

# **EXISTING LABOUR ADMINISTRATION PROBLEMS IN MALAWI: POSSIBLE, PRACTICAL AND IMPLEMENTABLE SOLUTIONS**

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## **ABSTRACT**

Currently, there are many problems confronting the labour administration system services in Malawi ranging from administrative, operational/technical through to staffing/personnel problems which can be researched and discussed. However, this paper, using the desk and document analysis method, identifies and discusses mainly those labour administration system problems and/or challenges with respect to labour turnover that potentially affect or are bound to affect technical staffing levels and hence the delivery of technical labour services in country, both in the short and long term perspectives. The paper reveals the failure to attract and retain highly qualified human resources. (and thus) Based on this revelation/finding, the paper recommends the need to... among others.

## ***LABOUR ADMINISTRATION SYSTEM***

The International Labour Organization (ILO) recommendation 158 and its convention 150 define Labour Administration as all public administration activities in the field of National Labour Policy. National Labour Policy comprises of the Employment Promotion; Labour Protection; Industrial Relations and Labour Policy Research.

Public Labour Administration activities are performed by a number of institutional bodies within and sometimes outside the Ministry of Labour. These institutions collectively form what is known as Labour administration systems. Further more, the institutional framework responsible for the coordination of activities between various bodies and for consultation with and participation by employers and workers and their organizations also constitute Labour administration system. For the Malawi government, it is all the structural bodies in the Ministry of Labour with the personnel that is directly engaged in the implementation of the Malawi national Labour Policy that form major components of Labour administration system. Trade Unions and the Employer's Consultative Association of Malawi (ECAM) are also parts of the system but outside the Ministry.

## ***PROBLEMS OF LABOUR ADMINISTRATION SYSTEM***

There are several outstanding problems of Labour Administration system in Malawi. The then Labour Commissioner, Zebron Kambuto, in his paper titled “ *Labour Administration System*” presented at Mpemba Staff Development Institute in April 2005, highlighted some of the most crucial problems. These are: Low quality of human resources; Poor resource management; Low training opportunities; lack of mobility for staff; too much competition from private sector and other Ministries which offer better conditions of services; globalization due to the deregulation, Liberalization and privatization, which has led to Labour inspectors being challenged by some managers.

Also to be mentioned here, as problematic challenge facing Labour Administration system in Malawi is the failure to attract and retain highly qualified human resources. Indeed, the above mentioned are crucial problems a part from the usual ones that include poor office accommodation, understaffing and poor or no furniture in some offices.

Still on problems, the Principal Secretary of Labour, Dr. Andrew T. Daudi, from September 2005 to February 2006, carried out a tireless official familiarization tour to each and every regional and district Labour office in the country to familiarize himself with activities being executed in the districts. During such visits, the PS observed and acknowledged a number of problems, which are faced by field officers of the Ministry of Labour. These are problems such as understaffing; poor office accommodation and furniture; lack of qualified staff, i.e. there is staff with low or no professional training at all etc. These problems and many others are well documented in the PS's report with some recommendations and resolutions drawn against each of them. The recommendations and resolutions are the proposed actions that must or should be done to either reduce or minimize some problems. It should further be said here that almost all the problems found and documented in the PS's report are the problems which have already been extracted from Kambuto's paper. Hence they are all Labour Administration problems.

Finally, considering that late Kambuto's paper and the PS's report were written at different times, i.e. one earlier than the other one, then everyone else in the Ministry can agree with me if I promptly make it as a concluding statement that some similar problems of Labour administration systems existed in the past, during the present time and possibly will continue existing. The continuity will be true especially if nothing serious is to be done in the ministry to help eliminate or reduce such problems. In this regard, I therefore agree and admit that there is a problem that needs an urgent attention. I propose here that this problem needs some comprehensive studies to be undertaken that should seek to provide practical and implementable solutions to the existing problems of Labour Administration system in Malawi. Nevertheless, it should be stated here that some PS's report resolutions have been implemented and are seen and found to be working for the better. This is prima-facie evidence that truly the findings and recommendations of any comprehensive research study that can be done can really solve out some Labour administration existing problems. I am convinced to say so because I find and define the PS's tour referred to in this paper as one form of a comprehensive study done and whose applied resolutions (some) have worked. There is no need for me to sit idle and not to think creatively on how to help the ministry.

## **DISCUSSION ON PROBLEMS OF LABOUR ADMINISTRATION SYSTEM AND THEIR EFFECTS TOWARDS THE EFFECTIVE IMPLEMENTATION OF NATIONAL LABOUR POLICY**

### ***PROBLEM TO ATTRACT AND RETAIN HIGHLY AND QUALIFIED HUMAN RESOURCE PEOPLE.***

Ministry of Labour is one of the few Ministries in the Malawi government with a small number of highly and qualified personnel in its technical departments. This is so not because the Ministry is not recruiting such highly and qualified people but because of its problem of failing to attract and retain such people. Since I joined the Ministry in 1999, I have seen some qualified graduates in the Labour market reluctant to pick jobs with

Ministry of Labour and also seen some already ministry's recruited graduates quitting the ministry on resignation reason for greener pasture. One recent situation the Ministry has experienced is that, out of about 18 recruited fresh graduates (Labour Officers) into the Ministry last year 2006, less than 10 have reported for duties, the rest have not done so yet. Although people may look at this scenario of people flocking for greener pasture as normal case every where else but in our Ministry, it is worse as it is compounded by the problems of failure in attraction and retention.

The problem has major repercussions towards the effective implementation of Labour Policy. Take for instance, the sectional activity of Labour Policy Research within the National Labour Policy. Within this sectional activity, there is a sub-sectional activity of surveys and studies. This sub-sectional activity is very crucial and important. If implemented accordingly, it is the one whose findings can help the government formulate, supervise or monitor and evaluate successfully the Labour Policy in the service of the individual. Unfortunately, it is this area, which seems not to be actively done in our ministry thereby affecting, to a certain extent, the implementation process of Labour Policy by Public Administration bodies in the field of Labour Administration.

The area of research and study needs to be handled by highly and qualified personnel otherwise it may not be proposed just to be done by everyone or else it may be done subjectively. If the ministry now can allow to fund some few qualified personnel in the ministry to do some studies, it may help because some of the study findings may be the solutions to the problem of failure to attract and retain qualified people in the ministry plus to those other problems of poor resource management and solutions to improve quality of human resource, i.e. human capacity development.

Let me conclude this section by suggesting that the ministry should consider the possibility of sponsoring, in various ways, some ministry employees who have served for not less than five years to do some further studies either to a diploma level or a degree level, (i.e. Bachelors or Masters). I look at this plan to be the one which can ease the problem of retention because it is rather difficult for the ministry to retain a Masters employee of say one year or less of service in the ministry than the one of five or more years of service in the same ministry. If this suggestion can be taken on board, it may help us as Ministry to help the government to delete itself from the list of countries affected by the research finding that stated that Labour Administrations in various World countries are not able to attract and retain highly and qualified human resources.

### ***PROBLEMS OF LACK OF MOBILITY FOR STAFF; LOW TRAINING OPPORTUNITIES AND FINANCIAL RESOURCES***

Low training opportunities as a problem in the Ministry means that there are minimal chances for officers to be trained further on how to go about with their technical duties of the ministry. Among other reasons, this low training opportunity is so because of low financial resources. And lack of mobility for staff could mean either people have no chances to move out of their duty stations to be trained some where or no chances to be invited to attend workshops or it could mean officers at their district levels, do not move to attend district meetings where they can interact with other workers from various institutions at district level. The last two circumstances become the case sometimes due to officers not qualifying for a workshop and due to attitude of inferiority felt by some Labour Officers to go and participate actively in meetings at district level respectively. Here it can be seen that Labour Administration problems are compounded by each other.

This means solving some of them amicably could automatically get rid of other problems of the system.

It need not be explained on how a problem of low finances could affect the work performance in the process of implementing Labour Policy because everyone knows that any government department or ministry with insufficient funds to carry out its activities cannot do well.

The idea of encouraging district officers to be writing proposals to various donors to ask for funds is a welcome idea. Once a proposal is accepted and approved by a donor, it means funds will be available for the proposed office activities to be implemented. This will mean improving or topping up the ministry's working finances. If a proposal was a National one by the Ministry headquarters officials, it will mean funds available either to train some officers on some areas of their work or on something else. For instance, the 2004 Nkhata-Bay district Labour Officer proposed to UNICEF and was funded. The result has been the implementation, by district Labour office, of the sewing machine training to various citizens of Nkhata-bay to improve the then Ministry's vocational training activities. Another example in the Ministry was the funds for the phased out, (in December, 2006), yearly training of Labour Inspectors that was being coordinated by Deputy Labour Commissioner – Mr. MwasiKakata. But to propose, a person needs some skills and principles and these skills and principles are taught. Hence there is need for officers to be offered some further professional training or even academic ones.

Lastly, in my draft paper titled: ***“The need for Mzimba District Labour Office to be headed by an Officer of grade E (P5)”*** presented to Mr. Matimba of Department of Human Resources and Development (DHRD) in May, 2006, I argued about power balance among heads of various government line ministries including Labour Ministry at district level as instrumental factor for any balanced, positive and active interactions or participations in various discussions by the meeting district executive committee (DEC) members. Similarly in my proposal paper titled: ***“Sensitization campaign programme on the core functions of the ministry of Labour and Social Development in Mzimba district”***, I emphasized on the need of Mzimba district Labour office to market its activities to various sectors at district level including all district private employing institutions in addition to the District Assembly plus all government departments with an objective of creating a good link between the Ministry of Labour represented at the district and other government line ministries plus private institutions. In this case, the issue of power balance concerns the problem of under- staffing in districts and the issue of sensitization of ministry's core functions concerns, to a certain extent, the problem of lack of mobility and that of low training.

Again, it is my suggestion that the ministry should try to ensure that each and every district labour office through out the country is headed by competent officers who should at least be able to balance with colleagues in areas of capability and deliverance; who should be able to write and defend proposals for additional funds as well as to market and map on the usefulness of labour services to various sectors and individuals at district level. These heads should be closely monitored and evaluated at least four times every year. This alone when done, can bring a drastic change towards the deliverance of labour services, a situation that will enable the ministry realize its set goals.

***Written and submitted by:***

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