only for the purposes of this study.

Designation of the Participant: _____

Sex: _____

Date: _____

Place: _____

In-Depth Interview Questions

1. How regularly do you conduct labour inspection in tourist hotels?
2. In your opinions and based on your experience, what can you say on employers' compliance with labour laws, regulations and other guidelines in tourist hotels?
3. What is the status of working conditions in tourist hotels where inspection has been conducted? (Contract of employment, hours of work, wages, leave, overtime etc)?
4. Could you please describe the practice of workers' rights in these hotels? (Freedom of association, collective bargaining, social dialogue)?
5. Do employees report any kind of discrimination and sexual harassment in these hotels?
6. What obvious cases do you find in tourist hotels when you conduct inspection?
7. What challenges do you encounter in conducting labour inspection in Tourist hotels?
8. In your opinions, and based on your experience, what are your concluding remarks about the practice of decent work in tourist hotels in Arusha.