

**THE EFFECTIVENESS OF LABOUR INSPECTION
MECHANISM IN PREVENTING LABOUR DISPUTES
IN TANZANIA**

**The Case of Labour Administration and Inspection Section
in Dar es Salaam**

Nuru Fanuel Pajenga

Master Degree in Labour Laws, Mediation and Arbitration

Institute of Social Work

November 2024

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**By
Nuru Fanuel Pajenga**

**A Dissertation Submitted In Partial Fulfillment of the Requirements for the
Award of Master Degree in Labour Laws, Mediation and Arbitration at the
Institute of Social Work**

November 2024

CERTIFICATION

The undersigned certify that I have read and hereby recommend for acceptance by The Institute of Social Work a dissertation titled: *“The Effectiveness of Labour Inspection Mechanism in Preventing Labour Disputes in Tanzania: The Case of Labour Administration and Inspection Section in Dar es Salaam”* submitted in partial fulfilment of the requirements for the Award of Master Degree in Labour Laws, Mediation, and Arbitration of the Institute of Social Work, Tanzania.

.....

Prof. Sotco Claudius Komba
(Supervisor)

.....

Date

DECLARATION AND COPYRIGHT

I, **Nuru Fanuel Pajenga**, 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

This dissertation is dedicated to my lovely mother, **Sarah Mabena**, who inspired me very much in my academic pursuit and tolerated my absence till I accomplished my studies. Definitely, all the family members contributed immeasurably and tirelessly in providing support and encouragement in my entire period of study.

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LIST OF ABBREVIATIONS AND ACRONYMS

ATE	Association of Tanzania Employers
CAP	Chapter
CMA	Commission for Mediation Arbitration
ILO	International Labour Organization
LRA	Labour Relations Act
OSHA	Occupational Safety and Health Authority
R.E	Revised Edition
URT	United Republic of Tanzania
TUICO	Tanzania Union of Industrial and Commercial Workers
TAMICO	Tanzania Mines and Construction Workers Union

ABSTRACT

This study assessed the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania. Specifically, it aimed to: examine the legal and institutional frameworks for labour inspection in Tanzania; assess labour inspection roles in preventing labour disputes in Tanzania; explore the approaches used by labour inspectors in preventing labour disputes in Tanzania; and determine the challenges facing labour inspection in Tanzania. The study employed purposive and convenience sampling methods, involving 25 participants in a case study design. Following a qualitative approach, data collection was conducted through interviews and document reviews, and data analysis employed thematic and content analysis. The study identified different legal frameworks established to govern labour inspection in Tanzania. They include the Non-Citizen Act, the Employment and Labour Relations Act, the Occupational Health and Safety Act, the Workers Compensation Act, the Labour Institutions Act, the Wage Order of 2022, the National Social Security Fund Act and the Public Service Social Security Fund Act. Institutional frameworks supporting inspection include Labour Administration and Inspection Section, Occupational Safety and Health Authority, Workers Compensation Fund, National Social Security Fund and Public Service Social Security Fund. Labour inspection was found to play various roles in preventing disputes at the workplace. Their roles are such as the provision of education and training, advice, enforcement and resolution where necessary. The study also found different approaches applied by labour inspectors in preventing disputes at workplace, such as routine inspection visits, special inspections visits, and follow up inspection visits. The study revealed different challenges faced by labour inspection in Tanzania, such as inadequate financial resources and working facilities, insufficient labour officers, and lack of district-level labour offices, geographical remoteness, political interference, and professionalism issues. Based on these findings, it is recommended that the government, trade unions representatives, and employers' representatives collaborate to raise awareness among employers and employees about labour laws and regulations.

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CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1 Introduction

Prevention, internal dispute resolution, and third-party intervention are three key principles of dispute resolution. The prevention principle involves mechanisms of labour inspection, collective bargaining, social dialogue, and labour management cooperation, all aimed at preventing disputes in workplaces. The internal dispute resolution principle emphasises resolving disputes within an organisation through collective bargaining once prevention efforts have not succeeded. The third-party intervention principle involves issues of mediation, arbitration, and adjudication. When disputes cannot be resolved internally, they may be referred to bodies like the Commission for Mediation and Arbitration and the Labour Court, where a neutral third party, such as a mediator, arbitrator, and judge, helps in reaching a resolution (Heron & Vandenabeele, 1999:7).

Moreover, the government has been providing inspection services in workplaces to ensure effective compliance with labour laws, as many disputes arise from non-compliance with these laws. This government effort aims to create a conducive environment for continuous production activities in industries and foster sustainable economic development. The government's goal in conducting labour inspections is to prevent and reduce the number of labour disputes associated with non-compliance by ensuring effective adherence to legal provisions (Heron et al., 1999:7). According to Richthofen (2002:34), the main function of labour inspection is to ensure there is effective application of labour legislation in the workplace.

Despite government efforts to prevent disputes in workplaces, many labour disputes continue to prevail. This is evidenced by the number of labour disputes referred to the Commission for Mediation and Arbitration for resolution, as per statistics provided by the Tanzania and Zanzibar Labour Market Profile 2021–2022. The situation prompted the researcher to conduct the current study to assess the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania.

As an introduction, this chapter presents the background of the study, statement of the problem, general objective and specific objectives of the study, research questions, significance of the study, and scope of the study.

1.2 Background to the Study

Labour inspection is a public function within labour administration aimed at ensuring adherence to labour laws in the workplace (ILO, 2010). Its primary role is to convince the social partners to observe the labour laws and mutual interests in this regard through preventive, educational, and, where necessary, enforcement measures. Labour inspection visits are categorised into three types, namely routine, special, and follow-up visits. A routine inspection visit involves daily inspection activities, whereas special inspection visits are done by request, and they are conducted in response to specific events or complaints requiring immediate action, such as accidents, work-related fatalities, or work permit issues. A follow-up inspection visit is conducted to verify an employer's compliance with directives issued during a previous inspection (ILO, 2006).

Labour inspection plays a fundamental role in enforcing and promoting compliance with labour laws. An effective and functioning labour inspection system is essential for realising fundamental principles and rights at work (ILO, 2022:2). The scope of labour inspection encompasses various matters, including occupational health and safety, covering the prevention and investigation of work-related accidents and diseases; welfare facilities; the prevention and elimination of violence and harassment in the world of work; wages; working hours, overtime, holidays, and rest periods; fundamental principles and rights at work; the employment relationship; social security registration and contributions; employment of women, children, and young people; and other workers with special needs (Article 27 of Convention No. 81 of 1995).

Labour inspection is conducted worldwide to ensure effective compliance with labour laws, bearing in mind that it plays a role in preventing disputes (ILO, 2010). It is worth noting that many workplace disputes arise due to non-compliance with labour laws. Workplace inspection is conducted to ensure employers and employees' compliance

with labour legislation (Dawite,2014).According to Richthofen (2002:34), the main inspection functions related to enforcing legislation, which already have an evident preventive objective, contain provisions that address key aspects of the preventive role of inspection services. These aspects encompass inspecting new establishments, materials or substances, work processes, and preventing occupational accidents and diseases.

Furthermore, Richthofen (2002:35) asserts that prevention in the context of labour protection involves, first of all, a determined effort to avoid incidents, disputes, accidents, conflicts, and occupational diseases by guaranteeing compliance with existing legislation. According to Heron et al. (1999), labour dispute prevention can be achieved by ensuring effective labour inspection and workplace relations. Additionally, labour inspectors play an essential role in dispute prevention in the workplace, particularly individual rights disputes, because they ensure compliance with labour laws (Heron et al., 1999).

Richthofen (2002), as cited in Malema (2013), identified six major roles of labour inspection. These include prevention, enforcement, advisory, educational, information, and collaboration. These roles collectively demonstrate the significant impact labour inspectors have on fostering healthy industrial relations (Richthofen, 2002). In contrast, Courdouan (2005) recognised only three roles of labour inspection, namely prevention, enforcement, and advisory. According to Courdouan (2005), other roles mentioned by various scholars are inclusive of each of these three major roles of labour.

In addition, the powers of labour officers are well stipulated under Section 45(1) of the Labour Institutions Act (CAP 300.R.E.2019). These powers include: (a) to enter any premises with a prescribed certificate of authorisation; (b) to order in the prescribed form any person to appear before him at a specified date, time, and place; and to question that person. (c) require any person who has control over any information, book , document, or object to furnish it and explain any entry in the information, book, document, or on the object; (d) examine and make copies of or seize any book, document, or object produced; (e) take a sample of any object produced; (f) give

directions on where notices required in terms of this Act are to be posted; (g) request a member of the police force to assist in the exercise of the powers referred to in this subsection; (h) request any person to assist as an interpreter or otherwise in the exercise of the powers referred to in this subsection. (i) institute proceedings in the resident magistrate's court or district court in the respect of any contravention of any labour law and may appear and prosecute in the name of the labour commissioner; (j) educate, advise, and oversee the implementation of labour laws; (k) conduct and scrutinise any election or ballot of a registered trade union or employer association if required to do so by the labour court or at the request of the union or association concerned; and (l) provide employees, employers, registered trade organisations, and federations with advice and training in skills for the avoidance, prevention, and settlement of labour disputes.

Moreover, labour inspectors play a crucial role in enforcing employees' rights, preventing abuse by unscrupulous employers, and promoting economic and social development in any country (ILO, 2010). They contribute significantly to making decent work a reality and provide pointers to social-economic trends within communities. This is done to ensure compliance with health and safety at work and other terms and conditions of employment. Labour inspection contributes to the achievement of decent work goals (Labour Inspection Report, 2018–2019).

Penasihat and Perburuhan (2017) contend that labour inspection involves supervising the enforcement of legal provisions, particularly concerning workers' rights, and providing information, advice, and training related to labour laws. It plays a crucial role in society by creating friendly environments for production activities. Labour inspection maintains labour relations and ensures the implementation of labour laws by both employers and employees at all levels and in all sectors. Furthermore, Hang (2008) asserted that labour inspection is an essential tool for the government to monitor and manage labour field. In Vietnam, occupational accidents have been occurring in many workplaces due to a lack of adherence to safety standards. Strikes, labour disputes, discrimination, complaints, and renunciations at workplaces still persist in many economic sectors. The essential need for labour inspection is to seek effective solutions to address the prevailing problems in most workplaces (Hang, 2018).

Dawite (2014) conducted a study on the role of labour administration and inspection in labour law compliance in Tanzania. The study revealed compliance low with labour law compliance in Tanzania due to infrequent workplace inspections. Additionally, the study revealed low awareness of labour laws among employers and employees, leading to labour disputes due to failure to comply with these laws. Similarly, Malekela (2015) investigated labour dispute prevention mechanisms and industrial relations in Mufindi District in Tanzania. The study found that labour disputes in the wood industry often arise from unfair termination of employment contracts and underpayment of wages. It concluded that insufficient efforts are made towards preventing disputes in the wood industry in Mufindi District.

Furthermore, at the international level, International Labour Organisation adopted different conventions related to labour inspection as part of efforts towards preventing disputes in the world of work to ensure effective compliance with labour laws for both employers and employees. Conventions adopted by International Labour Organisation include Labour Inspection No.81 of 1947, Labour Inspectorates (Non-Metropolitan Territories) Convention No.85 of 1947, and Protocol No.81 of 1995 to the Labour Inspection Convention of 1947, Labour Inspection (Seafarers) Convention No.178 of 1996, and Labour Inspection (Agriculture) No.129 of 1969. This was done because of the contribution of labour inspection in promoting harmonious relations at the workplace.

The International Labour Organisation encourages each member state to ratify these conventions due to their usefulness in preventing workplace disputes. The ILO Committee of Experts on the Application of Conventions and Recommendations (1964) emphasised that “the existence of an efficient labour inspectorate provides the surest guarantee that national and international labour standards are complied with not only in law but in fact.”

The Government of the United Republic of Tanzania made efforts to ratify various ILO Conventions related to labour dispute prevention and established legal frameworks for labour dispute prevention to prevent labour disputes. These mechanisms include labour inspection, collective bargaining, social dialogue, and

labour management cooperation. All these mechanisms are in place for purposes of creating sound industrial relations, considering that the non-existence of labour disputes leads to economic growth in a country.

In addition, at the national level, the Government of the United Republic of Tanzania has established two institutions responsible for conducting workplace inspections. These are the Labour Administration and Inspection Section, established under Part VI of the Labour Institutions Act (CAP.300. R.E.2019), and the Occupational Health and Safety Authority (OSHA), established under the Executive Agency Act No.30 of 1997. While the Labour Administration and Inspection Section oversees employment standards, the Occupational Health and Safety Authority (OSHA) focuses on ensuring a conducive workplace environment, including health and safety standards.

Despite the government's efforts to prevent disputes in the workplace by ensuring effective compliance with labour laws, labour disputes continue to prevail in many workplaces across Tanzania. The persistence is evident in the number of labour disputes reported to the Commission for Mediation and Arbitration (CMA). According to Chuwa (2014), 6065 labour disputes were reported to the CMA in 2008. The study further shows that the number of labour disputes reported to the CMA increased to 43,003 between 2007 and 2012. Table 1 shows cases of labour disputes reported to CMA from 2016-2019, as indicated in the Tanzania and Zanzibar Labour Market Profile of 2021-2022.

Table 1.1: Cases Reported to the Commission for Mediation and Arbitration in Tanzania 2016-2019

Year	2016	2017	2018	2019
Number of cases	1,560	1,688	2,401	2,630

Source; Tanzania and Zanzibar Labour Market Profile (2021/2022)

Given the increasing number of disputes in Tanzania, this study aims to assess the effectiveness of labour inspection mechanism in preventing labour disputes and investigate the correlation between the rise of labour disputes and labour inspection practices.

1.3 Statement of the Problem

Labour inspection has become a compelling research area explored by scholars worldwide, including in both developed and developing countries. Despite the efforts of the government of the United Republic of Tanzania to establish labour institutions such as the Labour Administration and Inspection Section and the Occupational Health and Safety Authority (OSHA), alongside legal frameworks like the Occupational Health and Safety Act of 2003, the Labour Institutions Act (CAP 300.R.E.2019), and the Employment and Labour Relations Act (CAP 366.R.E.2019) to address workplace disputes, incidents of labour disputes have continued to escalate in the country. Considering that labour inspection mechanism play a crucial role in mitigating workplace disputes, this study aimed to establish the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania.

1.4 Objectives of the Study

1.4.1 General Objective

The general objective of this study was to investigate the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania.

1.4.2 Specific Objectives

This study specifically aims:

- i) To examine the legal and institutional framework for labour inspection in Tanzania
- ii) To assess labour inspection roles in preventing labour disputes in Tanzania
- iii) To explore the approaches used by labour inspectors in preventing labour disputes in Tanzania; and
- iv) To determine the challenges facing labour inspection in Tanzania.

1.5 Research Questions

This study was guided by four research questions as follows:

- i) What are the legal and institutional frameworks for labour inspection in Tanzania?
- ii) How do labour inspection roles prevent labour disputes in Tanzania?

- iii) What are the approaches used by labour inspectors in labour disputes prevention in Tanzania?
- iv) What are the challenges facing labour inspection in Tanzania?

1.6 Significance of the Study

The findings of this study are useful for understanding the role of labour inspection in preventing workplace disputes and have the potential to enhance labour inspection. Additionally, the study's findings shed light on various approaches employed by labour inspectors to prevent disputes in workplaces. Furthermore, the study exposed different challenges associated with labour inspection in the workplace.

The findings provide valuable insights to researchers and students interested in studying labour inspection mechanisms in preventing workplace disputes. They also provide practical guidance for policymakers in addressing challenges associated with the labour inspection process with a view to enhancing the efficiency and effectiveness of labour inspection services in Tanzania.

1.7 Limitation of the Study

The study encountered several challenges, including rejection by other organizations to participate, some uncooperative employers and employees during data collection, insufficient time for successful completion of the study, and inadequate financial resources. The researcher effectively managed time to ensure that the study was conducted successfully and achieved its intended objectives. The researcher also utilized resources properly to achieve the intended objectives of the study. Additionally, the researcher found other employers and employees who cooperated and provided the intended information related to the study. Furthermore, the researcher found other organizations that were ready to participate in the study.

1.8 Delimitation of the Study

This study was limited to information on the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania, and the data were collected in Dar es Salaam in different institutions such as Labour Administration and Inspection, the Association of Tanzania Employers, the Tanzania Union of Industrial and Commercial Workers, TAMICO, MMI Steel Company Limited, Delta Hotel, and

Kliktech Company Limited. The study employed a qualitative approach and also employed purposive and convenience sampling. The data were collected from labour officers, employers, employees, and representatives from employers and employee Organisations. However, the study involved 25 participants, and the data were collected through interviews and reviews of documents. The study employed thematic and content analysis in analysing the data.

1.9 Definitions of Key Terms

In the fields of social and management science, concepts may connote different things according to the context in which they are used. Therefore, it is important to ensure clarity in their definitions. For the purpose of this study, four key concepts are defined as follows:

1.9.1 Labour Inspection

Labour inspection is a method or mechanism established by the government to ensure that employers and employees comply with the provisions of the labour laws.

1.9.2 Labour Dispute

This connotes a disagreement between employer and employee. On the other hand, employers and trade unions may have concerns about the application, interpretation, and implementation of the labour laws and other matters that are not stipulated under the laws.

1.9.3 Labour Dispute Prevention

This is a way of preventing or avoiding disputes from happening at the workplace by taking deliberate actions or measures.

1.9.4 Workplace

Workplace is a place where an employee performs duties in the course of his/her employment.

1.9.5 Commission for Mediation and Arbitration

This is an institution that is responsible for resolving disputes between employer and employee that happen in the private sector.

1.10 Organization of the Study

This study comprises five chapters. The first chapter provides the foundation for the study by delineating the background of the problem, statement of the problem, objectives of the study, research questions, and significance of the study. Furthermore, this chapter presented limitations and delimitations of the study, definitions of key terms, and the organisation of the study. The second chapter critically reviewed the literature related to the study. It contains a theoretical literature review, a theoretical framework, an empirical literature review, and the research gap. The third chapter presents the research methodology and data collection tools that were used in the study. Data presentation, analysis, and discussion of the findings are done in the fourth chapter. Chapter five summarises the findings of the study, conclusions, recommendations, and areas for further studies.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter comprises theoretical literature review, empirical literature review and research gap.

2.2 Theoretical Literature Review

2.2.1 The Origin of Labour Inspection in the World of work

During the industrial revolution, workers faced numerous challenges that resulted from labour disputes. These disputes stemmed from issues such as long working hours, poor working conditions, low wages, unsafe or unhealthy working arrangements, and excessive exploitation and redundancy (Allen, 2009). The occurrence of these labour disputes hampered the country's productivity and economic growth. Moreover, labour disputes in the workplace hinder the achievement of social and economic development, as they create an unfriendly environment for development (Hillstrom, 2006; Allen, 2009).

Labour dispute prevention has roots dating back to the 1760s and 1870s, coinciding with the industrial revolution. The radical change during this period caused a negative impact on workers, as their conditions were extremely bad. To address these issues, labour inspection emerged as a mechanism for dispute prevention in the workplace (Burnette et al., 2010). Labour inspection emerged during the nineteenth century in response to the challenges posed by the industrial revolution. Originating in Great Britain, labour inspection spread to Europe and beyond, paralleling the expansion of industrialization. Notably, in 1802, the British government passed an Act aimed at safeguarding the health and morals of apprentices in textile and other factories, marking the official inception of labour inspection (Richthofen, 2002).

The role of labour inspection is to promote compliance with labour legislation alongside good or fair labour practices. It aims to secure fundamental workers' rights, foster a balanced social environment, economic development, and sound and effective industrial relations. These aspects serve as the foundations for constructive social dialogue and create a friendly environment for investment (Richthofen, 2002).

2.2.2 Labour Inspection Services in Tanzania

These institutions have been established mainly to provide inspection services at workplaces and raise awareness of labour laws among employers and employees. This helps to prevent workplace disputes resulting from employees' and employers' compliance with the laws. Additionally, these institutions, through labour inspectors, are responsible for providing training related to dispute prevention and resolution.

2.2.3 Types of Labour Inspection Visits

There are three types of inspection visits, namely routine visits, follow-up visits, and special visits (Rice, 2006; ILO, 2022). Routine inspection visits are carried out to verify compliance with the provisions of the law and advise companies' full compliance with the law. These visits usually cover the full range of matters covered by the mandate of the inspection. Most routine visits will not require follow-up by a return visit by an inspector. But some will, particularly where the inspector has given a deadline for rectifying problems or shortcomings, issue a warning letter, an improvement notice, or a stop order (Rice, 2006; ILO, 2022).

Follow-up visits are conducted to determine the extent to which the company has responded to or addressed the outcome of a previous routine visit. Labour inspectors have a degree of discretionary power, not for the content of the law they are needed or supposed to enforce but for the time given to the company to address shortcomings (Rice, 2006; ILO, 2022). Special visits may be in response to or as an investigation of a specific complaint from a worker in a particular company. They may concern a particular problem relating to the inspection's priorities (fire safety, illegal employment, asbestos, etc.) or may involve investigating a particular problem, for example, a serious work accident. Such visits relate to a specific issue and to collecting information to assist in decision-making on that issue (Rice, 2006; ILO, 2022). All these types of inspection visits have been conducted in Tanzania to ensure full compliance with the provisions of the law by all parties and create a friendly environment for smooth production activities.

2.2.4 Roles of Labour Inspection in Tanzania

There are three main roles of labour inspection in Tanzania, such as preventive role, enforcement role, advisory role, and resolution role (Malema, 2013).

2.2.4.1 Preventive Role

Prevention in the world of work involves implementing deliberate efforts to ensure that workplaces comply with agreed standards, with both workers and employers viewing compliance with such norms as social responsibility. According to Masayuki (2008), a greater percentage of labour disputes are settled by labour inspectors through their inspection activities, and that labour inspections not only prevent violations of labour laws by enterprises but also have the function of providing relief to laborers. Hence, they concluded by recommending strengthening the labour inspection system to reduce the rise of labour disputes. According to Heron et al. (1999:7), dispute prevention can be achieved by ensuring effective labour inspection. This role is well reflected under Section 45(1) of the Labour Institutions Act (CAP 300.R.E.2019)". Labour inspectors have an essential role to play in dispute prevention at the workplace, particularly in individual rights disputes. Effective labour dispute prevention is very important for sound and productive employment relations (Heron, 2013: ii).

2.2.4.2 Enforcement Role

Enforcement is another important role played by labour inspectors. Richthofen (2002:35) asserted that to speak of prevention in the context of labour protection implies, first of all, a determined effort to avoid incidents, disputes, accidents, conflicts, and occupational diseases by ensuring compliance with existing legislation. This means that the enforcement of labour legislation contributes to the prevention of incidents, disputes, accidents, conflicts, and occupational diseases. Malema (2013), as cited by Courdouan (2005), maintains that labour inspection contributes to the transition of economies through its work of enforcing labour legislation at workplaces. This allows enterprises to be free from labour disputes and be productive. This role is well stipulated under Section 45(1) of the Labour Institutions Act (CAP 300, R.E. 2019), which states that the power of a labour inspector is to educate, advise, and oversee the implementation of labour laws. The labour inspectors are required to

enforce the laws and ensure full compliance with the provisions of the labour laws by all parties (Heron et al., 1999:9).

Table 2.1: Traditional Enforcement Model Vs Strategic Compliance Model

	Traditional Enforcement Model	Strategic Compliance Model
Aim	Enforcement	Enforcement & compliance
Approach	Reactive (often complaint driven) and routine	Proactive (labour inspectorate driven), targeted, and tailored based on a diagnosis of the causes of non-compliance
Intervention	Enforcement, education and communication	Enforcement, education, communication and political systems
Stakeholders	Workers and their organizations, employers and their organizations	Workers and their organizations, employers and their organizations, government entities and non-governmental entities
Implementer(s)	Labour inspectorate	Labour inspectorate and stakeholders
Performance measures	Effective and efficient enforcement	Effective and efficient enforcement and sustained compliance.

Source (Melville, 2022)

2.2.4.3 Advisory Role

According to Malema (2013), instead of deploying sanctions, labour inspectors must know the spirit of the law and seek to attain its objectives by adapting legal requirements to different types of firms, criticising, persuading, and giving advice over adversarial and punitive means of labour law enforcement. This role is well stipulated under Section 45(1)(j) of the Labour Institutions Act (CAP 300, R.E. 2019), which states that the power of a labour inspector is to educate, advise, and oversee the implementation of labour laws. Under Section 45(1)(i) of the Labour Institutions Act (CAP 300, R.E. 2019), which states that upon request, labour officers may provide employees, employers, registered trade organisations, and federations with advice and training in skills for the avoidance, prevention, and settlement of labour disputes. The labour inspectors are required to advise employers and employees on how to comply fully with the provisions of the law (Heron et al., 1999:9).

2.2.5 Types of Labour Disputes

A dispute is a disagreement between two or more parties. However, a labour dispute is a disagreement between two or more parties over terms and conditions of employment, where the disputing parties are labour and management (Heron et al., 1999:1). There are classifications of labour disputes; these are individual disputes versus collective disputes, disputes of rights, and disputes of interest (Heron et al., 1999:3, 2013:18). The following are two classifications of labour disputes:

2.2.5.1 Individual Dispute Versus Collective Dispute

An individual dispute is a disagreement between an individual employee and his or her employer. An individual dispute may be defined as a dispute between individual employees against their employer. Individual labour disputes may result from different reasons, such as non-payment for work done by the employee, unfair dismissals, and delays in the payment of wages, while a collective dispute is a type of dispute that involves a group of workers or their representatives and one or more employers (Heron et al., 1999:3; Heron, 2013:18).

2.2.5.2 Dispute of Right and Dispute of Interest

A dispute of rights is a type of dispute that involves the interpretation or application of an existing right as laid down in labour legislation, a collective bargaining agreement, an individual contract, and existing practices. Disputes of rights are commonly individual disputes, while disputes of interest are a type of dispute that involves a claim for future rights. Most disputes of interest are collective disputes (Heron et al., 1999:3; Heron, 2013:18).

Labour disputes may be categorised into disputes of interest and disputes of rights. A Dispute of interest is sometimes called a dispute for future rights. Therefore, dispute of interest means any dispute except a complaint, whereas dispute of rights means any dispute arising from the application, interpretation, or implementation of (a) an agreement or contract with an employee, (b) a collective agreement, (c) this Act or any other written law administered by the minister, (d) Part VII of the Merchant Shipping Act (Section 4 of the Merchant Shipping Act) (Section 4 of the Employment and Labour Relations Act No.6 of 2004 (R.E.2019).

2.2.6 Three Key Principles of Dispute Resolution

There are key principles of dispute resolution, including the prevention principle, the internal resolution principle, and the third-party intervention principle (Heron et al., 1999:7; ILO, 2022). Dispute resolution refers to resolving disputes through negotiation, conciliation, and mediation in which disputing parties take prime responsibility for solving their problems (Heron et al., 1999:7).

2.2.6.1 Prevention Principle

The prevention principle states that prevention is far better than resolution. Dispute prevention can be achieved through effective labour inspection, effective workplace relations, collective bargaining, and social dialogue at the workplace. In dispute prevention, labour inspectors have an essential role to play, particularly in individual disputes of rights. There are various mechanisms established to prevent disputes at the workplace. These include labour inspection, collective bargaining, social dialogue, and workplace relations/labour management cooperation (Heron et al., 1999:7, 9, 17&18; ILO, 2022). Effective prevention of labour disputes is very important for sound and productive employment relations (Heron, 2013: ii).

The government of the United Republic of Tanzania has established various mechanisms for the purpose of preventing disputes at workplaces such as labour inspection, which is established under Sections 43–49 of the Employment and Labour Relations Act (CAP.300. R.E.2019). The institution that is responsible for labour inspection, the Labour Administration and Inspection Section is established under Part VI of the Employment and Labour Relations Act (CAP.300. R.E.2019). Apart from that, the government established the Occupational Safety and Health Authority (OSHA), which is established under Executive Agency Act No. 30 of 1997. This institution is dealing with health and safety at the workplace.

Additionally, the government of the United Republic of Tanzania put in place collective bargaining to be conducted at the workplace so as to prevent disputes. Collective bargaining provides an opportunity for management and trade union representatives to discuss terms and conditions of employment together and make improvements where necessary. Collective bargaining is recognised as a mechanism

for dispute prevention at the workplace through Rule 50(2) C of Government Notice No. 42 of 2007, which shows that collective bargaining can be used for preventing disputes at workplaces. Collective bargaining is also well stipulated under Section 64 up to 74 of the Employment and Labour Relations Act (CAP.366. R.E.2019) and even Section 36(1) b of the Labour Institutions Act (CAP.300. R.E.2019), whereby one of the functions of the Wage Board is to promote collective bargaining between registered trade unions, employers, and registered employers' associations.

Furthermore, the government of the United Republic of Tanzania has put social dialogue in place to create a friendly environment. Section 3 of the Labour Institutions Act (CAP 300.R.E.2019) established the Labour, Economic, and Social Council (LESCO), which has been conducting social dialogue with other social partners such as representatives from government, employers, employees, experts, and other non-governmental organizations. This council consists of representatives from government, employers, employees, and other experts. Social dialogue has been conducted at the enterprise, sectoral, and national levels to create a friendly environment to prevent workplace disputes. The government has been emphasising preventing disputes at the workplace because they are barriers to national development. This has been done so as to ensure continuous production in industries and sustainable economic development in the country.

2.2.6.2 Internal Dispute Resolution Principle

Internal dispute resolution requires that if prevention is impossible, the parties in dispute should resolve their own disputes through negotiation and collective bargaining. This happens when dispute prevention fails, and once a dispute arises, the parties attempt to resolve it among themselves without involving the third neutral party (Heron et al., 1999:7, 19& 20; ILO, 2022). The government of the United Republic of Tanzania has been insisting that the parties resolve their disputes themselves without involving neutral third parties. The government has been insisting on the parties resolving their dispute by using internal mechanisms such as collective bargaining. According to Rule 50(2) C and Rule 49(6) of Government Notice No. 42 of 2007, collective bargaining can be used for resolving disputes at the workplace. Additionally,

the management and trade union representatives have been resolving disputes at the workplace before they are referred to the Commission for Mediation and Arbitration.

2.2.6.3 Third Party Intervention Principle

The third-party intervention principle states that if the parties fail to resolve their disputes independently, a third party should intervene to assist in resolving their disputes through methods such as conciliation, mediation, arbitration, and adjudication (Heron et al., 1999:7, 23, 43; ILO, 2022). This principle is commonly applied in Tanzania; the government has established various mechanisms for resolving workplace disputes that cannot be internally resolved within organizations. These mechanisms are well defined under the Employment and Labour Relations Act (CAP.366. R.E.2019).

The first mechanism or method is mediation, whereby the mediator, who is a neutral third party, assists the disputing parties in reaching mutual agreement. According to Rule 3(1) of Government Notice No. 67 of 2007, mediation is a process in which a person independent of the parties is appointed as a mediator and attempts to assist them to resolve a dispute. They may meet with parties jointly or separately and, through discussion and facilitation, attempt to help parties settle their dispute. The mediator has no power to make a decision on the dispute, but the mediator is there to assist the parties in reaching a mutual agreement. The parties to a dispute may decide to end the dispute or not, depending on their willingness. This method is stipulated under Sections 86 and 87 of the Employment and Labour Relations Act (CAP.366. R.E.2019).

Mediation is a process conducted under the Commission for Mediation and Arbitration as required per Section 14(1) a of the Labour Institutions Act (CAP.300. R.E.2019). The Commission for Mediation and Arbitration is established under Section 12 of the Labour Institutions Act (CAP.300.R.E.2019). Additionally, if the dispute remains unresolved through the mediation process, either the dispute of rights or the dispute of interests in essential services may be referred to another process called arbitration.

The second mechanism or method is arbitration, whereby a neutral third party who is appointed as an arbitrator intervenes with the disputing parties to resolve the dispute by considering who is right and who is wrong. According to Rule 18(1) of the Government Notice No. 67 of 2007, arbitration is defined as a process in which a person appointed as an arbitrator for resolving disputes determines the dispute for the parties. In this process, the arbitrator has the power to decide or determine the dispute as required under Section 14(1) b of the Labour Institutions Act (CAP.300. R.E.2019). This method is stipulated under Sections 88–93 of the Employment and Labour Relations Act (CAP.366. R.E.2019). The arbitration process is conducted under the Commission for Mediation and Arbitration (CMA). When the parties are not satisfied with the award provided by the arbitrator, they may seek revision from the High Court (Division of Labour).

The third method is adjudication, as stipulated under Section 94 of the Employment and Labour Relations Act (CAP.366. R.E.2019). The adjudication process is conducted under the Labour Court. The Labour Court is established under Section 50 of the Labour Institutions Act (CAP.300. R.E.2019).

2.2.7 Challenges Facing Labour Inspection in Tanzania

2.2.7.1 Inadequate Financial Resources

ILO (2010:10) maintains that for efficient and effective labour inspection services, there is a need to invest enough financial resources in inspection personnel and equipment and training for new and existing staff. This is one of the challenges facing labour inspection in Tanzania, whereby a small amount of money is allocated for labour inspection activities or services, which is not enough for labour inspectors to visit all workplaces and check compliance with labour standards. This has been a great challenge that has affected the provision of labour inspection services. The labour inspection services or activities require financial resources to be used in delivering services, such as the transport cost of visiting the workplaces, because sometimes labour inspectors or officers have been using public transport to visit various workplaces to see compliance with labour standards (Dawite, 2014).

2.2.7.2 Inadequate Number of Labour Inspectors or Officers

Another significant challenge facing labour inspection in Tanzania is the shortage of labour inspectors or officers related to the demand. This shortage means that many workplaces remain unvisited by labour officers or inspectors. The low number of labour inspectors or officers has contributed to some extent to the delivery of poor labour inspection services. This is attributed to the fact that for all workplaces to be visited, there should be enough labour inspectors or officers capable of visiting all workplaces in order to ensure that there is good compliance with labor standards in all workplaces (Dawite, 2014). In addition, “inadequate number of labour inspectors is known as the biggest challenge for labour inspection agencies” (Hang, 2018:2).

2.2.7.3 Inadequate Working Facilities

Lack of enough working facilities such as computers, printers, and transport facilities such as motor cars that can be used for visiting various workplaces is another challenge of labour inspection in Tanzania. Transport facilities have been a great problem in Tanzania, something that has affected labour inspection services. Transport facilities are very important in ensuring effective and efficient delivery of labour inspection services. Shortage or inadequate transport facilities prevent many workplaces from being visited. Having adequate transport facilities in place is important as far as labour inspection is concerned. This is because they can assist, to a greater extent, in ensuring that all workplaces are visited as required and that all social partners (employees and employers) comply fully with labour standards or labour legislations (Dawite, 2014).

2.2.7.4 Inadequate Funds

Funding is a difficult and often structural problem that results from insufficient or unreliable budget allocations (ILO, 2010:6). This is another challenge facing labour inspection in Tanzania, whereby most of the government budget has been inadequate because the money (financial resources) allocated to the ministry responsible for labour is little. According to ILO (2010), the government budget indicates the whole allocation of resources. However, the allocation of resources to the ministry of labour is still not enough, which affects the provision of labour inspection services as it requires enough financial resources for recruiting new employees, paying them, and purchasing vehicles for visiting the workplaces (Dawite, 2014).

2.2.7.5 Ineffective Coordination within the System and with other National Inspection and Government Agencies and Public or Private Institutions Engaged in Similar Activities

According to ILO (2010:8), coordination within the system and with other national inspection and government agencies and public or private institutions engaged in similar activities can help to improve the overall effectiveness of a country's labour inspection services. However, this is not the case in Tanzania, as the institutions with the mandate to carry out labour inspections are not efficient and effective in performing their duties as required.

2.2.7.6 Lack of Integrity among the Labour Officers

This is another challenge facing labour inspection in Tanzania, where some of the labour inspectors have been taking bribes from employers when they discover that there was a serious violation of labour legislation. Employers have been convincing labour inspectors to take bribes in order to hide the problems or challenges that labour inspectors saw when they were conducting labour inspections within a company (Mendeloff et al., 2014). ILO (2010:10) maintains that these poor conditions frequently lead to ethical problems that threaten the integrity and independence of staff, thereby undermining the public protection function of labour inspectorates.

2.2.8 Mechanisms/Methods for Labour Dispute Prevention in Tanzania

Labour dispute prevention is an important aspect of creating a friendly environment for national development. According to Heron et al. (1999:8), dispute prevention is far better than dispute resolution. Effective labour dispute prevention and resolution is very important for sound and productive employment relations (Heron, 2013: ii). The government has made various concerted efforts with regard to labour dispute prevention. Such efforts include the establishment of legal and institutional frameworks such as the Labour Administration and Inspection Section and the Occupational Health Safety Authority (OSHA). They all deal with delivery of labour inspection services in Tanzania. The government also established various methods and mechanisms for dispute prevention at workplaces, which are as follows:

2.2.8.1 Labour Inspection

This is one of the mechanisms and methods established for dispute prevention at the workplace. A labour inspection has been conducted at the workplace so as to ensure that there is effective compliance with labour laws for both employers and employees. Labour inspectors have been providing legal education to employers and employees on how to comply fully with labour laws, providing legal advice where legal requirements are not met, and addressing some challenges that exist at the workplace.

Labour inspection is directly stipulated under Part VI, Sections 43–49 of the Labour Institutions Act (CAP.300 R.E. 2019). There are two institutions mandated for carrying out labour inspection services in Tanzania. These include the Labour Administration and Inspection Section, which is established under Part VI of the Labour Institutions Act (CAP.300. R.E.2019), and the Occupational Health Safety Authority (OSHA), which is established under Executive Agency Act No. 30 of 1997. The International Labour Organisation (ILO) encourages member states to ratify the Labour Inspection Convention because labour inspection contributes to the implementation of other conventions. In addition, the main purpose of labour inspection is to promote harmonious relations between employers and employees at their working places (ILO, 2021; URT, 2012). Labour dispute prevention may be achieved through effective labour inspection (Heron et al., 1999:7).

2.2.8.2 Collective Bargaining

This is another method or mechanism for dispute prevention at the workplace. It provides an opportunity for management and trade union representatives to negotiate about the terms and conditions of employment. Collective bargaining is well stipulated under Section 64 up to 74 of the Employment and Labour Relations Act (CAP.366. R.E.2019) and even Section 36(1) b of the Labour Institutions Act (CAP.300. R.E.2019). The function of the Wage Board is to promote collective bargaining between registered trade unions, employers, and registered employers' associations.

Apart from that, collective bargaining is stipulated under Rule 49 up to 58 of Government Notice No. 42 of the Employment and Labour Relations Code of Good Practice which states that the objectives of collective bargaining are to resolve and

prevent disputes at the workplace. Collective bargaining extends to all negotiations that take place between an employer, a group of employers, or one or more employers' organisations, on the one hand, and one or more workers' organisations, on the other. This is done for purposes of (a) determining working conditions and terms of employment; and/or (b) regulating relations between employers and workers; and/or (c) regulating relations between employers or their organisations and a workers' organisation or workers' organisations (Article 2 of the ILO Convention No. 154 of 1981).

The purpose of collective bargaining is to promote employer and employee relations through creating a friendly environment, such as improving terms and conditions of employment (URT, 2012). Collective bargaining contributes to labour dispute prevention by sharing power in the workplace (Heron et al., 1999:17).

2.2.8.3 Social Dialogue

This is another mechanism or method for dispute prevention at workplaces. Social dialogue is defined by the ILO to include all types of negotiation, consultation, or simply the exchange of information between or among representatives of governments, employers, and workers on issues of common interest relating to economic and social policy. Social dialogue is the mechanism that has been practiced by the International Labour Organisation.

The International Labour Organisation has been encouraging its member states to use social dialogue as a way forward for preventing disputes at the workplace. Social dialogue has been conducted at the organisational level, sector level, national level, and international level. In addition to that, Section 3 of the Labour Institutions Act (CAP 300.R.E. 2019) established the Labour, Economic, and Social Council (LESCO), which has been practicing social dialogue. This council includes representatives from the government, employers, employees, and other experts.

2.2.8.4 Labour Management Cooperation/Workplace Relations

This is another mechanism or method of dispute prevention at the workplace. Labour management cooperation involves the sharing and exchange of information, joint decision-making, joint problem solving, and joint consultation. Labour management

cooperation creates a friendly environment for the non-existence of labour disputes. Section 73(1) of the Employment and Labour Relations Act (CAP 366.R.E.2019) provides an opportunity for registered trade unions and employer associations to establish forums for worker participation. This has been done because it creates an environment for the non-existence of labour disputes. The involvement of workers in decision-making leads them to feel like part and parcel of that organisation (URT, 2012). Dispute prevention may be achieved through effective workplace relations (Heron et al., 1999:7).

2.2.9 Factors that Contribute to Effective Labour Inspection Services in Tanzania

2.2.9.1 Adequate Financial Resources

According to the ILO (2010:10), there must be adequate financial resources to invest in inspection personnel and equipment and sufficient training for new recruits and existing staff. This means that the amount of money allocated for labour inspection services must be enough to ensure that all workplaces are visited in order to check compliance with labour standards. This has been a great problem that has affected the provision of labour inspection services. Additionally, labour inspection services require financial resources that will be used in delivering services, such as the transport cost of visiting the workplaces, because sometimes labour inspectors or officers have been using public transport to visit various workplaces to see compliance with labour standards (Dawite, 2014; ILO, 2021).

2.2.9.2 Adequate Number of Labour Inspectors or Officers

This is another factor that contributes to effective labour inspection in Tanzania. This is crucially important as labour inspection services require a high number of labour inspectors in order to enable many working places to be visited by labour officers or inspectors in order to see compliance with labour laws or legislation. A high number of labour inspectors or officers contribute to some extent to delivering good labour inspection services because, in order to ensure that all workplaces are visited, there should be a high number of labour inspectors or officers who will facilitate the visit of all workplaces in order to ensure that there is good compliance with labour standards in all workplaces (Dawite, 2014; ILO, 2021).

2.2.9.3 Adequate Working Facilities

Adequate working facilities such as computers, printers, and transport facilities/means such as motor cars that can be used for visiting workplaces are another factor for effective labour inspection in Tanzania. Transport facilities have been a great problem given the landscape of Tanzania. This has led to poor delivery of labour inspection services. Transport facilities are very important in ensuring that there is effective and efficient delivery of labour inspection services. As such, adequate transport facilities such as cars lead to many workplaces being visited for the purpose of ensuring that all social partners (employees and employers) are fully compliant with labour standards and labour legislation (Dawite, 2014; ILO, 2021).

2.2.9.4 Adequate Funds

Funding is among the important factors that contribute to effective labour inspection through reliable budget allocation (ILO, 2010:6). According to ILO (2010), the government budget shows the whole allocation of resources. However, the allocation of resources to the ministry of labour is still not enough because labour inspection services require enough financial resources that will be used for employing new employees and paying them, as well as purchasing vehicles that will be used for visiting workplaces in order to see compliance with labour standards (Dawite, 2014).

2.2.9.5 Effective Coordination within the System and with other National Inspection and Government Agencies and Public or Private Institutions Engaged in Similar Activities

Coordination within the system is a very crucial aspect in the provision of efficient and effective labour inspection services, considering that there are different institutions dealing with labour inspection services at workplaces. ILO (2010) maintains that the mandate to carry out labour inspections must be effectively coordinated. Coordination within the system and with other national inspection and government agencies and public or private institutions engaged in similar activities can help to improve the overall effectiveness of a country's labour inspection services (ibid.).

2.2.9.6 High Integrity among the Labour Officers

This is another factor that contributes to effective labour inspection in Tanzania. The labour inspectors should not take bribes from employers when they discover that there is a serious violation of labour legislation. The government should improve working conditions for labour inspectors so as to prevent them from taking bribes from employers (ILO, 2021; Mendeloff et al., 2014:7& 10). According to the ILO (2010:10), “poor conditions frequently lead to ethical problems that threaten the integrity and independence of staff, thus undermining the public protection function of labour inspectorates.”

2.2.9.7 Training of Labour Inspectors

The labour inspectors are supposed to be adequately trained so as to be able to perform their duties effectively and efficiently as per Article 7(3) of Convention No. 81 of 1947, which says that “labour inspectors shall be adequately trained for the performance of their duties.” This convention requires all labour inspectors to have access to the training necessary so as to perform their daily duties efficiently. The convention also requires every country to develop a training policy and program for labour inspectors in order to be able to deliver inspection services efficiently (ILO, 2021; Mendeloff, Dworsky, Guitierrez, Lytell & Connors 2014:6; Richthofen, 2002:109).

Tanzania is required to develop a training policy and program so as to create a friendly environment for labour inspectors to be well trained and be able to carry out their duties in an appropriate manner. This situation will contribute to a greater extent to dispute prevention at workplaces. In addition to that, the government has made various efforts to establish training policies and programs for its staff so as to enhance their capacity to deliver services to the public (ILO, 2021).

2.3 Theoretical Framework

2.3.1 Rational Choice Theory

Rational choice theory was developed by Adam Smith in 1776, who was an economist. The rational choice theory is based on the assumption of engagement from rational actors. Rational actors are concerned with the individuals in an economy who make rational choices by considering calculations and the available information. This theory

assumes that individuals calculate the benefits and costs associated with each decision they take in their daily lives.

In addition, this theory is directly reflected in this study considering that employers calculate the benefits and costs of complying with labour laws. If they realise that compliance brings benefits, they are more likely to adhere to labour laws, thereby preventing disputes given that many labour disputes arise from non-compliance with these laws.

If employers choose not to comply with labour laws, labour inspectors or officers will enforce compliance by conducting workplace inspections. Moreover, if serious violations are identified, labour officers will take appropriate actions, such as issuing fines, ordering closures, or pursuing legal consequences, including fines or imprisonment, when necessary. This enforcement is essential for encouraging employers to change their behaviour and make them comply with labour laws, ultimately reducing workplace disputes. Likewise, non-compliance with labour laws leads to an increase in disputes at work.

2.4 Empirical Literature Review

Dawite (2014) investigated the potential of labour inspection and administration in improving labour law compliance in Tanzania. The main objective of the study was to examine the effectiveness of labour administration and inspection in improving labour law compliance in mainland Tanzania. The specific objectives of this study were to: evaluate whether low labour law compliance is the source of labour disputes at the workplace; examine challenges facing labour officers in labour inspection; and examine why employers in Tanzania's mainland do rarely comply with labour laws and employment standards. The findings of the study indicate that there is low labour law compliance in Tanzania because of the ineffectiveness of labour administration and the lack of frequent inspections of workplaces by labour law enforcers. The findings further indicate that both employees and employers have an inadequate understanding of labour law, which results in frequent industrial disputes because of failure to comply with the laws. The study concluded that the primary issue hindering compliance with labour laws is an ineffective labour law department that fails to

enforce labour laws and provide labour law education to employers and employees. However, this study did not focus on the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania, which was the focus of the current study.

Malekela (2015) conducted a study on the labour dispute prevention mechanisms and industrial relations in Mufindi District, Tanzania. The objective of the study was to investigate the contribution of labour dispute prevention mechanisms in industrial relations. The study found that labour disputes in the wood industry resulted from unfair termination of employment contracts and underpayment of wages. It also found that little efforts were made towards preventing disputes in the wood industry in the district. However, this study never investigated the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania, which was the focus of the current study

Mantouvalou (2011) carried out a study on labour inspection sanctions in the United Kingdom. The main focus of the study was on the Health and Safety Executive (HSE), because in the area of health and safety there has been more thought and innovation concerning regulation (including enforcement and sanctions) than in other fields of employment and working conditions. The study found that 25 penalty notices were issued from 2007-2008 and 30 from 2008-2009. Furthermore, the study found that deaths decreased from 45% to 30 % from 1999-2000 and 2009-2010 respectively. However, this study did not investigate the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania, which was the focus of the current study.

Furthermore, Malema (2013) conducted a study on the role of labour inspection in the labour dispute settlement framework in Malawi. The main objective of this study was to provide empirical evidence of the contribution of labour inspection to the settlement of labour disputes in Malawi. The specific objectives of this study were to identify labour inspection activities performed during labour inspection visits, assess the extent to which labour inspection activities are instrumental in easing the settlement of labour disputes, examine the observance of labour inspection strategies by the workplace disputants, examine the contribution of enforcement notice and/or order in the

settlement of labour disputes and lastly identify the most appropriate labour inspection roles in aiding the process of labour dispute settlement in Malawi. The study found that labour inspection in Malawi, through its activities and strategies, contributes towards settlement of labour disputes. The study concluded that labour inspection plays a role in aiding the process of labour dispute settlement framework in Malawi. However, the study did not investigate the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania, which was the focus of the current study.

In addition, Hang (2018) conducted a study on the development of the capacity of labour inspection. This study was intended to achieve the following specific objectives: identifying major challenges of labour inspection in most countries in the world and Vietnam, clarifying problems while building a policy on capacity development for labour inspection, and proposing a solution for building a feasible policy on capacity development for labour inspection. The study found that the policy maker does not identify the challenges facing labour inspection in Vietnam adequately when building the policy of capacity development for labour inspection. Secondly, this policy was not established on theoretical framework of capacity development. The last is a policy on capacity development for labour inspection was not guaranteed by a specific financial plan. However, this study did not investigate the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania, which was the focus of the current study.

2.5 Research Gap

Few studies have been conducted on the area of labour inspection. Among them was a study by Malekela (2015) on the labour dispute prevention mechanisms and industrial relations in Mufindi District in Tanzania. The study investigated the labour dispute prevention mechanisms employed at the workplace. Furthermore, a study by Dawite (2014) investigated the potential of labour inspection and administration in enhancing labour law compliance in Tanzania. Mantouvalou (2011) carried out a study on labour inspection sanctions in the United Kingdom. Furthermore, Malema (2013) conducted a study on the role of labour inspection in the labour dispute settlement framework in Malawi. Hang (2018) conducted a study on the development of the

capacity of labour inspection: A case study of the Ministry of Labour, Invalids, and Social Affairs in Vietnam.

Despite several studies that have already been conducted in this area, none of them focused on the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania. This study was useful to bridge the knowledge gap.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter covers philosophical worldview, research design, research approach, population of the study, sample size distribution, sampling procedures, sample size, and types of data. The chapter also presents data collection methods, validity and reliability of data, data analysis and presentation, and ethical considerations.

3.2 Research Philosophy

This study was based on the transformative philosophical worldview which focuses on bringing about changes and assessing the effectiveness of a particular program or intervention made by the government towards addressing a particular problem. This study investigated the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania.

3.3 Research Design

This study employed a case study design because it helped the researcher obtain detailed information related to the study. Furthermore, a case study design contributed to a better understanding of the problem under study. Moreover, this design proved efficient in terms of time and cost savings. Aside from that, a case study design contributed to a deeper understanding of the problem under the study.

3.4 Research Approach

In this study, a qualitative research approach was chosen due to the nature of the research questions, which necessitated flexibility in every stage of the study or research when addressing research questions as insights were gained in the study (Africanus, 2016: 55; Moroi, 2020:128). The adoption of the qualitative research approach was based on the fact that the study sought to collect non-numerical data on the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania.

3.5 Area of the Study

This study was conducted in Dar es Salaam City because it is the most populated of all cities in the country with a population of 5,383,728 million (Census Report, 2022). Moreover, many economic activities are undertaken in Dar es Salaam compared to other regions. The region has three labour offices, namely Temeke, Ilala, and Kinondoni. Furthermore, the city was selected because of the presence of the Headquarters of many trade unions, which made data collection easy. Moreover, the Labour Administration and Inspection Section, a mandated department dealing with labour inspectorate functions, is allocated in Dar es Salaam. The department performs both proactive and reactive functions of labour inspection, which created a friendly environment for the researcher to collect accurate and reliable data related to the study. The third reason was accessibility of relevant data from both service providers and other stakeholders involved in the labour inspection process.

Furthermore, the Dar es Salaam region has been experiencing many labour disputes compared to other regions. An annual performance report by CMA (2010/2011) presented to the Tanzania National Parliament Assembly indicated that 8,177 labour disputes were received from 26 regions. Out of them, 1,820 (22%) were received from the Dar es Salaam region.

3.6 Population of the Study

The specification of the population to which the inquiry will be addressed affects decisions that researchers must make both about sampling and resources (Kothari, 2004). The targeted population of the study included labour officers, trade union representatives, ATE's representatives, and employees and employers because they are key stakeholders of workplace relations and labour inspection services (Melville, 2022). The trade union representatives, employers, and employees are involved in the labour inspection process, which helped the researcher to get accurate and reliable data. ATE's representatives were also involved in this study because they represent employers in various areas especially in protecting and promoting the interests of employers.

3.7 Sampling Procedures and Sample Size

This study employed non-probability sampling, particularly purposive sampling and convenience sampling, in obtaining the sample. The purposive sampling technique was employed to recruit participants from each organisation that participated in the study. This technique was selected because the participants were considered to be key informants of the study since they possessed vital information that could not be obtained elsewhere. Convenience sampling was employed for selecting participants based on accessibility.

3.7.1 Purposive Sampling

Purposive sampling involves selecting specific items based on desired characteristics for the study rather than providing each item an equal chance of selection. This technique was chosen to get accurate data from trade union representatives, labour officers, ATE representatives, and employers with relevant knowledge and experience in the field, particularly those involved in the labour inspection process.

3.7.2 Convenience Sampling

Convenience sampling is a non-probability sampling method where units are selected based on availability and accessibility. This study adopted convenience sampling because the researcher worked with employees who were readily available at their work premises. The decision to use this sampling technique was influenced by several factors, including the unknown population, accessibility and willingness of the participants to participate in the study, and the efficiency it offered in saving time during data collection. Convenience sampling was used to gather information from employees relevant to the study.

3.7.3 Sample Size

The researcher established the sample size after reaching the saturation point, whereby no new data were obtained because most of them were repetitions of what other participants had already presented. At that point, the researcher decided on a sample size of 25 participants, which included trade union representatives, labour officers, employers, ATE representatives, and employees. The sample size is presented in Table 3.1.

Table 3.1: Sample Size Distribution

Participants	Sample size	Percentage
Labour inspectors/Officers	7	28%
Trade union representatives	6	24%
ATE representatives	1	4%
Employees	6	24%
Employers	5	20%
Total	25	100%

Source: Field Data, 2023

3.8 Types of Data

This study used both primary and secondary data as sources of information. Primary data were collected through interviews, while secondary data were collected through reviews of documents such as published materials. The secondary data were used to supplement primary data so as to validate the truth of the information collected from the field.

3.8.1 Primary Data

The study used a semi-structured interview to collect primary data because the instrument helped the researcher get reliable and accurate data thereby, achieving the general objective of the study.

3.8.2 Secondary Data

Secondary data can encompass published data and unpublished sources. In this study, the researcher used published data such as research reports, labour force survey reports, and labour market profile 2021/2022, labour legislation, ILO Conventions,

and government reports. These sources provided valuable secondary data relevant to the study. Secondary data were used in this study to supplement primary data.

3.9 Data Collection Instruments

This study employed different data collection instruments to collect both primary data and secondary data. The study employed semi-structured interview and reviews of documents as the instruments for data collection. The researcher conducted a pilot study to establish the usefulness of the instruments beforehand. The decision to adopt the two data collection instruments was made after the pilot study revealed that the instruments were useful. This was done because most of the employers were not ready to allow employees to participate in focus group discussions. They preferred interview as the best instrument for data collection because of economic factors. This means that when the researcher was conducting an interview with an employee, others proceeded with production activities.

3.9.1 Interview

The study used a semi-structured interview because it helped the researcher get accurate information related to the study since the researcher had a chance to ask more questions for purposes of clarification. Furthermore, the method provided the researcher a chance to measure the truthfulness of the information provided by the participants. It also gave an equal chance for both literate and illiterate people to participate in the study. The semi-structured interview was administered to TAMICO, TUICO and ATE representatives from Dar es Salaam. It was also employed to the labour inspectors from Dar es Salaam as well as employers and employees from all departments regardless of their positions.

3.9.2 Review of Documents

Secondary data were obtained through a review of documents. Such data were obtained from published sources. The research used the following sources to get secondary data for the study: the Employment and Labour Relations Act (CAP 366.R.E.2019), the Labour Institutions Act (CAP 300.R.E.2019), Government Notice No. 42 of 2007 and the labour market profile 2021/2022. Nipashe, Daily News, Labour Inspection Convention No.81 of 1947. Other research reports written by Dawite

(2014), Rugambwa (2013), Malema (2013), Legal and Human Rights Centre (2014 & 2019), International Labour Organisation (2022 & 2009), Mallya (2022), Olakitan (2014), Santos et al. (2020), Rowe & Bendersky (2003), and Lisakafu (2013). However, this study used an article written by Kerega (2018) and other documents. These documents were analysed through content analysis.

3.10 Validity and Reliability of Data

This study ensured reliability and validity of data because an interview guide was presented on the panel and comments given by panel members were addressed to ensure the instrument measures what is intended to be measured through ensuring instruments provide adequate coverage of the investigated questions. However, a pilot study was conducted so as to maintain the validity and reliability of the data. Furthermore, this study tried to use more published materials so as to maintain the validity and reliability of the data.

3.11 Data Analysis and Presentation

The qualitative data were collected through interviews and analysed using the thematic analysis method. Following Braun and Clarke's six-phase framework for doing thematic analysis: first, becoming familiar with data; second, generating initial codes; third, searching for themes; fourth, reviewing themes; fifth, defining themes; and last, writing up (Maguire and Delahunt, 2017). The researcher reviewed the obtained responses to become familiar with the data. After that, sections and topics of interview data that directly related to the study objectives were identified and extracted. Similar themes were recorded in one section, reviewed again, and later interpreted to generate the intended information. Furthermore, the study used content analysis to analyze secondary data obtained from reviewed documents related to the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania. Kothari (2004:110) argued that "Content-analysis consists of analysing the contents of documentary materials such as books, magazines, newspapers and the contents of all other verbal materials that can be either spoken or printed." Furthermore, data were presented in line with the objectives, which were used to create subsections within the chapter. The findings for each objective were presented in the respective sections.

3.12 Ethical Consideration

The researcher initiated the study by obtaining an introduction letter from the Institute of Social Work and submitting it to RCO, Dar es Salaam Region. Then permission was requested to collect data from the selected organisations, attaching the research clearance and research permit received from the RCO. Furthermore, the purpose of the study was clarified to the intended organisations and participants. The participants voluntarily engaged in the study and had the freedom to withdraw at any point. Moreover, the researcher ensured fair treatment of all participants to encourage effective participation. Additionally, participants' information was securely handled and confidentiality was maintained throughout the research process. Participants remained anonymous throughout the research project to uphold honesty, confidentiality, and anonymity standards (Tracy, 2013; Creswell, 2014). The researcher recorded, transcribed, and translated the participants' responses, establishing themes and quotations based on the responses for each study objective.

CHAPTER FOUR

DATA PRESENTATION, INTERPRETATION, AND DISCUSSION OF FINDINGS

4.1 Introduction

This chapter presents and discusses the findings on the effectiveness of the labour inspection mechanism in preventing labour disputes in Tanzania. The findings are presented according to the objectives, namely to: examine the legal and institutional framework for labour inspection in Tanzania; assess the labour inspection roles in preventing labour disputes in Tanzania; explore the approaches used by labour inspectors in preventing labour disputes in Tanzania and determine the challenges facing labour inspection in Tanzania.

4.2 Legal and Institutional Framework for Labour Inspection in Tanzania

The first objective of this study was to examine the legal and institutional framework governing labour inspection in Tanzania. To achieve this objective, data were collected from labour officers, representatives from employers' and employees' organisations, employers, and employees. The key thematic areas addressed within this objective included stakeholders' awareness of legal and institutional frameworks governing labour inspection in Tanzania, efforts made to raise awareness among employers and employees, and the usefulness of existing legal and institutional frameworks in preventing labour disputes. The findings are presented in the following subsections.

4.2.1 Awareness of Legal and Institutional Framework for Labour Inspection in Tanzania

The study aimed to assess the awareness of the legal and institutional framework for labour inspection in Tanzania among labour officers, employers, and employees, as well as representatives from employers' and employees' organisations. Specifically, the goal was to determine the participants' level of familiarity with the legal and institutional framework governing labour inspection in Tanzania and awareness of the legal framework for labour inspection in Tanzania. During the interview, the interviewees' responses were as follows:

“Yes...I know the legal frameworks for labour inspection in Tanzania....they include the Employment and Labour Relations Act, The Labour Institutions Act, The Workers Compensation Act, The National Social Security Fund Act, The Occupational Safety and Health Act, Wage Order of 2022...” (Representatives from ATE).

“Yes...I knows the legal frameworks governing labour inspection in Tanzania. As for our office, we are governed by different legal frameworks such as the Employment and Labour Relations Act, the Labour Institutions Act, the Wage Order of 2022, and the Non-Citizens Act No. 1 of 2015. There are other legal frameworks governing labour inspection such as the Workers Compensation Act, the National Social Security Fund Act, the Occupational Safety and Health Act, and the Public Service Social Security Act, which are enforced by other institutions...” (Male Participant from Labour Administration and Inspection Section).

“Yes...I know the legal frameworks governing labour inspection in Tanzania such as the Occupational Health and Safety Act, the National Social Security Fund Act, the Workers Compensation Act, the Employment and Labour Relations Act, the Labour Institutions Act, the Non-Citizens Act, and the Wage Order of 2022...” (Representative from TUICO).

“Yes...I know the legal frameworks governing labour inspection such as the Employment and Labour Relations Act, the Labour Institutions Act, the Safety and Health Act, the National Social Security Fund Act, the Workers Compensation Act, the Non-Citizens Act, and the Wage Order of 2022...” (Human Resources Manager from Manufacturing Industries).

"Yes...I am not very much aware of the legal framework governing labour inspection in Tanzania because I did not meet labour inspectors

who visited our Organisation for inspection ..." (Human Resource Manager from Manufacturing Industries).

"...I am not well aware of the legal framework governing labour inspection in Tanzania; what I know is that there is the Employment and Labour Relations Act..." (Marketing Officer from Manufacturing Industries).

Findings of the study revealed that the awareness of labour officers, trade union representatives, ATE representatives, and employers on legal frameworks governing labour inspection in Tanzania was higher than that of employees. These findings are echoed by a study by Rugambwa (2013), which shows that the awareness of the existence and use of new labour laws on the part of trade union leaders, employers, and labour officers was high. This is attributed to the fact that some employers were given education and training on the labour laws. The Association of Tanzania Employers provides education, training, and consultation to their members to raise their awareness of the labour laws. Most of the employers involved in the study were members of ATE. However, a few non-ATE members were also involved.

On the other hand, employees' awareness is still low. This is evidenced by one of the interviewees, who said the following during the interview:

"...the time given by employers for them to provide education and training to the employees at workplaces is not enough. Hence, low awareness on labour laws on the part of employees..." (Trade Union Representative from TUICO).

The findings collected from the field directly relate to the study conducted by Rugambwa (2013), which highlights low awareness of the requirements of the new labour laws and inadequate training in labour laws. This leads to the parties failing to implement the new labour laws. These findings are in line with the report by the LHRC (2014), which indicates that approximately 66.8% of the employees are unaware of the labour laws, and 54% are aware but do not know the content of the laws. In addition, Legal and Human Rights Centre (2019) shows that "7 out of 10 workers are not aware

with relevant labour laws and regulations; however, amongst those who claimed aware to be aware with labour laws, only 10 could mention two such laws, while 3 could mention one law.” The same study conducted by Kerega (2018) found that there is a lack of knowledge or awareness of labour laws for both employers and employees.

Furthermore, the findings reflect the reality that exists in the current world of work, where many employees have low awareness of labour laws due to insufficient education and training in labour laws provided by trade unions and labour officers. This lack of awareness allows employers to exploit employees more easily. Rugambwa’s (2013) study shows that defectiveness in the course of implementation of labour laws caused by a lack of competency resulted from inadequate education and training leading to poor implementation of labour laws at workplaces. This means that the education and training offered by both parties (trade unions and labour officers) is not enough to increase employees’ awareness of labour laws.

These findings imply that the overall awareness of the legal framework for labour inspection in Tanzania was high among trade unions representatives, ATE representatives, employers, and labour officers compared to employees, especially unskilled workers in industries. The study shows that labour officers, trade union representatives, ATE representatives, and employers have high awareness because they regularly use these frameworks in their daily duties.

The findings revealed various legal frameworks governing labour inspection in Tanzania. They are such as the Employment and Labour Relations Act (CAP 366.R.E.2019), the Labour Institutions Act (CAP 300.R.E.2019), the Wage Order of 2022, the Non-Citizens Act No.1 of 2015, the Workers Compensations Act (CAP 263.R.E.2015), the National Social Security Fund Act (CAP 50.R.E.2018), the Occupational Safety and Health Act of 2003, and the Public Service Social Security Act No.2 of 2018.

Also, the study aimed at assessing awareness of institutional frameworks for labour inspection in Tanzania. The following responses indicate that participants had some awareness of the existence of institutional frameworks for labour inspection in Tanzania.

“Yes... I know institutions that deal with labour inspection in Tanzania. I start with our office, which is called Labour Administration and Inspection Section, second is Occupational Safety and Health Authority, third is National Social Security Fund, fourth is Workers Compensations Fund, fifth is The Public Service Social Security Fund. Every institution is dealing with a specific area...” (Female Participant from Labour Administration and Inspection Section).

“Yes... I know institutions that conduct inspection at workplaces. These include The Workers Compensations Fund, The National Social Security Fund, The Occupational Safety and Health Authority and Labour Administration and Inspection Section. The Occupational Safety and Health Authority deals with occupational health and safety here as Workers Compensations Fund and National Social Security Fund are dealing with contribution to those security funds. The Labour Administration and Inspection Section is dealing with employment standards...” (Representative from ATE).

“... am not well aware of the all institutions that deal with labour inspection but I know the Occupational Safety and Health Authority only because no other institutions came for inspection visits...” (Human Resource Manager from Manufacturing Industries).

“... Am not well aware of all institutions dealing with inspection ...” (Marketing Officer from Manufacturing Industries).

The findings reveal that trade union representatives, ATE representatives, and labour officers exhibit high awareness of institutional frameworks for labour inspection in Tanzania due to their extensive collaboration and participation in labour-related matters. However, employees’ awareness of these frameworks remains low because they have not received enough education and training regarding institutions responsible for labour inspection. The findings show that certain employers have a high degree of awareness due to their interactions with these institutions during

workplace inspections. However, the awareness of other employers who are not members of ATE was still low.

“...We have been experiencing challenges from some employers who claim that they don't know where we come from...” (Female Participant from Labour Administration and Inspection Section).

This statement shows that certain employers are not familiar with the institutions providing labour inspection services compared to members of ATE who have benefitted from seminars organised by ATE in collaboration with institutions delivering labour inspection services to build capacity. As a result, most ATE members are familiar with these workplace inspection institutions. Large companies and industries undergo more inspections than small ones, leading to greater familiarity with these institutions among them.

Furthermore, the findings revealed that different institutions are responsible for labour inspection in Tanzania. These are such as Labour Administration and Inspection Section, Workers Compensation Fund, National Social Security Fund, Occupational Health and Safety Authority and Public Service Social Security Fund. Furthermore, the Minister from Prime Minister's Office Labour, Youth, Employment, and Persons with Disability, Professor Joyce Ndalichako, made a surprise visit at FAA Logistics, Raphael Logistics, and MJM Manufacturing Limited. Following this visit, she ordered the Occupational Safety and Health Authority, Workers Compensation Fund, National Social Security Fund, and Labour Administration and Inspection Section to conduct inspections at these companies to address issues related to non-compliance with labour laws (Frank Monyo, Tuesday, February 28, 2024, Nipashe, pg.7).Moreover, Deputy Prime Minister Dr.Dotto Biteko said that “OSHA staff should be creative and innovative so as to avoid conflict with employers when they visit their workplaces for inspection(Deogratias Kishombo,Monday, April,29,2024,Daily News,pg.5).”

4.2.2 Efforts Made Towards Creating Awareness to the Employers and Employees on Legal and Institutional Frameworks for Labour Inspection in Tanzania

The study intended to determine whether or not efforts were made to create awareness among employers and employees on the legal and institutional frameworks for labour inspection in Tanzania. Findings revealed that different efforts were made to create awareness among employers and employees on the legal and institutional frameworks for labour inspection in Tanzania, as pointed out during interviews with labour officers, ATE and TUICO representatives.

“...We as labour officers have been providing education to employers and employees related to labour laws that we have been enforcing so as to create a friendly environment for complying with those legal frameworks...” (Female Participant from Labour Administration and Inspection Section).

“...For us as ATE, we have been providing training, education and consultation to the employers so as to raise awareness to them. We have also been conducting seminars or public training to the employers by collaborating with the institutions dealing with inspection at the workplaces. Such institutions include NSSF, WCF, OSHA and Labour Administration and the Inspection Section and trade unions...” (Representative from ATE).

“...We are providing education to employees at workplaces through seminars by collaborating with the institutions dealing with labour inspection so as to create awareness on the labour laws...” (Representative from TUICO).

“...We have been collaborating with ATE in conducting various seminars together with employers so as to raise awareness on labour laws. We also collaborate with other institutions like OSHA, NSSF, WCF, TUCTA and Labour Administration and the Inspection Section...” (Representative from TUICO).

The findings show that different efforts were made by labour officers, ATE and trade union representatives to provide education, training, consultations, and conduct seminars aiming at creating awareness among employers and employees of the legal and institutional framework governing labour inspection in Tanzania. These efforts were taken so as to create harmonious relationships between employers and employees and promote cooperation within the institutions during inspection.

4.2.3 Usefulness of Existing Legal and Institutional Frameworks for Labour Dispute Prevention in Tanzania

The study also aimed to determine the usefulness of the existing legal and institutional frameworks for labour dispute prevention in Tanzania. The findings demonstrate that these frameworks have proven useful for preventing disputes in the workplace, as witnessed by interviewees from labour, TUICO, and ATE offices, who said:

“Yes...Legal frameworks are useful for labour dispute prevention because they put in place the rights and obligations of each party...”

(Male Participant from Labour Administration and Inspection Section).

“Yes...Legal framework assists in preventing disputes at workplaces through explaining what employer should do and what employees should do...”(Female Participant from Labour Administration and Inspection Section).

“I think...Legal framework assists 50% in preventing disputes at the workplace, since the existing legal framework does not fulfill the existing needs, there is a need to add other provisions to reflect the current environment...”(Representative from TUICO).

“I think...We have very good labour legislation but the problem is implementation of those labour laws...if the existing labour laws are well implemented then disputes at workplaces will be prevented ...”
(Representative from TAMICO).

“...The existing legal framework is useful in labour dispute prevention because it provides a framework which clearly shows what both

employers and employees are supposed to do so as to comply with labour laws...” (Representative from ATE).

“... they help to prevent disputes but what is required is the willingness of employers themselves to comply with labour laws...” (Human Resource Manager from Manufacturing Industries).

“... I think... these legal and institutional frameworks will be useful, if they are implemented effectively...”(Machine Operator from Manufacturing Industries).

The findings show that legal and institutional frameworks are useful and effective in preventing disputes in the workplace, provided that both parties are willing to comply effectively with existing legal frameworks. Moreover, the findings of this study are in line with a study conducted by the International Labour Organisation (2009:11), which found that “the labour laws have influence in the United Republic of Tanzania with regard to minimum standards.” The existing institutions for labour` inspection work efficiently to ensure compliance with legal frameworks, thereby preventing disputes that might occur. Additionally, the findings further indicate their usefulness, legal and institutional frameworks require amendment to meet the current needs of the world of work and become more useful in preventing workplace disputes.

4.3 The Roles of Labour Inspection in Preventing Labour Dispute in Tanzania

The second objective involved assessing the roles of labour inspection in preventing labour disputes in Tanzania. In achieving this objective, data were collected from labour officers, trade unions and ATE representatives, employers, and employees. The findings are thematically presented in the following subsections.

4.3.1 Awareness of the Roles of Labour Inspection in Preventing Disputes at the Workplace

The study intended to assess the awareness among labour officers, trade unions representatives, employers’ representatives, employers and employees regarding the

role of the labour inspectors in preventing disputes at workplaces, given that all these parties are stakeholders in labour inspection services.

“Yes...am aware of the role of labour inspectors in preventing disputes at the workplace, they include; enforcement of the law, provision of education to the employers and employees, provision of advice where necessary, resolving some of the disputes that happened at the workplace at the initial stage...” (Male Participant from Labour Administration and Inspection Section).

“Yes... I know them, like providing education, enforcing the laws, providing advice to employers and employees, and mobilizing establishment of collective bargaining agreement, and collaborating with trade unions and employers’ organizations in promoting industrial peace and harmony...” (Representative from ATE).

“Yes...I can mention them...providing education, advice, enforcement and resolving dispute that happened at the workplace...” (Trade Union Representative from TUICO).

“...they include enforcement of the law, Advice, and education related to labour laws...” (Human Resource Manager from Business Organizations).

The findings reveal high awareness among stakeholders regarding the roles of labour inspection in preventing disputes at working places, attributed to their involvement in the labour inspection process. Labour inspectors play different roles in preventing disputes at workplaces, such as providing education and advice, enforcing and supervising the implementation of labour laws, and resolving workplace disputes when they happen. Dawite (2014) emphasised that the most important function of a labour inspector is to enforce legal provisions and educate and advise stakeholders on labour standards such as working hours, remuneration, working conditions, and health and Safety.” Pires (2008), as cited in Malema (2013), maintains that labour inspectors assist employers and employees to resolve their disputes. Santos, Santos, Amando, Libelo, & Mendes (2020) also found that labour inspectors have been monitoring and

enforcing labour legislation, giving information and technical advice to employers and employees and promoting awareness-raising campaigns, and implementing occupational risk prevention policies.

These roles performed by labour inspectors in Tanzania are crucial for fostering sound industrial relations, which in turn contributes to preventing disputes in the workplace. Resolving disputes can prevent similar disputes from recurring in the future.

4.3.2 Degree the Labour Inspectors Played their Role in Dispute Prevention at the Workplace

The study intended to assess the extent to which labour inspectors fulfil their role in preventing workplace disputes. The study found that labour inspectors played their role at a moderate level in dispute prevention. The responses from various interviewees below support this conclusion.

“I think...We have played these roles at a moderate level because disputes still exist at workplaces...” (Female Participant from Labour Administration and Inspection Section).

“I think...They have been carrying out their role by 75%, but the problem is the willingness of the employers to comply with labour laws...” (Representative from TUICO).

“What I can say is that...They are fulfilling their role in a normal way because there is no problem associated with their services...” (Representative from ATE).

“Of course...They are doing it at the required standards...” (Human Resource Manager from Manufacturing Industries).

“...What I can say is that... they played their role towards dispute prevention at workplaces to some extent ...” (IT Officer from Manufacturing Industries).

These findings show that labour inspectors play their role in dispute prevention at a moderate level. This conclusion has been reached due to the lack of frequent workplace inspections by the inspectors to ensure proper implementation of the law. Additionally, they provide insufficient education, leading to low awareness among employees regarding labour laws. Trade unions also have a greater role to play in ensuring that employees' awareness of labour laws increases to ensure full compliance with the provisions of the laws. However, employers' awareness regarding labour laws increases, especially among ATE members, due to education provided to them through training and seminars.

Similarly, Rugambwa (2013) shows that low awareness of the requirements of the new labour laws and inadequate training in labour laws lead to failure to implement the new labour laws. This shows that the parties' awareness of the labour laws is less than required. Rugambwa (2013) maintains that the awareness among trade union leaders, employers, and labour officers on the existence and use of new labour laws was high. In addition, a study conducted by Legal and Human Rights Centre (2019) shows that there was low awareness among employers and employees of labour laws. Moreover, Kerega (2018) asserted that there is a lack of knowledge or awareness among both employers and employees about labour laws in Tanzania, which tend to affect workers ability to protect their rights given under the labour laws. This has also contributed to employers to failing to fully comply with labour laws in Tanzania.

Furthermore, Dawite (2014) asserts that the labour department, as administrators and enforcers of labour laws, has partially fulfilled its role. This partial fulfilment contributes to low compliance with labour laws among employers in Tanzania. This portrays that the awareness of trade union leaders, labour officers, and employers is high compared to employees and that the situation creates a friendly environment for labour disputes to continue to exist in the workplaces. Despite employers' awareness of labour laws, lack of employers' compliance was noted. . This non-compliance stems from the perception that full compliance with labour laws would be costly for them.

4.3.3 Other Suitable Mechanisms for Dispute Prevention at the Workplace

The study investigated alternative suitable mechanisms for dispute prevention at workplaces beyond labour inspection. The quotes below highlighted various mechanisms that can be employed for dispute prevention.

“Yes...There are other mechanisms that can be used for dispute prevention... these include collective bargaining and social dialogue, apart from labour inspection...” (Female Participant from Labour Administration and Inspection Section).

“...Other mechanisms for dispute prevention may be collective bargaining and workplace management cooperation...” (Representatives from ATE).

“...Also, collective bargaining is another mechanism that we have used for dispute prevention within our company...” (Human Resource Manager from Manufacturing Industries).

“I think... collective bargaining and workplace management cooperation will be useful towards preventing disputes at the workplace ...” (Representative from TUICO).

The findings of this study revealed that such mechanisms as collective bargaining, workplace management cooperation, and social dialogue are being employed for preventing labour disputes. These mechanisms have been practiced at workplaces so as to promote harmonious relationships between employers and employees and have proved to be very useful for dispute prevention at workplaces. These mechanisms are well established under the law to promote sound industrial relations. A study by Mushumbusi (2018) also found that collective bargaining is an effective tool for managing workplace conflicts.

Furthermore, the study conducted by Lisakafu (2014) also found that collective bargaining and general meetings (workplace management cooperation) are useful mechanisms that may be used for preventing disputes at workplaces. A study by Rowe and Bendersky,(2003) also found that more intensive information and consultation

arrangements, as well as other innovations such as brainstorming and proactive communication management, are seen as necessary to encourage a more consensual atmosphere at the workplace. Moreover, a study conducted by Olakitan (2014) recommended that collective bargaining should be allowed in all organisations to prevent industrial conflicts and enhance industrial peace and harmony.

Moreover, collective bargaining is recognised as a mechanism for dispute prevention at the workplace, as outlined in Rule 50(2) C of the Government Notice No. 42 of 2007. This rule underscores the role of collective bargaining in preventing workplace disputes. Additionally, collective bargaining is well stipulated under Sections 64 up to 74 of the Employment and Labour Relations Act (CAP.366.R.E.2019) and even Section 36(1) b of the Labour Institutions Act (CAP.300.R.E.2019), where one of the functions of the Wage Board is to promote collective bargaining among registered trade unions, employers, and registered employers' associations. This implies that these mechanisms are useful for preventing disputes at workplaces, as they address various challenges associated with employment. Employing these mechanisms is crucial for promoting sound industrial relations.

4.3.4 Nature of Disputes that are Likely to be Prevented through Labour Inspection

The study revealed that disputes related rights are the type of labour disputes that are likely to be prevented through labour inspection. This is because labour inspection aims to ensure effective compliance with labour laws. This finding was supported by one of the interviewees, who said the following during the interview:

“...I think that most disputes that are likely to be prevented through labour inspection are disputes of right...” (Female Participant from Labour Administration and Inspection Section).

Heron et al. (1999:7) argue that dispute prevention can be achieved by ensuring effective labour inspection. In addition, labour inspectors play an essential role in preventing disputes at the workplace, particularly in disputes related to individual rights (Heron et al., 1999:7). Kerega (2018) maintains that labour rights are well protected through enforcement of the provisions of the labour laws. However, the

Legal and Human Rights Centre (2019) shows that labour rights are violated resulting from non-compliance with labour laws and standards.

This implies that labour inspection prevents disputes related to labour rights since it ensures effective compliance with labour laws. Labour disputes may result from non-compliance with labour laws, so effective compliance with labour laws leads to the prevention of disputes related to labour rights. Since it deals with the enforcement of labour laws, labour inspection is likely to prevent disputes related to labour rights.

4.3.5 Scope of Dispute Resolution

The study revealed that labour inspectors have been involved in resolving workplace disputes that arise while employees are still employed. However, once employees are terminated from employment, labour inspectors advise them to file the dispute to the Commission for Mediation and Arbitration. Labour inspectors do not have the authority to resolve disputes for terminated employees, as specific institutions such as the Commission for Mediation and Arbitration and the Labour Court handle these cases. Although labour inspectors assist in resolving disputes for the employees who are currently employed, they lack the authority to do so for terminated employees. Their involvement in resolving disputes aims to promote industrial peace and harmony. Interviews with participants revealed that they have collaborated with labour inspectors to resolve disputes. Some of the interviewed participants were quoted as saying:

“Yes... We have been cooperating with them in resolving disputes at workplaces...” (Representative from TUICO).

“...I cooperated with labour inspectors and officers to resolve a dispute at NAMELA GROUP OF COMPANIES where there was a strike...”
(Representative from TUICO).

“Yes...we have been intervening to resolve disputes whenever they happen at the workplace, we can intervene when the employee is still employed, and we advise him or her to file the dispute to the Commission for Mediation and Arbitration (CMA) if she or he is

terminated from employment, ...”(Female Participant from Labour Administration and Inspection Section).

“Yes...labour officers have been involved in finding solutions to disputes in case they occur at the workplace, for instance, labour officers intervened in resolving the dispute at Namela Industries Limited...” (Female Participant from Labour Administration and Inspection Section).

“...They have been resolving disputes when they happen at workplaces because I participated in resolving disputes together with labour officers at PEEPEE Tanzania Limited in the Tanga region ...”(Representative from TUICO).

"...Also, we intervened to resolve a dispute at Sino Hydro Corporation Limited building the Mbagala rapid transit...” (Male Participant from Labour Administration and Inspection Section).

The findings show that labour inspectors and officers have been resolving disputes at workplaces, especially during strikes or lockouts to protect public interests and create a friendly environment for national development. A study conducted by Pires (2008) as cited by Malema (2013) also maintains that one of the roles of a labour inspector is to assist employers and employees in resolving their disputes. This means that labour inspectors and officers have been playing a reactive role once workplace disputes occur. They resolve disputes for the employees who are still in employment and advise terminated employees to file their disputes with the Commission for Mediation and Arbitration(CMA).They have been working as public prosecutors to prosecute labour cases to the Labour Court.

4.3.6 Mandate of Resolving Disputes

The study found that there is no specific section that allows them to resolve disputes. However, they have been doing so to try and resolve disputes at the initial stage before

termination of employment. The intention was to promote harmonious relationships. This is evidenced by a response from one interviewee who said that:

“...we have been intervening to resolve disputes at the workplace when it is possible to do so. Although there is no specific section under the law that allows us to do so, we have been doing so for the employees who are still in employment and not those who are terminated...” (Male Participant from Labour Administration and Inspection Section).

This statement is reflected in a study by Malema (2013), which shows that labour inspectors play an essential role in resolving employers’ and employees’ disputes. In practice, they resolve disputes that exist between two parties in employment. However, they do not have the authority to resolve disputes for terminated employees since the Commission for Mediation and Arbitration is responsible for such disputes.

4.3.7 Status of Compliance with Labour Laws

The study revealed a low level of compliance with labour laws for both employers and employees in their workplaces, resulting in many ongoing disputes. This was evidenced by an interviewee who claimed that:

“...the level of compliance with labour laws by employers and employees is low because most of them are not well versed with the laws...” (Representative from TUICO).

A study by Dawite (2014) found similar findings, indicating that employers and employees lack sufficient understanding of labour laws, leading to frequent disputes and non-compliance. A surprise visit to FAA Logistics, Raphael Logistics, and MJM Manufacturing Limited by the minister responsible with labour matters revealed employers’ non-compliance with labour laws, resulting in complaints from employees (Frank Monyo, Tuesday, February 28, 2024, Nipashe, pg.7). A study by International Labour Organisation (2009:11) argues that “While the labour laws have influence in the United Republic of Tanzania with regard to minimum standards, the actual working conditions are often not in line with the legal provisions. The substance of

labour laws is undermined, and employees are subjected to conditions well below the specified minimum working condition.” Similarly, a study by the Legal and Human Rights Centre (2019) found that business organisations failed to fully comply with relevant labour laws, regulations, and standards. However, Mallya (2022) maintains that poor labour inspection contributed to poor enforcement of the labour laws.

This shows a low level of employers’ and employees’ compliance with labour laws. This is caused by inadequate education and training related to labour laws, reflecting the prevailing reality in Tanzanian workplaces where many employers and employees fail to comply with labour laws, leading to many disputes continuing to exist. The low level of compliance with labour laws is attributed to insufficient education and training related to labour laws, contributing to the prevalence of disputes in Tanzanian workplaces, as indicated in the Tanzania and Zanzibar Labour Market Profile of 2021/2022. In addition, the Legal and Human Rights Centre (2019) found that respondents who participated in the study claimed that they receive threats of termination of employment for demanding labour rights. However, the Legal and Human Rights Centre (2019) shows that labour rights are violated resulting from non-compliance with labour laws and standards. The number of cases reported to the Commission for Mediation and Arbitration in Tanzania between 2016 and 2019 has been consistently increasing, as indicated in Table 4.1.

Table 4.1: Number of Cases Reported to CMA between 2016 and 2019

Year	2016	2017	2018	2019
Number of cases	1560	1688	2401	2630

Source; Tanzania and Zanzibar Labour Market Profile of 2021/2022

As indicated in Table 4.1, the number of cases reported to CMA has been consistently increasing at workplaces due to non-compliance with labour laws among employers and employees. Many employers assume that complying with labour laws is costly, so they choose not to comply, which perpetuates labour disputes in most workplaces across Tanzania. This situation results in a backlog of cases at the Commission for Mediation and Arbitration, affecting timely access to social justice.

4.4 Approaches Used to Prevent Disputes at the Workplace

The third objective was to explore the approaches used by labour inspectors in preventing labour disputes in Tanzania. To achieve this objective, data were collected from labour officers, trade union representatives, ATE representatives, employers, and employees. The findings are thematically presented in the following subsections.

4.4.1 Awareness of the Approaches Used by Labour Inspectors in Preventing Labour Disputes in Tanzania

The study intended to assess awareness of the approaches employed by labour inspectors to prevent disputes at workplaces among labour officers, representatives from employers' and employees' organisations, employers, and employees. The study revealed that some parties are aware of the approaches while others are not, as the quotes below indicate:

“... Am aware of the approaches used for preventing disputes at the workplace which are; routine inspection visits, special inspection visits and follow up inspection visits. All these have been done so as to ensure effective compliance with labour laws...” (Male Participant from Labour Administration and Inspection Section).

“...I know them... they are routine or daily inspection visits, follow up inspection visits and special inspection visits...”(Representative from TUICO).

“...what I can say is that they have been conducting routine visits, follow up visits and special inspection visits as part of prevention of disputes at the workplace...”(Representative from ATE).

“...I know that there is routine inspection visit and follow up inspection visit...” (Human Resource Manager from Manufacturing Industries).

“...Am not aware of the approaches used by labour inspectors in preventing disputes at the workplace...” (IT Officer from Manufacturing Industries).

The findings analysed from the quotes above show a high level of awareness of the approaches employed by inspectors to prevent disputes at the workplace. Many representatives from trade union and employers' and employers' organisations are aware of the approaches due to their active involvement in the inspection process. It is also true that most of them have attended seminars organised by institutions providing inspection services. However, employees are not aware of these approaches and often encounter challenges because they are less involved in seminars organised by these institutions.

4.4.2 The Extent those Approaches Contributed Towards Dispute Prevention at the Workplace

The study sought to establish the extent to which the approaches contribute to dispute prevention at the workplace. The findings of the study indicate that these approaches significantly contribute to preventing disputes at workplaces, as the quotes below indicate:

"...To a large extent those approaches contribute to reduce disputes at workplaces..." (Female Participant from Labour Administration and Inspection Section).

"...Those approaches can contribute to a great extent in preventing disputes if they are conducted as required..." (Representative from ATE).

"...These approaches can help to prevent disputes at workplaces if they are executed effectively and efficiently..." (Trade Union Representative from TUICO).

"...They help employers in ensuring that they are complying with labour laws and reduce disputes to a greater extent..." (Human Resource Manager from Manufacturing Industries).

Based on the quotes, it is found that routine inspection visits, special inspection visits, and follow-up inspection visits are very useful approaches for preventing workplace disputes. These approaches have been used to ensure effective compliance with labour

laws and address various challenges associated with employment matters. All these approaches discourage violations of the provisions of the law. If these approaches are conducted efficiently and effectively, they will contribute significantly towards preventing workplace disputes. This assertion was echoed by one of the interviewees who said:

“...these approaches only work properly if enough resources are invested for labour inspection services...”(Male Participant from Labour Administration and Inspection Section).

This means that these approaches are useful when adequate resources are allocated to labour inspection services. These approaches will not work efficiently and effectively without having sufficient resources. The government should allocate sufficient resources to ensure that these approaches work efficiently and effectively.

4.4.3 Engagement /Involvement of Other Actors in Dispute Prevention at the Workplace

The study intended to examine the engagement of other actors in dispute prevention at workplaces. Findings revealed that other actors have been involved in dispute prevention in different ways, as the following quotes indicate:

“...We are involving trade unions and employers’ organisations in preventing disputes at the workplace because they are key actors of industrial relations...”(Female Participant from Labour Administration and Inspection Section).

“...We have been engaged in dispute prevention at the workplace by creating awareness to employers on matters related to labour laws because we have been offering training and education, seminars and consultation services to our members. Although, apart from that we have always ensured that our members comply with labour laws...”
(Representative from ATE).

“...We as TUICO have been offering education services related to labour laws to employees. We have also ensured that employers are complying with labour laws. They also conduct collective bargaining for the purpose of improving terms and conditions of employment...”
(Representative from TUICO).

The findings show that labour inspectors have been collaborating with trade unions and employers’ organisations in preventing disputes at the workplace through awareness creation on issues related to labour laws among employers and employees. According to ILO (2011), “Employers and workers organisations can make significant contributions towards improving compliance at the workplace, particularly through advocacy and awareness raising among their members.” They also ensure that employers and employees comply with provisions of the law. These institutions have been working closely with each other to promote sound industrial relations. The study found further that these institutions or organisations are very useful in preventing workplace disputes. The institutions are in place to promote peace and harmony in the workplace and facilitate the achievement of sustainable development goals. The study revealed that the Labour Administration and Inspection Section has been representing other institutions in areas where there is no WCF, OSHA, PSSSF, and NSSF, ensuring that employers and employees comply with labour laws.

4.5 Challenges Facing Labour Inspection in Tanzania

The fourth objective of the study was to determine the challenges facing labour inspection in Tanzania. To achieve this objective, data were collected from labour officers, ATE representatives, trade union representatives, employers, and employees. The findings are thematically presented in the following subsections.

4.5.1 Inadequate Labour Officers/Labour Inspectors

The study found that the number of labour officers/inspectors is not enough to ensure that all workplaces are inspected as required. This results in some working places not being inspected, leading to labour disputes at workplaces. Along the same line of argument, an interviewed participant claimed that:

“...the number of labour inspectors is not enough... so due to that it is impossible to visit all workplaces for inspection...” (Female Participant from Labour Administration and Inspection Section).

This means that the number of labour inspectors is not enough as required, leading many working places to remain uninspected, hence violations of labour standards. This situation leads to non-compliance with provisions of labour laws among employers, hence labour disputes. The numbers of labour inspectors determine the effectiveness of labour inspection in preventing disputes at workplaces. In support of the assertion above, one of the interviewed participants argued that:

“...in other regions aside from Dar es salaam region, you can see that there is one or two labour officers who deal with labour inspection services in that particular region, so you can see that it is difficult for one or two labour inspectors to visit all workplaces in that region...”(Representative from TUICO).

He further said that “...For example in Tanga region there are only two labour officers/inspectors dealing with inspection and enforcement of the labour laws...” (Representative from TUICO).

The study reveals that the number of labour inspectors remains insufficient to adequately inspect all workplaces and ensure effective compliance with labour laws by employers. Hang (2018) contends that the human resource within inspection agencies dictates the frequency and quality of inspection visits. In other words, a large workload cannot be managed by a limited number of inspectors.

The Annual Report of the Department of Labour Administration and Inspection in the Ministry of Labour and Employment indicated that for the 2010/2011 financial year, the department planned to conduct 6,200 labour workplace inspections countrywide. In contrast, only 2,401 (38.7%) were conducted due to limited resources (URT, 2012). This shows that the number of labour inspection visits depends on the number of labour inspectors available. The quality of work and workload may be addressed if the

number of inspectors is high and vice versa. The Labour Inspection Convention No. 81 in Article 10 of the ILO Convention of 1947 requires that labour inspectors “shall be sufficient to secure the effective discharge of the duties of the inspectorate.” However, Hang (2018:2) found that an inadequate number of labour inspectors is the biggest challenge facing labour inspection agencies.

A study conducted by Dawite (2014) also revealed that the number of labour inspectors was low compared to the number of working organisations in Dar es Salaam, with only 10 to 13 labour officers available. At any rate, this is a very small number of labour inspectors required to conduct inspection and provide education to the employers and employees while doing other activities. This situation prolongs violations of the provisions of the law due to failure of some workplaces to be inspected. The current number of labour officers available is twelve for the whole Dar es Salaam Region, which is not enough for all workplaces to be inspected as required.

4.5.2 Inadequate Working Facilities

The study found inadequate transport facilities as one of the challenges facing labour inspection in Tanzania. This situation leads to many working places being uninspected. This is echoed by one interviewee who claimed that:

“...We have only one car that is used for labour inspection services which makes it difficult for us to visit many working places...” (Male Participant from Labour Administration and Inspection Section).

A study by Dawite (2014) also found that inadequate working facilities contribute to non-compliance with labour laws at workplaces. This shows that working facilities are still a problem in our country. Dawite noted that the inadequacy of resources involves a lack of enough work facilities such as means of transport, especially cars, ground travel allowances, and other work facilities such as computers. The study found that many of the available computers are currently not working. Basically, the lack of adequate work facilities stems from financial constraints.

Furthermore, transport facilities pose a significant challenge to labour inspection services in Tanzania, as effective transport is vital to ensure effective and efficient

delivery of these services. Inadequacy of transport facilities such as cars makes it difficult to visit many workplaces as required and ensure full compliance with labour standards or labour legislation by all social partners (employees and employers). These findings reflect the reality on the ground because the labour officers complain about insufficient transport facilities for conducting workplace inspection visits, resulting in many workplaces going uninspected. Additionally, persist with other work facilities such as computers, printers and white papers.

4.5.3 Lack of Enough Cooperation from Employers

The study found that many employers do not cooperate fully with labour inspectors when they visit for inspection. The situation tends to affect the labour inspection process, as one of the interviewees said:

“...Most of the employers are not cooperative which causes us difficulties when exercising our duties...” (Female Participant from Labour Administration and Inspection Section).

Many employers are unaware of the benefits of labour inspection in preventing disputes arising from non-compliance with labour laws. According to Pires (2008), cited in Dawite (2014), certain employers hide some information due to fear of penalties. The study also found that certain employers are unwilling to cooperate with labour officers, withholding necessary information and documentations. Hang (2018) similarly noted a lack of cooperation from social partners of labour inspection, including trade union representatives, employers, and employees.

This implies that employers lack cooperation with labour inspectors when they are in workplace inspection due to fear of penalties. This uncooperative behaviour creates a challenging environment for labour inspectors to carry out their duties effectively. This may also result from the negative attitude that most employers have concerning labour inspection. They consider labour inspection unfriendly to them because they violate labour laws. Currently, many employers are not interested in labour inspection because they are unwilling to comply with labour laws. They consider labour inspectors as enemies, which is a result of their failure to understand the importance of labour inspection in the world of work.

4.5.4 Lack of Labour Office in District Areas

The study found that labour offices are found at regional level but not at district level. This situation poses challenges for labour inspectors to visit all workplaces found in a particular region. Consequently, employees often fail to report their issues due to this limitation. One interviewee emphasised this point by saying:

“...Most of our offices are found at regional level and not at the district level despite the fact that labour offices were previously found in some district areas such as Mafinga, Korogwe, Tukuyu, Muheza, Same and Kahama but the government decided to close them because of lack of human resources...” (Male Participant from Labour Administration and Inspection Section).

The findings of the study imply that labour offices are found in every region but not in every district, contributing to non-compliance with the provisions of the laws by employers, on the one hand, and creating a challenge for employees to report their issues, on the other hand. However, the study found that despite this challenge, employees could report their issues to the trade unions and district commissioners. They even are communicating with labour officers through mobile phones when necessary.

4.5.5 Inadequate Financial Resources

This is another challenge facing labour inspection in Tanzania since the provision of labour inspection services depends on the financial resources. This challenge may be associated with the budget allocated for labour inspection services. Findings of the study revealed that the budget allocated for the activity is not enough to carry out inspection in all workplaces as required. This is supported by an interviewee who said that:

“I think...The financial resources is still a big problem in our office which sometimes hinders us to exercise our daily duties...” (Male Participant from Labour Administration and Inspection Section).

Dawite(2014) found that the inadequacy of resources involves lack of enough work facilities such as means of transport especially cars, ground travel allowances and other work facilities such as computers. Basically, the lack of adequate work facilities is the result of the financial constraints. Furthermore, Rodríguez (2020:27) claimed that inadequate resources limit the Inspectorate's capacity to carry out its main duties.

This shows that the financial resources allocated for labour inspection is insufficient, leading to inadequate workplace inspections. This issue must be addressed, as it negatively impacts the government's ability to achieve the desired efficiency and effectiveness in labour inspection for dispute prevention. This challenge creates the environment for employers' non-compliance with the labour laws, causing many disputes to prevail in many workplaces.

4.5.6 Remoteness of Some Areas

The study noted some areas to be not easily reachable, posing a challenge for labour inspectors to visit and check for compliance with labour laws. One interviewee emphasised this point by saying:

“...Other working places are very difficult to be visited for labour inspection because they are hard to reach and the infrastructures are very poor...” (Male Participant from Labour Administration and Inspection Section).

The findings show that other companies or industries are found in remote areas where the infrastructure is very poor. As such, the situation prevents labour inspectors from visiting the areas for inspection.

4.5.7 Political Interference

The study revealed that politicians have been interfering with labour inspectors in the performance of their daily duties. They do this by prohibiting them from entering work premises to conduct inspections within organisations. An interviewee had this to say concerning the matter:

“...You can go to other workplaces for inspection purposes and when you get there you may receive calls from government leaders that prohibit us to enter into work premises for conducting inspection...”
(Female Participant from Labour Administration and Inspection Section).

The foregoing findings indicate political interference in the daily activities of labour inspectors, which in turn affects negatively compliance with labour laws at the workplaces. This interference occurs because some government leaders own these companies or industries. Therefore, they have been taking advantage as leaders to make their organisations or industries inaccessible for inspection. This may also result from the friendship that exists between the owners of the industries and government leaders. As such, they use the government leaders for their interests.

4.5.8 Corruption

The study found that corruption is among the challenges facing labour inspection in Tanzania. The study shows that labour officers have been engaging in bribery for personal gains, affecting their integrity in exercising their duties. Corruption is an enemy of social justice because it causes violations of workers’ rights when the labour officers are bribed by employers. This assertion is echoed by the responses of one of the interviewed participants, who were quoted as saying:

“...Other labour inspectors have been convinced by employers to take bribe when they found that there are serious violations of labour laws. Most of them are tempted to take it because of the low wages and salaries they are paid by the government...” (Representative from TUICO).

A study conducted by Dawite (2014) also found that the labour inspectors lack integrity as they are involved in bribery, which affects the labour law administration because they cannot influence compliance and sanction the employers for not complying. Instead, they will be protecting the employers’ interests. Furthermore, ILO (2009) found that labour inspectors have been paid low wages in many countries, which may result in bribery. ILO (2010:10) also asserted that the poor conditions

frequently lead to ethical problems that threaten the integrity and independence of staff. Therefore, it undermines the public protection function of labour inspectorates.

The foregoing indicates that corruption is a problem facing labour inspection in Tanzania, potentially linked to inadequate wages and salaries. The study's findings indicate that if corruption increases on the part of labour inspectors, it will lead to non-compliance with labour laws, thereby causing disputes at workplaces. These findings reflect the reality on the ground where most of the labour inspectors have been paid low wages and salaries, a situation that entices them to take bribes from employers upon observing serious violations of labour laws. They have been doing so in order to meet their basic needs because the wages and salaries paid to them are not satisfactory.

4.5.9 Lack of Professionalism

The study found that labour inspectors are employed from diverse professional backgrounds, including economics, human resource management, public administration, laws, sociology, social work, and industrial relations. This diversity of backgrounds presents challenges for the labour inspectors to perform their duties effectively, as their expertise may not be aligned with the specific field of labour law. Ideally, labour inspection requires professionals with specialised knowledge in labour laws, to create a conducive environment for effective and efficient performance of their duties. Echoing the above finding, one of the interviewees said that:

“...We need to be trained in order to be able to perform our duties at the required standard because for example me, I have bachelor degree in economics but am working as a labour inspector, since my profession is not directly related to this field, I need more training so as to carry out my duties effectively and efficiently...” (Female Participant from Labour Administration and Inspection Section).

A study by Dawite (2014) also noted that many labour officers lack professional qualifications. Many of them come from diverse professional backgrounds, such as social work and public administration, with only a few lawyers. This implies that some labour inspectors do not possess specialised knowledge in labour laws and often do not receive adequate training on labour regulations. As a result, they face challenges

in enforcing laws and providing education and advice related to labour laws. Most labour inspectors primarily learn on the job and through mentoring from senior labour officers. This lack of professionalism can lead to incompetence in administering labour laws. Moreover, ILO (2022) indicated that the effectiveness of labour inspection relies heavily on the competence of the labour officers/inspectors.

4.6 Measures to be taken to Ensure that Labour Inspection Become an Effective Tool for Dispute Prevention at Workplaces.

The study intended to identify various measures that can be adopted to ensure that labour inspection is an effective tool for preventing workplace disputes.

4.6.1 Adequate Cooperation from Employers

The study revealed that to make labour inspection an effective tool for preventing disputes in the workplace, there needs sufficient cooperation between employers and labour inspectors. This cooperation allows labour inspectors to obtain correct information regarding compliance with labour laws and advise them accordingly where legal requirements are not met. Arguing along the same line, one interviewee responded that:

“I think...If the employers are willing to cooperate with labour inspectors in executing their duties, then labour inspection can be a useful tool for dispute prevention at the workplace...” (Female Participant from Labour Administration and Inspection Section).

“...Disputes will be prevented at workplaces if labour inspectors are empowered by the government and if everyone understands what labour inspection means...” (Female Participant from Labour Administration and Inspection Section).

That statement shows that adequate cooperation from employers contributes to strengthening labour inspection, which in turn becomes a useful tool for dispute prevention at the workplace. The Labour inspection process requires the involvement of labour inspectors, trade union representatives, employers, and employees to be able

to acquire true information regarding compliance and non-compliance with labour laws. Moreover, ILO (2022:11) claimed that “collaboration with social partners is an essential element for the effectiveness of the labour inspection system.”

4.6.2 Adequate Number of Labour Officers/Inspectors

The study found that an adequate number of labour inspectors are necessary to contribute towards ensuring that labour inspection becomes an effective tool for dispute prevention at the workplace. Echoing the findings, one representative of TUICO was quoted as saying:

“...If the government employs many labour officers/inspectors then labour inspection will definitely become an effective dispute prevention tool...” (Representative from TUICO).

This is because the number of labour inspection visits depends on the number of labour inspectors available. With an adequate number of labour inspectors, more workplaces have a higher chance of being inspected, creating a conducive environment for effective compliance with labour laws.

The findings are in line with the study conducted by Dawite (2014), which recommended that the Tanzanian government should strengthen the labour law department by allocating more resources to facilitate law enforcement through frequent inspections. Furthermore, these findings are in line with Malema (2013), whose study recommended that the government must consider making the labour inspectorate services a priority area and provide it with adequate resources in terms of required budgetary provisions in addition to staffing. This means the higher the number of labour officers, the greater the impact on strengthening the labour law department. Having enough labour inspectors is not enough to ensure effective labour inspection services; rather, they must be committed and accountable in fulfilling their daily duties. Moreover, ILO (2022) indicated that the effectiveness of labour inspection relies heavily on the adequacy of resources.

4.6.3 Adequate Financial Resources

The study identified adequate financial resources as a critical measure for ensuring that labour inspection becomes an effective tool for preventing disputes. Financial resources play a crucial role in enabling the effective provision of labour inspection services. The study emphasises the importance of the government allocating sufficient financial resources for labour inspection services to ensure that all workplaces are inspected as required. This will significantly contribute to dispute prevention at workplaces.

The findings are similar to findings from a study conducted by Dawite (2014) it recommended that the Tanzanian government should strengthen the labour law department by providing more resources to facilitate law enforcement through frequent inspections. In addition, the findings are in line with Malema (2013), who recommended that “the government must consider making the labour inspectorate services as one more key priority area and provide it with adequate resources in terms of budgetary provisions in addition to staffing.” Further to that, ILO (2022:10) claimed that good and adequate financial support to the system should be guaranteed so as to ensure effective inspection services, secure the confidence of employers and workers, and avoid any risk of undue influence, such as offering bribery to the labour inspectors when they find that there is a serious violation of the provisions of the labour laws.

This implies that providing enough financial resources is useful to dispute prevention because it facilitates law enforcement through frequent inspections. Furthermore, frequent labour inspections depend on the available resources, so if there are not enough resources, it becomes difficult to have frequent inspections at workplaces. Therefore, financial resources provided by the government for labour inspection services must be properly utilised.

4.6.4 Increments of Wages and Salaries

The study highlighted the necessity of enhancing wages and salaries for labour officers to motivate them to achieve organisational goals. Improving wages and salaries would be a useful measure in making labour inspection an effective tool for preventing

disputes. Currently, labour officers receive low wages and salaries, which significantly demotivate them and hinder their ability to fulfil their duties as required. Speaking on the matter, one of the interviewees said that:

“...I think that labour inspection can be a useful tool for dispute prevention if the labour inspectors/officers are paid good salaries and wages because by doing so will prevent them from involvement in bribery which is used by employers who violate labour laws...”
(Representative from TAMICO).

The study findings are supported by the ILO (2009) report, which revealed that labour inspectors, in many countries, receive low wages, which may result in bribery. ILO (2010:10&ILO, 2022:21) argued that these poor conditions frequently lead to ethical problems that threaten the integrity and independence of staff, thus undermining the public protection function of labour inspectorates. To alleviate this problem, labour inspectors/officers must be paid high wages and salaries to enable them to carry out their duties effectively and efficiently, thereby promoting effective compliance with labour laws. The study suggests that low wages and salaries contribute to corruption among labour officers, as they may be more susceptible to bribery from employers. In Tanzania specifically, labour officers are paid low wages and salaries that cause them to engage in corruption. There is a need, therefore, for the government to improve wages and salaries for labour officers to enable them to fulfil their duties effectively and efficiently.

4.6.5 Establishment of Labour Office in Every District

The study revealed that for labour inspection to effectively prevent disputes, there must be labour offices in every district to facilitate visits to all workplaces. This would enhance effective compliance with labour laws and enable timely resolution of workplace disputes or challenges. It would improve the accessibility of labour inspection services and foster a supportive environment for employees to report issues they encounter at their workplaces. Supporting the assertion, one of the interviewees said that:

“...opening labour office in every district will be useful to make labour inspection an effective dispute prevention tool...” (Male Participant from Labour Administration and Inspection Section)

Based on the findings, it is true that establishing labour offices at the district level is crucial for preventing disputes in workplaces. Currently, labour offices are located at the regional level and not at the district level. Consequently, many workplaces remain uninspected, leading to the persistence of labour disputes.

4.7 Discussion of Findings

The findings of the study indicate that there are various legal and institutional frameworks for labour inspection in Tanzania. These include the Employment and Labour Relations Act (CAP 366.R.E.2019), the Occupational Health and Safety Act of 2003, the Workers Compensation Act, the National Social Security Act, the Wage Order of 2022, and the Non-Citizens Act No.1 of 2015. Other relevant frameworks include the Labour Institutions Act (CAP 300.R.E.2019) and the Public Service Social Security Fund Act of 2018. As for institutional frameworks for labour inspection in Tanzania, they involve the Labour Administration and Inspection Section, Occupational Safety and Health Authority, Workers Compensation Fund, National Social Security Fund, and Public Service Social Security Fund. Furthermore, the Minister from Prime Minister's Office Labour, Youth, Employment, and Persons with Disability, Professor Joyce Ndalichako, made a surprise visit at FAA Logistics, Raphael Logistics, and MJM Manufacturing Limited. Following this visit, she “ordered the Occupational Safety and Health Authority, Workers Compensation Fund, National Social Security Fund, and Labour Administration and Inspection Section to conduct inspections at these companies to address issues related to non-compliance with labour laws (Frank Monyo, Tuesday, February 28, 2024, Nipashe, p.7). The study findings reflect the reality of the different legal frameworks for labour inspection in Tanzania, which are actively applied in workplaces. . These frameworks guide labour inspection institutions in their daily duties to ensure workers’ protection. Furthermore, these institutional frameworks conduct inspections at workplaces to ensure compliance with labour laws by both employers and employees. These institutions have been established by the Government of the United Republic of Tanzania to conduct

inspections at workplaces and ensure full compliance with legal frameworks. However, some workplaces remain uninspected due to various challenges associated with labour inspection in Tanzania.

The study found that representatives from employers' and employee's organisations, labour officers, and ATE-member employers are aware of the legal and institutional framework for labour inspection in Tanzania, while employees and non-ATE-member employers have low awareness. However, a study conducted by Rugambwa (2013) shows that low awareness of the requirements of the new labour laws and inadequate training in labour laws lead to failure to implement the new labour laws. This shows that the parties' awareness of the labour laws is less than required. Rugambwa (2013) maintains that the awareness among trade union leaders, employers, and labour officers on the existence and use of new labour laws was high. In addition, a study conducted by the Legal and Human Rights Centre (2019) shows that there was low awareness among both employers and employees of labour laws. Moreover, Kerega (2018) asserted that both employers and employees lack knowledge and awareness about labour laws in Tanzania, which tends to affect workers ability to protect their rights given under the labour laws. This also has contributed to employers' lack of compliance with labour laws in Tanzania.

The study's findings highlight a gap in the understanding of legal frameworks in Tanzania's labour inspection system. While employers, labour officers, and trade union representatives show high awareness, some employers and union representatives still lack sufficient knowledge. This lack of awareness contributes to poor compliance with labour inspection regulations.

Additionally, the study found that legal and institutional frameworks play a crucial role in preventing workplace disputes by establishing the rights and obligations of each party involved. Therefore, compliance with these frameworks can prevent workplace disputes. In Tanzania, employees' exhibit lower awareness of the legal and institutional frameworks for labour inspection compared to employers. However, awareness levels are higher among ATE-member employers compared to non-ATE-member employers. The study found that education and training were provided to

employers and employees on matters related to labour laws with a view of making them aware of the legal and institutional frameworks governing labour inspection in Tanzania.

The findings of the study indicate that labour inspection plays various roles in preventing disputes at the workplace. These include providing education, training, and legal advice and conducting seminars. However, the awareness of the role of labour inspection by employees and some employers is lower compared to labour officers, trade union representatives, ATE representatives, and employers who are members of ATE. The findings of the study reflect reality because labour inspectors have been providing education, training, legal advice, enforcement, and seminars as a part of preventing disputes at workplaces. These roles are well stipulated under Section 45(1)(j) of the Labour Institutions Act (CAP 300, R.E. 2019), which states that the power of a labour inspector is to educate, advise, and oversee the implementation of labour laws. Under Section 45(1)(i) of the Labour Institutions Act (CAP 300, R.E. 2019), which states that upon request, labour officers may provide employees, employers, registered trade organisations, and federations with advice and training in skills for the avoidance, prevention, and settlement of labour disputes. Despite these roles being established under the law, there is still low awareness of the labour laws among the employers and employees because the education and training provided are not satisfactory to make employers and employees have enough awareness of the labour laws. However, the labour officers are given powers to provide legal advice and enforce the labour laws, but still there is low compliance of the labour laws with the employers and employees.

The study identified several approaches used by labour inspectors in Tanzania to prevent labour disputes, including routine inspection visits, follow-up inspections, and special inspection visits. It found that labour officers, trade union representatives, ATE representatives, and some employers are aware of these approaches. Overall, the findings reflect the reality that most stakeholders are familiar with these methods due to their active participation in the labour inspection process. However, some employers remain unaware, as they are not subject to labour inspections and therefore lack knowledge of the approaches used to prevent disputes. When implemented correctly,

these approaches significantly contribute to dispute prevention by ensuring effective compliance with labour laws for both employers and employees. However, if misapplied, they can lead to non-compliance, fostering an environment that is conducive to labour disputes.

Labour inspectors regularly conduct routine inspections and follow-up visits to ensure employers comply with previous orders. They also carry out special inspections when necessary, particularly in cases of workplace accidents or when foreign workers are employed without work permits.

The study identified several challenges facing labour inspection in Tanzania, including inadequate financial resources, insufficient work facilities, a shortage of labour officers, and the lack of labour offices in district areas. Additional challenges include the remoteness of some areas, political interference, and a lack of professionalism in executing activities. These findings reflect the ongoing reality that resource scarcity, both in terms of human and financial capital, negatively impacts the effectiveness of labour inspections. For example, a study by Dawite (2014) found that labour inspectors in Dar es Salaam were insufficient, with only 10 to 13 officers available for a large number of organisations. Similarly, Rodríguez (2020) noted that limited resources hinder the Inspectorate's ability to fulfil its duties effectively.

Labour inspectors in Tanzania often lack professionalism, as many are employed from professions unrelated to labour laws. This lack of relevant expertise hinders their ability to effectively enforce labour laws. A study by Dawite (2014) noted that many labour officers lack professional qualifications, with most coming from fields such as social work and public administration, and only a few having backgrounds in law, economics, labour relations, or public management. This mismatch of skills makes it difficult for inspectors to perform their duties effectively. As a result, the lack of professionalism contributes to low awareness of labour laws among employers and employees, as the inspectors are not sufficiently trained or competent in the field.

The study identified several challenges affecting labour inspection in Tanzania, including the lack of labour offices in district areas, political interference, corruption, and the remoteness of certain regions. Many districts lack labour offices, which leaves

some employers uninspected and unaware of labour laws, contributing to non-compliance. The absence of labour offices in district areas allows employers to violate labour rights without scrutiny, creating an environment where labour disputes persist. Political interference further exacerbates the problem, as some political leaders intervene in labour inspections, preventing inspectors from performing their duties in certain workplaces, especially when they have vested interests in the companies. This leads to continued non-compliance and fosters a culture of impunity. Corruption is another significant issue, as many labour inspectors, influenced by low wages, engage in bribery, which undermines their ability to enforce labour laws. According to Dawite (2014) and ILO (2009), the lack of adequate wages encourages bribery, compromising the inspectors' independence and effectiveness. Furthermore, poor infrastructure in some remote areas makes it difficult for inspectors to reach certain workplaces, hindering the inspection process.

To address these challenges, the study recommends several measures, including improved cooperation from employers, an adequate number of labour inspectors, better financial resources, salary increases for inspectors, and the establishment of labour offices in every district. These measures are crucial for ensuring effective labour inspection and preventing disputes. Adequate cooperation from employers is essential, as it enables inspectors to gather accurate information about compliance with labour laws, which can help employers improve practices. The International Labour Organisation (ILO) (2022) emphasises that collaboration with social partners is key to a successful inspection system. In addition, increasing the number of labour inspectors and allocating sufficient financial resources are vital for ensuring thorough inspections across all workplaces. ILO (2022) and Dawite (2014) both stress that strengthening the labour law department with more resources would enhance enforcement and compliance. In line with this, Malema (2013) recommended prioritising labour inspection services and providing adequate budgetary provisions to ensure the system's effectiveness.

Increasing wages and salaries for labour inspectors is another important measure. As ILO (2010) and ILO (2022) argue, low wages can lead to ethical problems and undermine the integrity of the labour inspection system. Higher wages would improve

inspectors' motivation and effectiveness, leading to better compliance with labour laws. Finally, establishing labour offices in every district is crucial to prevent workplace disputes. Currently, labour offices are located only at the regional level, leaving many workplaces uninspected. The establishment of district-level offices would ensure broader coverage and more effective enforcement of labour laws, reducing disputes. However, challenges like corruption and inadequate facilities must be addressed to ensure the success of this initiative.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter comprises a summary of the study, a conclusion, recommendations, and area for further studies.

5.2 Summary

This study investigated the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania. The general objective was to investigate the effectiveness of labour inspection mechanism in preventing labour disputes in Tanzania. Specifically, the study aimed to examine legal and institutional frameworks for labour inspection in Tanzania, to assess the labour inspection roles in preventing labour disputes in Tanzania, to explore the approaches used by labour inspectors in preventing labour disputes in Tanzania, and to determine the challenges facing labour inspection in Tanzania.

This study adopted a case study design and used a qualitative approach, where interview and review of documents were the main data collection techniques. The study also employed purposive and convenience sampling. Thematic and content analyses were used to analyse data.

The findings of the study indicate that there are different legal and institutional frameworks for labour inspection in Tanzania. These include the Employment and Labour Relations Act (CAP 366.R.E.2019), the Occupational Health and Safety Act of 2003, the Workers Compensation Act, the National Social Security Act, the Wage Order of 2022, and the Non-Citizens Act No.1 of 2015. Others are the Labour Institutions Act (CAP 300.R.E.2019) and the Public Service Social Security Fund Act of 2018. As for institutional frameworks for labour inspection in Tanzania, Labour Administration and Inspection Section, Occupational Safety and Health Authority, Workers Compensation Fund, National Social Security Fund, and Public Service Social Security Fund exist.

The study also found that representatives from employers' and employee's organisations, labour officers, and employers who are ATE members are aware of the legal and institutional framework for labour inspection in Tanzania, while employees and employers who are not ATE members have low awareness. The study further found that legal and institutional frameworks play a crucial role in preventing workplace disputes by establishing the rights and obligations of each party involved. Therefore, compliance with these frameworks can prevent workplace disputes. The study found that, in Tanzania, employees' exhibit lower awareness of the legal and institutional frameworks for labour inspection compared to employers. However, awareness levels are higher among employers who are ATE members compared to non-ATE members. The study found that education and training were provided to employers and employees on matters related to labour laws with a view of making them aware of the legal and institutional frameworks governing labour inspection in Tanzania.

Furthermore, the findings indicate that labour inspection plays various roles in preventing disputes at the workplace. These include providing education, training, legal advice, enforcement, and conducting seminars. However, the awareness of the role of labour inspection by employees and some employers is lower compared to labour officers, trade union representatives, ATE representatives, and employers who are members of ATE.

In addition, the study found different approaches that are being used by labour inspectors in preventing labour disputes in Tanzania. These include routine inspection visits, follow-up inspection visits, and special inspection visits. However, the study found that labour officers, trade union representatives, ATE representatives, and some employers are aware of these approaches. In addition, the study found that if the approaches are used properly, they contribute significantly to dispute prevention at the workplace.

Lastly, the study found various challenges associated with labour inspection in Tanzania. Such challenges include inadequate financial resources, inadequate work facilities, an inadequate number of labour officers, and a lack of labour offices in

district areas. Other challenges included the remoteness of some areas, political interference, and a lack of professionalism in executing activities.

5.3 Conclusion

Based on the findings and discussion, the following conclusions are drawn: First, labour officers, representatives from employers and employees' organisations and employers are aware of existing legal and institutional frameworks for labour inspection in Tanzania. However, employees and some employers who are non-members of ATE have low awareness of the existing legal and institutional framework for labour inspection in Tanzania. Secondly, labour inspection in Tanzania is ineffective because of the multiple challenges facing it.

5.4 Recommendations

5.4.1 Government

The government should provide adequate resources to ensure effective and efficient labour inspection services. The efficiency and effectiveness of the services are affected when the resources are inadequate; thus, the government should allocate enough resources to ensure effective and efficient delivery of these services.

In addition, the government should establish labour offices in all districts to facilitate required workplace inspection and strengthen the effectiveness of labour inspection services. Also, the government should employ adequate staff to ensure effective and efficient provision of labour inspection services.

5.4.2 Trade Unions

The employees' rights have always been violated due to a low understanding of their rights. To address this, trade unions should provide adequate education and training to their members on labour laws. This increased awareness will empower employees to better protect their rights.

Furthermore, trade unions should monitor full compliance of labour laws by employers and employees. This will contribute to preventing disputes at workplaces because most of the disputes happen due to non-compliance with labour laws.

5.4.3 Employers' Organisations

The employers' organisations should continue to enhance awareness among employers regarding labour laws through seminars, education, and training. This approach will ensure effective compliance with labour laws and contribute to preventing disputes at workplaces.

Additionally, trade unions and employers' organisations and the government should collaborate to prevent disputes at workplaces and ensure that trade union representatives and representatives of employers' organisations cooperate with the labour officers in preventing disputes at workplaces.

5.5 Area for Further Studies

This study assessed the effectiveness of labour inspection in preventing labour disputes in Tanzania. It is recommended that another study be carried out to examine the effectiveness of collective bargaining mechanism in preventing labour disputes in Tanzania.

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APPENDICES

Appendix 1: INTERVIEW GUIDE

LABOUR OFFICERS

- **To examine legal and institutional framework for labour inspection in Tanzania**
 1. Are you aware of legal and institutional framework for labour inspection?
 2. Can you mention legal and institutional frameworks for labour inspection in Tanzania?
 3. Do you think the existing legal and institutional framework is useful in prevention of labour disputes in Tanzania?
 4. To what extent labour officers use the existing legal framework?
- **To assess labour inspection roles in preventing labour disputes in Tanzania**
 1. Are you aware with the roles of labour inspection in preventing labour disputes in Tanzania?
 2. Can you mention critical roles of labour inspection in preventing dispute at the workplace? Probe; proactive role and reactive role.
 3. To what extent labour officers play their role in dispute prevention at the workplace?
- **To explore the approaches used by labour inspectors in preventing labour disputes in Tanzania**
 1. Are there any approaches used by labour inspectors in preventing disputes at the workplace?
 2. Can you mention approaches that have been used by labour inspectors in preventing disputes at the workplace?
 3. To what extent these approaches contributed in preventing disputes at the workplace?
 4. Do you engage different actors in performing your duties of preventing dispute at the workplace?
 5. How do you engage them in preventing disputes at the workplace?

- **To determine the challenges facing labour inspection in Tanzania**
 1. Are there any challenges facing labour inspection in Tanzania?
 2. Can you mention challenges facing labour inspection in Tanzania?
 3. What should be done to ensure labour inspection become an effective tool of preventing disputes?

ATE REPRESENTATIVES

- **To examine legal and institutional framework for labour inspection in Tanzania**
 1. Are you aware of legal and institutional framework for labour inspection in Tanzania?
 2. Can you mention legal and institutional frameworks for labour inspection in Tanzania?
 3. Is ATE creating awareness to employers related to legal and institutional framework for labour inspection in Tanzania?
 4. How ATE creates awareness to employers related to legal and institutional framework for labour inspection in Tanzania?
 5. Do you think the existing legal and institutional framework is useful in prevention of labour disputes in Tanzania?
 6. What is current status for employers in complying with legal framework for labour inspection in Tanzania?
 7. Is there any gap in existing legal framework for labour inspection in Tanzania?
 8. Do you think the existing institutional framework for labour inspection is well functioning?
- **To assess the labour inspection roles in preventing labour disputes in Tanzania**
 1. Are you aware of the role of labour inspection in preventing labour disputes in Tanzania?
 2. Can you mention critical roles of labour inspection in preventing dispute at the workplace?

3. To what extent labour officers play their role in dispute prevention at the workplace?
 4. What are other suitable mechanisms for dispute prevention apart from labour inspection?
- **To explore the approaches used by labour inspectors in preventing disputes in Tanzania**
 1. Are you aware of approaches used by labour inspectors in preventing disputes at the workplace?
 2. Can you mention approaches that have been used by labour inspectors in preventing disputes at the workplace?
 3. To what extent these approaches contributed in preventing disputes at the workplace
 4. ATE as an institution, is it participate in dispute prevention at the workplace?
 5. How ATE participates in dispute prevention at the workplace?
 - **To determine the challenges facing labour inspection in Tanzania?**
 1. Are you aware of challenges facing labour inspection in Tanzania?
 2. Can you mention challenges facing labour inspection in Tanzania?
 3. What do you think should be done to ensure that labour inspection become an effective dispute prevention tool?

TRADE UNION REPRESENTATIVES

- **To examine legal and institutional framework for labour inspection in Tanzania**
 1. Are you aware of the role of labour inspection in preventing labour disputes in Tanzania?
 2. Can you mention legal and institutional frameworks for labour inspection in Tanzania?
 3. Do you think the existing legal and institutional framework is useful in prevention of labour disputes in Tanzania?
 4. To what extent employers and employees are aware of existing legal and institutional framework for labour inspection in Tanzania

5. How trade union create awareness to the employees related to legal and institutional framework for labour inspection in Tanzania
- **To assess labour inspection roles in preventing labour disputes in Tanzania**
 1. Are you aware of the role of labour inspection in preventing labour disputes in Tanzania?
 2. Can you mention critical roles of labour inspection in preventing dispute at the workplace?
 3. To what extent labour officers play their role in dispute prevention at the workplace?
 4. What are other suitable mechanisms for dispute prevention apart from labour inspection?
 - **To explore the approaches used by labour inspectors in preventing disputes in Tanzania**
 1. Are you aware of approaches used by labour inspectors in preventing disputes at the workplace?
 2. Can you mention approaches that have been used by labour inspectors in preventing disputes at the workplace?
 3. To what extent these approaches contributed in preventing disputes at the workplace
 - **To determine the challenges facing labour inspection in Tanzania**
 1. Are you aware of challenges facing labour inspection in Tanzania?
 2. Can you mention challenges facing labour inspection in Tanzania?
 3. What should be done to ensure that labour inspection become an effective dispute prevention tool?

EMPLOYERS

- **To examine legal and institutional framework for labour inspection in Tanzania**
 1. Are you aware of legal and institutional framework for labour inspection?
 2. Can you mention those legal and institutional frameworks for labour inspection in Tanzania?

3. Do you think the existing legal and institutional framework is useful in prevention of labour disputes in Tanzania?
 4. To what extent employers and employees are aware with existing legal and institutional framework for labour inspection in Tanzania
 5. How ATE creates awareness to employers related to labour laws
- **To assess labour inspection roles in preventing labour disputes in Tanzania**
 1. Are you aware of the role of labour inspection in preventing labour disputes in Tanzania?
 2. Do you think what are the critical roles of labour inspection in preventing labour disputes in Tanzania? Probes, proactive role ,reactive role
 3. To what extent labour officers play their role in dispute prevention at the workplace?
 4. What are other suitable mechanisms for dispute prevention apart from labour inspection? Probes; collective bargaining ,social dialogue, workplace management cooperation
 - **To explore the approaches used by labour inspectors in preventing labour disputes in Tanzania**
 1. Are you aware of approaches used by labour inspectors in preventing disputes at the workplace?
 2. Can you mention approaches that have been used by labour inspectors in preventing disputes at the workplace? Probe; routine inspection visits, special inspection visits and follow up inspection visits
 3. To what extent those approaches contributed in preventing disputes at the workplace
 - **To determine the challenges facing labour inspection in Tanzania**
 1. Are you aware of challenges facing labour inspection in Tanzania?
 2. Can you mention challenges facing labour inspection in Tanzania?
 3. What should be done to ensure that labour inspection become an effective dispute prevention tool?

EMPLOYEES

- **To examine legal and institutional framework for labour inspection in Tanzania**
 1. Are you aware of legal and institutional framework for labour inspection?
 2. Can you mention legal and institutional frameworks for labour inspection in Tanzania?
 3. Do you think the existing legal and institutional framework is useful in prevention of labour disputes in Tanzania?
 4. To what extent employers and employees are aware with existing legal and institutional framework for labour inspection in Tanzania
 5. How trade union creates awareness to the employees related to legal and institutional framework for labour inspection in Tanzania
- **To assess labour inspection roles in preventing labour disputes in Tanzania**
 1. Are you aware of the roles of labour inspection in preventing labour disputes in Tanzania?
 2. What are the critical roles of labour inspection in preventing labour disputes in Tanzania? Probes; proactive role and reactive role, scope of dispute resolution
 3. To what extent labour officers play their role in dispute prevention at the workplace?
 4. What are other suitable mechanisms for dispute prevention apart from labour inspection? Probes; collective bargaining, workplace management cooperation and social dialogue.
- **To explore the approaches used by labour inspectors in preventing labour disputes in Tanzania**
 1. Are there any approaches used by labour inspectors in preventing disputes at the workplace?
 2. Can you mention approaches that have been used by labour inspectors in preventing disputes at the workplace? Probe; routine inspection visits, special inspection visits and follow up inspection visits

3. To what extent these approaches contributed in preventing disputes at the workplace

- **To determine the challenges facing labour inspection in Tanzania**

1. Are you aware of challenges facing labour inspection in Tanzania?
2. Can you mention challenges facing labour inspection in Tanzania?
3. What should be done to ensure that labour inspection become an effective dispute prevention tool?

APPENDIX II: RESEARCH PERMITS

INSTITUTE OF SOCIAL WORK

Telegraphic Address
TAASISI USTAWI
Telephone: 2700918/274443
Fax: 2701375
Email: info@isw.ac.tz
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P.O Box 3375
Dar es Salaam
TANZANIA

ISW/MLLMA/T.2021/016

7th August 2023

Regional Administrative Secretary,
Ilala.

Dear Sir/Madam

RE: RESEARCH CLEARANCE

The Institute of Social Work was established by the National Social Welfare Training Institute Act No. 26 of 1973 (as amended by the Miscellaneous Act No. 13 of 2002). The aim of its establishment is to prepare human resource for strengthening the social service delivery structure in Tanzania. The mission of the Institute is to continuously transform individuals' and communities' life by conducting high quality training programmes, research and consultancy that lead to socio-economic development of the country.

The purpose of this letter is to introduce to you **Nuru Pajenga; REG. NO. MLLMA/T.2021/016**, a student pursuing a Master's Degree in Labor Laws Mediation and Arbitration at the Institute of Social Work. His research title is **"EXAMINING THE EFFECTIVENESS OF LABOR INSPECTION AS MECHANISM FOR LABOR DISPUTE PREVENTION IN TANZANIA: A CASE OF LABOR ADMINISTRATION AND INSPECTION SECTION IN DAR ES SALAAM"**. The Institute requests on behalf of the student to grant him a permit to collect data at Dar es Salaam.

The period which this permission has been granted is from **1st August, 2023 to 30th November, 2023**. In case of any further clarification required, please contact: Deputy Rector Academics Research and Consultancy; Institute of Social Work, P.O BOX 3375; Dar es Salaam. Telephone number: 022- 2700918/274443.

Thanking you in advance for your cooperation.

Yours sincerely,

For Prof. SOTCO KOMBA
Deputy Rector Academics, Research and Consultancy

JAMHURI YA MUUNGANO WA TANZANIA
OFISI YA RAIS
TAWALA ZA MIKOA NA SERIKALI ZA MITAA

MKOA WA DAR ES SALAAM
Anwani ya Simu:
Simu: 2203158/2203158/286371
Barua pepe ras@dsm.go.tz

Unapojibu Tafadhali taja:

Kumb. Na. EA.260/307/02B/132



OFISI YA MKUU WA MKOA,
3 Barabara ya Rashidi Kawawa
S.L.P 5429,
12880 DAR ES SALAAM.

17 Agosti, 2023

Mkurugenzi wa Jiji,
Halmashauri ya Jiji la Dar es Salaam,
Dar es Salaam.

Wakurugenzi wa Manispaa,
Halmashauri ya Manispaa Kinondoni,
Kigamboni, Temeke na Ubungo,
Dar es Salaam.

Yah: KUMTAMBULISHA NDG. NURU PAJENGA KUFANYA UTAFITI

Tafadhali husika na somo tajiwa hapo juu.

2. Ofisi ya Mkuu wa Mkoa wa Dar es Salaam imepokea barua Kumb. Na. ISW/MLLMA/T.2021/016 ya tarehe 07 Julai, 2023 kutoka Taasisi ya Ustawi wa Jamii ikimtambulisha na kumuomba kibali cha utafiti Ndg. Nuru Pajenga katika Halmashauri yako.
3. Mtafiti huyu anafanya utafiti kuhusu *"Examining the Effectiveness of Labor Inspection as Mechanism for Labor Dispute Prevention in Tanzania: A case of Labor Administration and Inspection Section in Dar es salaam."*
4. Kwa barua hii, kibali kimetolewa kuanzia 01 Agosti, 2023 hadi 30 Novemba, 2023.
5. Asante kwa ushirikiano wako.

Samwel R. Magweiga
Kny: KATIBU TAWALA MKOA
DAR ES SALAAM

Nakala: Makamu Mkuu wa Taasisi,
Taasisi ya Ustawi wa Jamii,
S.L.P 3375,
Dar es Salaam.

Ndg. Nuru Pajenga