AN ANALYSIS OF THE EFFICACY OF LABOUR LAWS ON THE GIG ECONOMY IN UGANDA

MARIA ADRONAH BATUUSA

CS20B11/1102

A DISSERTATION SUBMITTED TO THE SCHOOL OF LAW, IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE AWARD OF A DEGREE OF BACHELOR OF LAWS OF UGANDA CHRISTIAN UNIVERSITY

June, 2024

UGANDA CHRISTIAN UNIVERSITY

A Centre of Excellence in the Heart of Africa

DECLARATION

I, ADRONAH MARIA BATUUSA, do declare that this scholarly venture is an original invention of my own efforts. It has not been submitted to any University or Institution of Higher Learning for any academic award, prior to this release. I have acknowledged the sources from where I obtained the information for this research.

Name: ADRONAH MARIA BATUUSA

Signature:…………………………………….

Date:………………………………………….

Name: MS. CAROLINE KANYAGO

Signature:……………………………………

Date:…………………………………………

Supervisor

DEDICATION

To my mother, sisters and brother whose love and support I cherish. Your constant presence, guidance, and understanding have propelled my determination to reach this milestone.

ACKNOWLEDGEMENT

All my life he has been so faithful, I shall forever sing his goodness. The Lord has shown me his unceasing love and favours and I shall forever be grateful.

I am heavily indebted to my supervisor Ms. Caroline Kanyogo for the sacrifice made to guide and supervise this work.

Candid gratitude to my family, friends and classmates, who have always inspired me and encouraged me. You made me feel relatively sane throughout our journey in Law school.

God`s abundant blessings upon you all.

TABLE OF CONTENTS

DECLARATION......ii
DEDICATION...... iii
ACKNOWLEDGEMENT......iv
Abstract......7
CHAPTER ONE 8
GENERAL INTRODUCTION......8
1.0 Introduction......8
1.1 Background of the Study......8
1.2 Problem Statement 11
1.3 Objectives of the Study 13
1.3.1 General Objective 13
1.3.2 Specific Objectives......13
1.4 Research Questions 14
1.5 Significance of the Study 14
1.6 Scope of the Study......15
1.6.1 Subject Scope 15
1.6.3 Time Scope 16
1.8 Conceptual Framework 23
1.9 Methodology of the Study......25
1.10 Chapter Synopsis......27
CHAPTER TWO 29
NON LEGAL ASPECTS OF THE RELATIONSHIP BETWEEN LABOUR LAW REGIME AND THE GIG ECONOMY......29
2.0 Introduction......29
2.1 The Concept of Gig Economy......29
2.2 Factors for the Growth of the Gig Economy......31
2.3 Challenges/Issues Associated with the Gig Economy in the Labour Market 35
2.4 Conclusion......40
CHAPTER THREE......41
LEGAL ASPECTS OF THE GIG ECONOMY AND LABOUR LAW REGIME IN UGANDA......41
3.0 Introduction......41
3.1 Regulatory Framework for Employment and The Gig Economy 41
3.1.1 International Legal Framework......42

3.1.2 Regulation of the Gig Economy in the United Kingdom..43
3.1.3 Domestic Legal Framework..47
3.2 Classification/Status of Gig Workers...53
3.3 Workers' Rights in the Gig Economy..55
3.4 Comparative Study Between the Employment Status of the Gig Economy in the United Kingdom (UK) and Uganda..56
3.5 Conclusion..59
CHAPTER FOUR..60
SUMMARY AND DISCUSSION OF FINDINGS..60
4.0 Introduction..60
4.1 Summary of Findings...60
4.2 Conclusion..71
CHAPTER FIVE..72
CONCLUSIONS AND RECOMMENDATIONS...72
5.0 Introduction..72
5.2 Conclusions...72
4.3 Recommendation..74
4.4 Further Research..77
BIBLIOGRAPHY..79

Abstract

This study is on the efficacy of the labour law in the gig economy in Uganda. The study raised and addressed a few issues namely: whether the legal and regulatory framework on employment/labour have succeeded in protecting the gig economy in Uganda; whether there are any challenges hindering the effective implementation of the labour regulation in protecting the gig workers in Uganda and any measures available to protect the rights of workers in the gig economy. Given the interdisciplinary nature of the labour laws and gig economy, the researcher employed a qualitative method of study. Despite the growth and influence of platform work in Uganda, labour regulation, laws and policies continue to lag. Gig workers continue to face challenges which among others include issues of job security, no employment benefits or compensation, uncertain income stability, lack of social protection such as a safety net, and potential exploitation of workers among other. The specifics of these standards may vary depending on the sector and nature of work. This research notes that as the gig economy continues to evolve, there is a need for the government and relevant authorities to introduce specific regulations or guidelines to address the unique challenges of gig work and the platform workers within it.

CHAPTER ONE

GENERAL INTRODUCTION

1.0 Introduction

For as long as there have been employment laws, business leaders have been confused about whether and when to classify workers as employees versus independent contractors. The issue has only intensified with the rise of the gig economy and myriad technologies connecting short-term talent with project-based employment opportunities. Unfortunately, our criteria for approaching the employee-versus-independent-contractor question impose 20th century constraints on a 21st century labour model. The gig economy, characterized by short-term, flexible jobs, has witnessed substantial growth in recent years. This paper examined the intricate relationship between labour laws and the gig economy, exploring the implications on workers' rights, job security, and overall economic dynamics. This study dealt with the background of the study, statement of the problem, the objectives of the study, the research questions, the significance of the study, the justification, scope of the study, conceptual model, literature review, methodology and the chapter synopsis.

1.1 Background of the Study

Globalization, innovation and technology have transformed many employment relations. This has led to the performance of tasks in a completely new way than decades ago, under different legal links than the typical employment contract. Labour markets are facing new situations for which law has no responses yet. In Uganda, even before the pandemic, there were high levels of unemployment in the formal, government-regulated job market, and the informal economy has been the main driver of national economic growth for decades. The Uganda Bureau of Statistics (UBOS) report on the Uganda National Household Survey 2019/2020 indicates that the rate of employment stood at 39% of the population in 2019/2020 down from 48% in 2016/17. Unemployment unsurprisingly reduced to 9% in 2019/2020 compared to 10% during the same period.[1] By 2021, a survey by the Centre for Global Development found, 60 percent of Ugandan youth had become involved in the platform gig economy. The cofounder of the Centre declared that balancing multiple gig jobs was the future of employment for young Ugandans.

The gig economy refers to a labor market where individuals engage in short-term, flexible, and independent work arrangements, often facilitated through digital platforms.[2] Gig workers, also known as freelancers or independent contractors, provide services on-demand, ranging from transportation and accommodation to creative and professional services. Under this market, workers receive payment according to the "gigs" they perform, and they can have various contracts at the same time, of a completely different kind and even for different clients or contractors around the world. Ideally, a gig worker, for instance an independent delivery driver working for a ride-hailing platform working with Glovo, safeboda or uber, should receive fair compensation for their services, including adherence to minimum wage regulations, occupational safety and transparent payment systems to ensure fair pay for their work; or a virtual assistant providing administrative support to clients, like Jumia, should have access to social security, sick pay, and health insurance, as well as legal frameworks to protect the rights and benefits of the virtual assistant.

The gig economy has rapidly transformed the traditional employment landscape, with a surge in freelance, temporary, and on-demand work.[3] However, existing labour laws have struggled

[1] Uganda Bureau of Statistics, "Uganda National Household Survey 2019/2020," available at https://www.ubos.org/publications accessed on the February 05, 2024)
[2] Wendi S. Lazar & Nantiya Ruan, "Is There a Future for Work?" Georgetown Journal on Poverty Law and Policy, Volume XXV, Number 3, Spring 2018
[3] Michael L. Nadler, Independent Employees: A New Category of Workers for the Gig Economy, 19 N.C. J.L. & Tech. 443 (2018).

to adapt to the dynamic nature of this emerging sector. Traditional employment frameworks designed for stable, long-term employment relationships are ill-suited to address the nuances of gig work. Gig workers in Uganda have no access to social security, sick pay, health insurance, and other essential benefits to ensure fair working conditions. Globally, the International Labour Office acknowledges that regulation for informal labour presents a challenge for most countries because existing laws are often incomplete, too vague, out of date or lacking in clear definitions of the industry players, thus creating loopholes for exploitation of workers.

Therefore, the applicable legislation on employment relationships has always been a key issue. Labour law remains a field of legislation primarily regulated at a national level. Given that, large differences among economies as well as cultural, societal and historical circumstances have contributed to a significantly divergent picture when it comes to employment rights. Employment in Uganda is governed by a various set of laws including the 1995 Constitution, the Labour Unions Act, the Workers Compensation Act and the Employment Act 2006. These Acts were enacted to revise and consolidate the laws governing individual employment relationships, and to provide for other connected matters. In 2022, a proposed Bill was tabled to try and iron out the rights of different types of employees. The emphasis is put on some defects in the current Employment law, which includes the right of causal employees.

The Employment Act 2006 gives key guidance in management of the employee-employer relationship. All employees have protected rights at work which include workplace rights; taking or not taking part in industrial activities or belonging or not belonging to an industrial association; being free from discrimination among others. However, there has been a debate over how to classify gig workers, as either employees or freelancers. In many cases, gig workers are assimilated to independent contractors, considering that in some events both figures share the same features (lack of subordination, payment of fees, absence of working hours, etc.).[4] However, in some other cases gig workers are true employees (under a subordinated relationship) but assimilated to independent contractors in order to avoid all the labour burdens or assimilated to temporary workers or part-time employees.[5] According to the researcher, the major issue is how the labour legislation may modernize employment and labour protections to fit with the realities of work today. In employment and labour law, we should strive to get regulation just right: not so little as to leave workers unprotected, but not so much as to distort the market and create employment disincentives. Without these, there will always be loopholes for exploitation of workers (i.e. without them having any employment benefits).

That said, there was a pressing need for in-depth research to understand the nuanced relationship between labour laws and the gig economy. This research, therefore, explored the impact of current employment legal frameworks on gig workers' rights, well-being, and economic stability. Moreover, examining successful regulatory models implemented in different jurisdictions could inform the development of more comprehensive and adaptive labour laws for the gig economy. The Ugandan legislators should not only clarify and simplify the notoriously malleable classification tests, but also create categories of protection that are not based on employee status.

1.2 Problem Statement

Employment creation is central to the national socio-economic development process. It is at the core of the transformation of Uganda from a poor agrarian economy to a modern,

[4] Martin H. Malin, "Protecting Platform Workers in the Gig Economy: Look to the FTC," Indiana Law Review Vol. 51:377

[5] William B. Gould Iv, "The Future of The Gig Economy, Labor Law, And the Role Of Unions: How Will They Look Going Forward?"

prosperous and skilled society. The centrality of employment is anchored in the Constitution of the Republic of Uganda.[6] The Constitutional provisions on employment are espoused in the National Vision of transforming Uganda from a peasant society to a modern and prosperous country in thirty years. It is also reflected in the objectives of National Development Plan, one of which is to enhance the availability and quality of gainful employment. The growth of the informal sector has been gradual. This also explains the raise of gig workers in Uganda to 60% of Uganda's working population,[7] with three out of five youth are now involved in the gig economy.[8] Hence, the gig economy in Uganda has seen substantial growth and impact, providing new opportunities for workers and transforming the way businesses operate.

That notwithstanding, gig economy presents unique challenges to traditional labour laws, which were primarily designed for long-term, employer-employee relationships. Determining the employment status of gig workers poses a challenge, as they often fall into a grey area between independent contractors and traditional employees. Gig workers often face precarious working conditions, lack of job security, limited access to benefits, and challenges in asserting their rights due to the absence of clear legal classifications. This raises concerns about exploitation, unfair wages, and inadequate workplace protections. Further, gig workers, in Uganda, often lack the comprehensive protections and benefits provided to traditional employees, such as health insurance, retirement plans, and workers' compensation. Women's position in the labour market is already less favourable than men's in any country you look at. Women working in the gig economy also face discrimination from clients who don't want to hire women, sexual harassment and stalking by customers, and a lack of safety measures from employers. This creates vulnerabilities and financial insecurities for gig workers. Further, the

[6] Articles 25 (1) and (2), Article 29 (1) Article 34 (4) Article 40 (1), (3) and (4) of the Constitution of the Republic of Uganda
[7] Fairwork Project, "A need for Pro-work Change: Uganda Ratings 2023," p.10
[8] Danish Trade Union Development Agency, "Uganda Labour Market Profile 2022/2023," p.18

decentralized and individualistic nature of gig work makes collective bargaining and unionization challenging. Traditional labour unions may struggle to represent the diverse and dispersed interests of gig workers, leaving them without a unified voice in negotiations.

The rapid rise of the gig economy outpaced the development of comprehensive regulatory frameworks. There is a pressing need to identify and address regulatory gaps to ensure fair and equitable treatment of gig workers under the law. This research explored the effectiveness of current regulations in addressing the unique challenges posed by gig work and proposed modifications or new frameworks where necessary.

1.3 Objectives of the Study

1.3.1 General Objective

The purpose of this study was to analyze the efficacy of labour laws on the gig economy in Uganda. It will explore the regulatory environment governing gig economy platforms in Uganda, analysing the legal responsibilities, liabilities, and obligations of these platforms in relation to worker welfare, and contract terms, this is with the view of protecting the rights of "gig workers". The study addressed the complexities surrounding the regulation and protection of gig workers.

1.3.2 Specific Objectives

1. To identify the key legal and regulatory framework governing by gig workers in Uganda.
2. To identify the implications of labour laws on the gig workers in Uganda.
3. To find out the challenges hindering the effective implementation of labour laws in protecting gig workers in Uganda.

4. To explore potential policy solutions and regulatory strategies on labour laws to better protect and regulate gig workers in Uganda.

1.4 Research Questions

1. What are the key legal and regulatory framework governing by gig workers in Uganda?
2. What are the implications of labour laws on the gig workers in Uganda?
3. What are the challenges hindering the effective implementation of labour laws in the protection of gig workers in Uganda?
4. What are the probable policy recommendations and regulatory strategies on labour laws that can be adopted to better protect and regulate gig workers in Uganda.

1.5 Significance of the Study

Employment creation is central to the national socio-economic development process. It is at the core of the transformation of Uganda to a modern, prosperous and skilled society. Since the promulgation of the Employment Act in 2006 and the various labour laws in Uganda, human capital quality is essential for employability, higher incomes and sustainable economic growth. It is hoped that the study will yield data and information that will be useful for planning and decision making by the Government which will then form a framework for the management actions for change and development of an efficient framework on the gig economy. This research will be crucial for policymakers, legal practitioners, and academics seeking to comprehend the challenges and opportunities presented by the coexistence of traditional labour laws and the gig economy in Uganda. The findings are anticipated to inform policy recommendations, fostering a balanced regulatory environment that safeguards the rights of workers while promoting innovation and economic growth in the evolving world of work.

The study will contribute to the academic literature on employment law, particularly in the Ugandan context. It adds valuable knowledge to the field and may inspire further research on related topics, creating a foundation for future academic exploration. This will lead to the generation of new ideas for a better and more efficient framework that will enhance economic growth in Uganda and the rest of the world. This study is also in partial fulfilment of the requirements for the award of the Degree of Bachelor of Laws of Uganda Christian University, Mukono.

1.6 Scope of the Study

1.6.1 Subject Scope

This study analysed the efficacy of labour laws in regulating the gig economy in Uganda. This was with the view of identifying the key legal and regulatory framework governing by gig workers in Uganda, finding the implications of the labour laws on the gig economy; finding the challenges hindering the effective regulation and protection of gig workers under existing labour laws and to explore potential policy solutions and regulatory strategies to better protect and regulate gig workers with in the current legal framework.

The study delved into the multifaceted aspects of labour laws, considering their implementation, and adaptation in response to the gig economy. Special attention was given to the legal frameworks governing traditional employment and how they intersect or diverge from the unique challenges posed by gig work. Additionally, the study explored the implications of labour laws on worker rights, job security, and social protections in the context of the gig economy.

1.6.2 Geographical Scope

The geographical scope of the study is Uganda, a country where the gig economy has experienced notable growth in recent times. By focusing on Uganda, the research aimed to provide context-specific insights into the interplay between labour laws and the gig economy within the socio-economic and cultural context of the country. This focused approach allowed for a deeper understanding of the local dynamics shaping the relationship between regulatory frameworks and evolving work structures.

1.6.3 Time Scope

The study was limited to the period between 2014 and 2024. The chosen time frame allowed for a comprehensive analysis of legislative changes, economic shifts, and technological advancements that have shaped the labour market in Uganda within a period of ten (10) years. This duration encompasses the inception and rapid growth of the gig economy, providing insights into its evolution and impact on traditional employment structures.

1.7 Literature Review

The gig economy has rapidly transformed the traditional employment landscape, posing significant challenges to existing labour laws. In Uganda, the gig economy is gaining momentum, driven by technological advancements and changing labour market dynamics. However, the intersection of labour law and the gig economy presents numerous challenges and raises questions about the efficacy of existing legal frameworks in protecting the rights and interests of workers. This literature review explores the current state of labour laws in the gig economy, outlines associated challenges, identifies gaps in legislation, and emphasizes the necessity for further research in this evolving domain.

The term ‘gig economy’ refers to an economic model in which temporary and flexible jobs are prevalent, with companies hiring independent contractors instead of full-time employees.[9] Besides, a gig economy is defined in multiple ways but with the commonality of an "on-demand" workforce that provides no security of position.[10] It differs from the sharing economy, which is an economic model primarily characterized by peer-to-peer acquisition and provision of goods and services, often facilitated by an online platform. The sharing economy can be interpreted as an umbrella term for economic activity in which some sort of value can be unlocked and made available for use by others for payment. The gig economy, on the other hand, can be specified as the labour market, often within the sharing economy, distinguished by short-term contracts or freelance work rather than permanent work. Instead of regular salaries associated with permanent jobs, ‘employees’ are paid in return for the ‘gigs’ they perform. The gig economy therefore undercuts the traditional model of full-time employment of workers.

The Gig Economy emerged in a perfect storm of several interrelated developments. Advances in digital technologies, the widespread availability of handheld devices, and ever-increasing high-speed connectivity have combined with the realities presented by several cycles of economic downturn, shifts in lifestyle, and generational preferences. [11] For years, the legal system has treated freelancers differently from regular employees. Under certain circumstances, gig workers may be better off economically, especially with regard to managing their work-life balance, than employees. In other cases, gig workers are low-wage labourers with a small income and large instability.[12] Uganda, like many other developing countries, has

[9] Igor Dosen & Michael Graham, Labour rights in the gig economy, Research & Inquiries Unit Parliamentary Library & Information Service, No. 7, June 2018, p.2
[10] Wendi S. Lazar & Nantiya Ruan, “Is There a Future for Work?” Georgetown Journal on Poverty Law and Policy, Volume XXV, Number 3, Spring 2018
[11] Orly Lobel, “The Gig Economy & The Future of Employment and Labor Law,” USF Law Review 2016, p.2
[12] Orly Lobel, “We Are All Gig Workers Now: Online Platforms, Freelancers & The Battles

seen the emergence of gig work platforms, creating a need to understand the implications of labour laws in this context. However, it is important to note that there is a dearth of specific literature on the gig economy and labor laws in Uganda, necessitating a broader examination of labour laws and their general efficacy in the country.

The current labour laws lack a clear definition of the employment relationship in the gig economy, leading to disputes over worker classification. In his Article, "Independent Employees: A New Category of Workers for the Gig Economy," Nadler exemplified broader problems that have long been apparent throughout contemporary labour markets. He noted that traditional tests for determining employment status are notoriously indecisive in many contexts.[13] The current legal regime offers a way to think about the nature of employment by identifying pertinent considerations, but it often fails to provide clear resolution for particular conflicts because it does not dictate how myriad factors are to be added up and weighed against one another. As Judge Frank Easterbrook of the Seventh Circuit Court of Appeals has explained,

> [a] score of 5 to 3 decides a baseball game, but [employment] regulation does not work that way." Accordingly, companies both new and old struggle to apply imprecise and outdated tests that do not fit the modern workforce, with little ability to anticipate whether courts will ratify their decisions or find fundamental flaws with their business models.

Under the employment laws, common law doctrines protect employees from wrongful termination, mistreatment, injury, retaliation, and other adverse employer actions. A substantial

---

Over Employment Status & Rights During the Covid-19 Pandemic," San Diego Law Review [Vol. 57: 919, 2020] P.938

[13] Michael L. Nadler, "Independent Employees: A New Category of Workers for the Gig Economy," 19 N.C. J.L. & Tech. 443 (2018), p.447

number of state and federal laws similarly protect employees in the areas of wage and hour, discrimination, privacy, unionization, speech rights, leave rights, safety, and health. Independent contractors are, for the most part, not covered by any of these laws. At times, independent contractors have greater autonomy, and thereby possibilities for more income, than employees. Moreover, when it comes to ownership over ideas, innovation, and human capital, workers or service providers can benefit from a classification as independent contractors because employment laws require higher duties of loyalty - prohibiting employees from competing with their employer - and assignment of intellectual property to the employer. Whatever question one may pose in the field of employment and labour law, the stakes of employee versus independent contractor classification are high.[14]

The distinction between employees and nonemployees is a critical threshold issue that has enormous impact on workers' rights. While local and state legislatures have begun to step in and fill protection. gaps for vulnerable workers, absent congressional action, federal common law continues to play catch up. The distinction between workers deemed "employees" and those deemed "independent contractors" has become increasingly critical to the modem American workplace. This misclassification of independent contractors has become a threshold gateway issue that determines who benefits and who loses workplace protection. Legal protections against workplace discrimination and fair wages and hours largely rely upon a system of private enforcement.[15]

According to Steinberger, the economic realities of the gig economy warrant a new test for determining whether a worker is performing services for a company. However, some courts have been hesitant to adopt a new test, finding that it is the role of the legislature to provide an

---

[14] Orly Lobel, "The Four Pillars of Work Law," 104 MICH. L. REV. 1539, 1543, 1545 (2006)
[15] Wendi S. Lazar & Nantiya Ruan, "Is There a Future for Work?" Georgetown Journal on Poverty Law and Policy, Volume XXV, Number 3, Spring 2018 p. 347

appropriate solution.[16] For instance, Seattle is one city that has taken legislative action by passing an ordinance that permits for-hire drivers to collectively bargain with the companies "that hire, contract with, and or partner with them." The ordinance also allowed the parties to seek a judicial remedy if either party refused arbitration. An attempt to find such legislative action ultra vires and in violation of antitrust law proved futile.

As regards to the efficacy of labour laws in the gig economy, Uganda, as a member of the International Labour Organization (ILO), has established labour laws aimed at protecting workers' rights. However, the efficacy of these laws in the gig economy context remains a topic of debate. Significantly more research is needed to understand how public regulation of gig workers impacts on the workers' opportunities and challenges in the segmented labour markets in the digital economy. According to the researcher, labour laws need to adapt and evolve to better accommodate the needs of gig workers. Some jurisdictions have introduced legislative reforms or policy initiatives aimed at extending labour protections to gig workers, such as establishing minimum wage standards, regulating working hours, and providing access to social security benefits. Courts and tribunals have been central in interpreting and applying labour laws in the context of the gig economy by recognizing gig workers' rights and clarifying their legal status can set important precedents and contribute to the development of a more favourable legal framework for gig workers.

In his paper, Orly Lobel proposed new paths for systematic reform, where each path is complementary rather than mutually exclusive to the others.[17] The first path is to clarify and simplify the notoriously malleable classification doctrine. Historically the common law test for

---

[16] Ben Z. Steinberger, "Redefining 'Employee' in the Gig Economy: Shielding Workers from the Uber Model," 23 Fordham J. Corp. & Fin. L. 577 (2018), p.594

[17] Orly Lobel, "We Are All Gig Workers Now: Online Platforms, Freelancers & The Battles Over Employment Status & Rights During the Covid-19 Pandemic," San Diego Law Review [Vol. 57: 919, 2020] p.941

employee classification has consisted of anywhere between three and twenty factors, which tend to be applied case by case. He further noted that new laws such as California's AB5 moved in this direction. AB5 is modeled after *Dynamex Operations West, Inc. v. Superior Court*, where the court held that, in the context of wage orders adopted by California's Industrial Welfare Commission (IWC), individuals are presumed to be employees under such orders unless the hiring entity proves the worker is an independent contractor. The wage orders are only meant to cover employees, not independent contractors. The Dynamex decision stated that workers are presumed to be employees unless the employer can prove that the worker is free from its control and direction, the work is outside the company's usual business, and the worker often works as a freelancer. These criteria, commonly referred to as the ABC test, still don't provide conclusive guidance about how gig workers should be classified. But negotiations reportedly underway in California between ride-hailing companies, labor unions, regulators, and other stakeholders might be more clarifying.

Other scholars for instance Isaac Adebiyi explored labour market issues from the perspectives of digitization and gendered disadvantages experienced by women therein. He underpinned within these concepts, the emergence of new forms of work as an outcome of rapid advancements in technology is accentuated. He considered how the digitisation of the labour market is evident within the gig or sharing economy, and the new forms of work created, which negate traditional employment models. Shortfalls are underlined when considering the lack of universally formal, codified regulations in light of these trends, the potential for automation as outcomes of digitization, and the existence of exploitative practices through some dishonest manifestations of this emerging labour market structure. Hence, the potential for improving the status and participation of women in the labour market is stressed.[18]

While gig work may offer much-needed income opportunities, it also brings forth disproportionate physical, economic, and mental risks for workers. Thus, the existing labor laws may not adequately address the complexities of gig work in Uganda. One of the primary challenges facing gig workers in Uganda is the ambiguity and inadequacy of labour laws.[19] Traditional labour laws are designed to regulate employer-employee relationships in formal employment settings and may not adequately address the unique characteristics of gig work, such as flexibility, short-term engagements, and reliance on digital platforms.[20] Gig workers in Uganda often lack the protections afforded to formal employees under labour laws, such as minimum wage guarantees, social security benefits, and protection against unfair dismissal. This leaves gig workers vulnerable to exploitation, arbitrary treatment, and income insecurity.

Further, with special attention to gender aspects and social inequalities; we also estimate the main determinants of entry decisions to digital labour markets (by gender), as well as the main determinants that explain pay gaps between men and women (gender pay gap) and between women that participate and women that do not participate in the digital labour market. We find that inequality of opportunities related to gender is also present in the digital world (digital divide) and that this inequality goes beyond the access barrier.[21]

---

[18] Isaac Adebiyi, "Digitisation and women in the workforce: Exploring the impact of the gig economy on female 'participation' and 'status' in the labour market," Granite Journal, Volume 3, Issue no 2: (53-65)
[19] Dr. Emily Odhong. 2020. "Employment relationship in a changing world of work: challenges and pragmatic solutions", International Journal of Current Research, 12, (11), 14896-14903
[20] Tom Kwanya Et Al., "Regulation of Digital Platforms For A Socially-Just Gig Economy In Kenya," Berlin, April 2023
[21] Diego Aguilar, "Future of Work in the Global South: Digital Labor, New Opportunities and Challenges," (Instituto de Estudios Peruanos 2020)

The classification of gig workers as independent contractors rather than employees is a contentious issue.[22] While gig companies argue that workers are independent contractors with control over their work arrangements,[23] critics argue that many gig workers are economically dependent on these platforms and should be classified as employees entitled to labour protections.

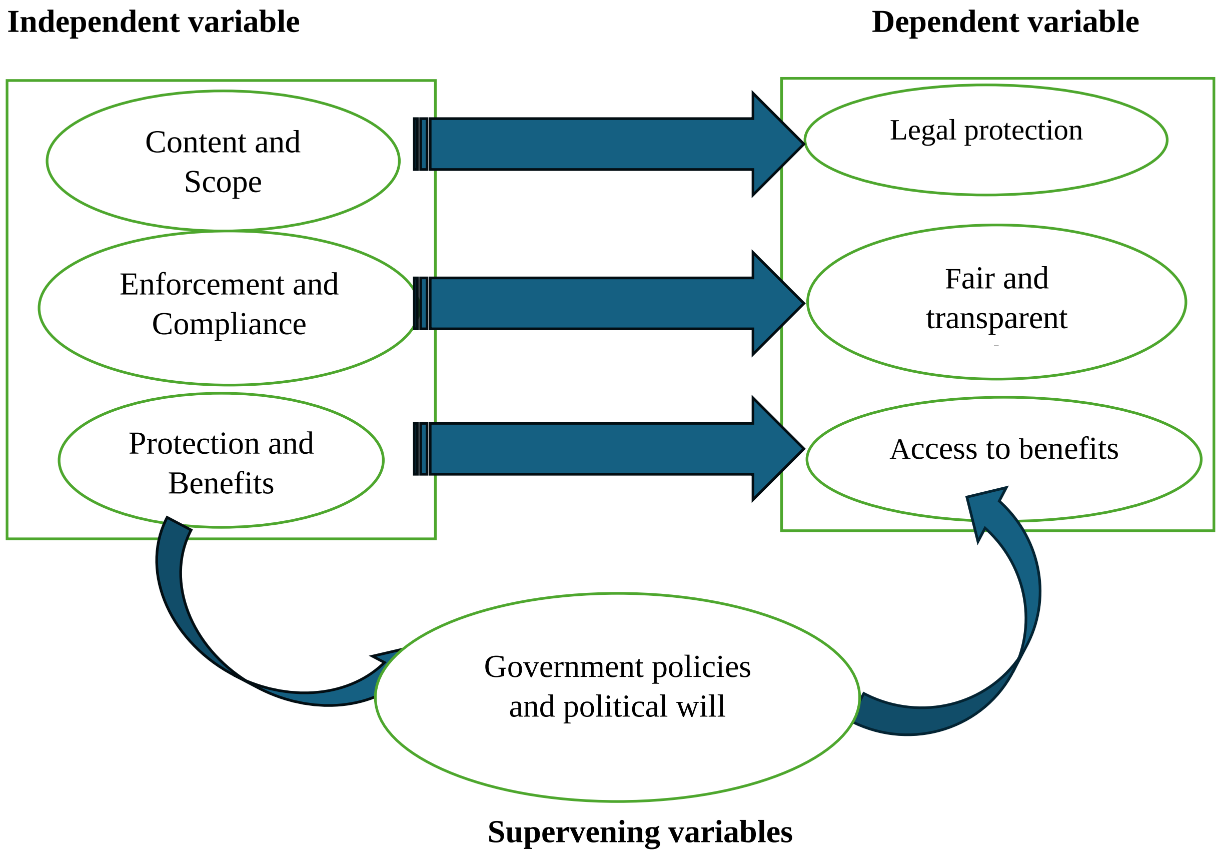
The current gig economy debate in Uganda needs to be recalibrated to address the inequalities inherent in the precarization of work. Granting gig workers employee status alone may not be sufficient to counter the precarization of gig work. A thorough and ambitious revision of existing regulation at the intersection of immigration, employment law, and welfare policy is essential to push back against the digitally mediated commodification of low-paid migrant work in Uganda and globally and hence this study.

1.8 Conceptual Framework

This study is on the efficacy of Labor Laws on the Gig Economy in Uganda. The gig economy in Uganda has experienced significant growth, presenting both opportunities and challenges for workers. The efficacy of labour laws in regulating and safeguarding the rights of gig workers is a critical area of concern. This conceptual framework explores the relationship between labour laws, as the independent variable, and gig workers as the dependent variable in Uganda.

---

[22] Dr Rajni Pathania, "An Introduction to the Gig Economy," (Clever Fox Publishing, 2022)
[23] Alexander Kondo & Abraham Singer, "Labor Without Employment: Toward a New Legal Framework for the Gig Economy," ABA Journal of Labor & Employment Law 3 (2020)



Independent variable has a direct effect on the dependent variables. Under the independent variable, the content and scope of the labour laws that comprise the comprehensiveness, relevance, and adaptability of labour laws to the evolving nature of work in the gig economy impact on ensuring legal protection. The extent to which labour laws provide legal safeguards and protections for gig workers against exploitation, discrimination, and unfair treatment. Further, enforcement and compliance with the labour laws impact on the gig economy. The effectiveness of enforcement mechanisms and the extent to which labour laws are adhered to by employers and digital platforms ensure fair and transparent working conditions, including pay, hours, and safety for gig workers.

In the same vein, the protection and benefits offered by the employment laws on the provision of social protections, benefits, and mechanisms for dispute resolution for gig workers play a great role in ensuring access to benefits for instance the availability of social security, healthcare, and other benefits for gig workers as may stipulated by the laws. The supervening variables are government policies and the political will; these affect the enactment of laws and the implementation of such policies.

That said, a strong, comprehensive labour laws are expected to positively correlate with improved working conditions, legal protections, and access to benefits for gig workers. On the other hand, weak or poorly enforced labour laws are anticipated to negatively correlate with precarious working conditions, lack of legal protections, and limited access to benefits for gig workers. This study provides a structured approach to investigating the efficacy of labour laws on the gig economy in Uganda, emphasizing the significance of labour laws in shaping the working conditions and rights of gig workers. There is, therefore, a need for the existing laws and policies to be reviewed and new ones created to protect gig workers.

1.9 Methodology of the Study

The study employed a qualitative research method. Legal analysis of existing labour laws, case studies of gig workers, was conducted to gather comprehensive data. The study concerned the analysis of the efficacy of the labour laws in the gig economy in Uganda. It specifically intended to identify the key legal and regulatory framework governing by gig workers in Uganda, and to find the challenges hindering the effective regulation and protection of gig workers under existing labour laws and to explore potential policy solutions. Such issues were best investigated through qualitative method of study. Qualitative method of research was chosen because they seek a deeper understanding while studying the subject from its natural setting, attempting to make sense of, or interpret phenomena in terms of meanings people bring to them. This method intended to establish the social reality from the point of view of the actors in a more reflective manner and to provide a detailed description and enable a deeper understanding of the challenges associated with labour laws in the gig.

The study involved extensive documentary analysis to provide theoretical and practical insights into corporate rescue practices. Documentary analysis was used as a data collection technique. This was an ongoing process that involved reviewing a wide range of sources from both the primary sources and secondary sources (which include textbooks, web materials, journals, newspapers and other documents). Documentary analysis is advantageous because is it allows research on subjects to which the researcher does not have physical access.[24] The desktop study or review was used to inform the proposal for reform of the employment laws in Uganda.

This study was intended to be conducted country wide. It was the intention of the researcher to study all employment sectors in Uganda. However, there were/are so many sectors in Uganda. It was also envisaged that time and financial constraints would dictate a smaller sample. Given the fact that the researcher was a full-time student, the researcher had limited time. It was foreseen that the time factor would affect the collection data, compilation and submission of the report. Besides, the researcher met the full cost of the study. The researcher had limited search on the various portal to identify and study such workspaces. The data collected formed a smaller sample that could be generalized to the entire country, but it is useful for exemplification and developing a debate.

Further, “researchers have an obligation to conform to the ethical values and standards of the society in which they conduct their work.”[25] Furthermore, they are to be informed about the legal policy and framework in which their research has to be conducted. The major ethical problem to this study was the privacy and confidentiality of the respondents. Obtaining a valid sample entailed gaining access to the specific lists and information which may itself be an infringement on the right to privacy and confidentiality of the respondents. However, the

[24] D.K Bailey, Methods of Social Research, London: Collier Macmillan Publishers, (1987)
[25] Ibid, p.50.

researcher chose the respondents to be anonymous. Besides, the researcher took into account ownership of published material. The researcher therefore acknowledged all the sources where the researcher got the data from.

1.10 Chapter Synopsis

Chapter One of the dissertation provided a background to the study, the problem statement and sets out the objective, significance and justification of this study. It also provides the research questions and methodological approach adopted for this dissertation and the literature review related to labour laws in the gig economy.

Chapter two provided for the non-legal aspect of this research. This chapter explores the dynamics of the gig economy and the unique challenges it presents. This is with the view of having evolving labour laws that aim at pprotecting the rights of gig workers. Finding a delicate balance between the flexibility that defines gig work and the need for adequate protections is crucial for the long-term sustainability of the gig economy.

Chapter three examined the Uganda legal framework pertaining to labour laws in the gig economy. This chapter explored the legal aspects of the gig economy within the context of Ugandan labour laws and the relevant international legislations, addressing issues of employment status, worker classification and regulatory challenges.

Chapter four summarized the discussion points of the research. The chapter provided a comprehensive overview of the findings and discussions surrounding the implications of labour laws in Uganda’s gig economy. In this chapter, the researcher guided by the general objective of the study.

Chapter five provided the conclusion and recommendations of the study by suggesting recommendations for workspaces in Uganda based on best practice and experience. A more focused intervention will be recommended because of the need to maintain economic growth, encourage competition in the market, and enhance the development of Uganda’s economy.

CHAPTER TWO

NON LEGAL ASPECTS OF THE RELATIONSHIP BETWEEN LABOUR LAW REGIME AND THE GIG ECONOMY

2.0 Introduction

The gig economy has had a drastic impact on the nature of employment. The traditional paradigm of full-time, stable individual employment is being challenged by on-demand freelance contractor work. Consequently, certain protections and benefits that employees usually enjoy are not afforded to workers in the gig economy. The gig economy in Uganda has experienced rapid growth, fuelled by the proliferation of digital platforms and changing workforce dynamics. It is characterized by short-term, flexible jobs often mediated through digital platforms, and has become a global phenomenon reshaping the traditional employment landscape. Uganda, like many other nations, is witnessing a surge in gig work. This chapter explores the dynamics of the gig economy and the unique challenges it presents. This is with the view of having evolving labour laws that aim at protecting the rights of gig workers. Finding a delicate balance between the flexibility that defines gig work and the need for adequate protections is crucial for the long-term sustainability of the gig economy.

2.1 The Concept of Gig Economy

The term ‘gig economy’ refers to an economic model in which temporary and flexible jobs are prevalent, with companies hiring independent contractors instead of full-time employees.[26] The word gig economy also refers to the rise of short-term contracts instead of long-term or steady employment. Many have hailed it as providing far more flexibility for employees, businesses,

---

[26] Igor Dosen & Michael Graham, “Labour rights in the gig economy: An Explainer,” (2018) Research Note No. 7, June 2018 (available at https://www.parliament.vic.gov.au/publications/research-papers/download/36-research-papers/13869-labour-rights-in-the-gig-economy-an-explainer accessed on February 19, 2024)

and customers than certain standard employment contracts.[27] Instead of regular salaries associated with permanent jobs, 'employees' are paid in return for the 'gigs' they perform. The gig economy therefore undercuts the traditional model of full-time employment of workers.

The word "gig" derived from the "engagement" in 1920s jazz scene when an aspiring musician could rejoice or inform a buddy that they have gotten a gig.[28] However, this could not guarantee that they would be able to perform regularly. If they played well or were extremely popular, there was a chance they would perform again, or simply be a one-off. They may be compensated in the form of a fixed fee, a percentage of the price of a ticket, or payment in kind. Employment in the gig industry, on the other hand, is significantly different from musical gigs. The conventional economy of full-timeworkers, who are generally focused on their career advancement, is undercut by the gig economy, hence repetitiveness work is much a key point to note while entering the gig economy.

In some countries, gig workers have been defined by law as being not "self-employed" and thus eligible for benefits such as minimum wages and paid holidays. However, other countries lack clear rules to protect gig workers' rights in terms of wages, social insurance, vacations, and other employment-related issues.[29] Other authors use the phrase "institutional vacancies" to describe digital platform workers' unstable and fragile working conditions.[30]

That said, the gig economy is characterized by work which is often divided into particular tasks and workers tend to be contracted for these tasks, rather than for ongoing work; a for-profit company, which charges users for their service; it facilitates labour transactions between

[27] Taimaa Janat, "Opportunities, Difficulties, and Downsides of the Gig Economy's Future," (2022) International Journal of Engineering Technology Research & Management Vol-06 Issue 03
[28] Abraham, K., Haltiwanger, J., Sandusky, K., & Spletzer, J. (2017). Measuring the gig economy: Current knowledge and open issues. Measuring and Accounting for Innovation in the 21st Century.
[29] Russon M.A, "Uber drivers are Workers Not Self-employed, Supreme Court Rules," BBC News, (available at https://www.bbc.com/news/business-56123668 accessed on February 17, 2024)
[30] Malik F et al., "Digital Labour Platforms in Pakistan: Institutional Voids and Solidarity networks," Information Technology & People, available at https://research.manchester.ac.uk/en/publications/digital-labour-platforms-in-pakistan-institutional-voids-and-soli accessed on February 20, 2024)

workers and businesses; and workers fall under the classification of independent contractors and do not enjoy any employment protections or minimum standards.[31] The gig economy in Uganda has seen significant growth, especially in sectors like ride-hailing, food delivery, and freelancing.

In the same vein, there has been a debate of whether the gig economy should be regulated under human rights protection or labour rights protection.[32] From a human rights protection perspective, they argued that gig workers should have the fundamental right to work and the related rights. On the other hand, the proponents of labour rights protection argued that gig workers should be recognized as employees rather than independent contractors, entitling them to the same legal protections and benefits afforded to traditional workers.

2.2 Factors for the Growth of the Gig Economy

In 2017, approximately 70 million people worldwide registered to work on online labour platforms. According to Edison Research, nearly a quarter of American adults make money through the gig economy by, for example, providing travel services through Uber or Lyft, selling products online, or engaging in some freelance work.[33] In Uganda, the media listed through survey data that three out of five youth are now involved in the gig economy amid massive job losses due to Covid-19 disruptions. Besides, the mounting refugee stock in Uganda, which often struggles to enter the labour market, the gig economy digital platforms raised livelihood opportunities.[34] The gig economy has experienced significant growth in Uganda, with new app-based food delivery services, repurposed motorcycle taxis for

---

[31] Dosen & Graham (n1) 2
[32] Alcia A. Koski, "Human and Equal Relief for Gig Economy Workers," (available at https://humanrightsclinic.law.harvard.edu/human-rights-and-equal-relief-for-gig-economy-workers/ accessed on 30th March, 2024)
[33] Zhenqian Dong, Impact of labour laws on the performance of gig work platforms: a legal review of three countries' experiences," (2022) (available at https://openrepository.aut.ac.nz/server/api/core/bitstreams/79c36c1f-458c-41f6-820f-a38746c6b685/content accessed on February 20, 2024)
[34] Danish Trade Union Development Agency, "Uganda Labour Market Profile 2022/2023," p.18

deliveries, and increased utilization of digital platforms by small business owners and service providers. Digital platforms such as SafeBoda, Faras, Glovo, Jumia Food, and Upwork have gained popularity, providing opportunities for workers to engage in various flexible, project-based tasks.

There are various reasons why the gig economy has grown so fast. Firstly, after the international financial crisis (2008 to 2010), global economic growth was weak, and unemployment remained high. According to the 2016 Jobs for Youth in Africa Report by the African Development Bank, nearly 420 million youth in Africa are unemployed.[35] The part-time work model enabled by the gig economy helped reduce unemployment and has become a form of employment that many countries have vigorously promoted. Uganda's high youth unemployment rate and the increasing importance of gig work as a potential pathway to socioeconomic development and employment creation have significant social implications. The gig economy has given many the freedom to work and live more efficiently.

Further, the digital revolution is an essential factor in the rapid rise of the gig economy.[36] Although the form of on-demand work has existed for a long time, with the popularity of smartphones and the rapid growth of online talent platforms in the past two years, the threshold for obtaining employment has been dramatically reduced. Access to technology, good internet and the presumption of English literacy provide both and opportunity and challenges for gig workers in Uganda. This explains why the services of gig workers are more concentrated in cities and limited in rural areas in Uganda. For instance, ride-hailing and delivery drivers often use platforms such as SafeBoda, Uber, Bolt, and Jumia Food to connect with customers. These drivers use their own vehicles to provide transportation or delivery services on a flexible

[35] Saqib Munir, "Gig Economy is the Future of Work," The Independent Magazine September 10, 2021
[36] Lobel Orly. "The Gig Economy & The Future of Employment and Labor Law." University of San Francisco Law Review, Forthcoming, 2016. (available at https://ssrn.com/abstract=2848456 accessed on February 14 2024)

schedule. They benefit from the flexibility of choosing their working hours and the potential to earn income based on the number of completed rides or deliveries.

Besides, the definition of a "good job" has changed. More and more people believe that balancing work and life is critical and have started preferring to take on the different forms of flexible work available on gig platforms, instead of having a traditional career, because they value flexibility. A case in point are freelance writers, social media influencers and content creators in Uganda who offer a wide range of services, including article writing, copywriting, editing, graphic design, and social media content creation. They often leverage online freelance platforms such as Upwork, Fiverr, and PeoplePerHour to find clients globally. This enables one to work remotely, collaborate with international clients, and manage their workload independently.

In addition, under the Covid-19 pandemic, the gig economy did not suffer revenue losses like other industries. The Covid-19 pandemic drove many individuals onto digital platforms to find new ways to earn income while in-person commerce was restricted. Hence, since the onset of Covid-19, the average number of daily tasks or jobs posted on many platforms has increased. One-third of gig workers in the United Kingdom (UK) reported working more than usual during the pandemic.[37] The pandemic's impact caused consumer activities in in-demand areas such as medical care, education, and food delivery to migrate online, creating many employment opportunities. For instance, Rocket Health created an online platform where individual would purchase their good. Rocket Health is created a freelance healthcare service provider, which encompassed medical personnel involved in telemedicine service delivery, who temporarily offers services to organizations. This scenario highlights the role of

[37] Lobel Orly, "We Are All Gig Workers Now: Online Platforms, Freelancers & the Battles Over Employment Status & Rights During the Covid-19 Pandemic." (2020) San Diego Law Review, 924

freelancers and independent contractors in providing specialized services within the healthcare sector, contributing to the gig economy.

Therefore, the gig economy played an active role in ensuring employment at that time.

That said, the most prominent feature of the gig economy is its ability to use digital platforms to achieve a high level of matching between supply and demand in various markets, such as personal transportation, food delivery, and after-school tuition classes. Instant matching reduces the cost of information acquisition and accelerates the development of this new work model. As technology continues to advance, the gig economy in Uganda is likely to expand into new sectors. Continuous adaptation of labour laws to meet the evolving needs of the workforce will be essential for fostering a fair and supportive work environment.

The level of flexibility in the gig work explains its raise. Workers have flexibility over different aspects of their work, such as which tasks they choose to perform, how they accomplish those tasks, which clients they work with, as well as what rates they charge those clients.[38] Thus, this provides some level of autonomy to workers. Gig workers are freed from "the shackles of 8-to-5 office work" able to negotiate their own working schedules and arrangements flexibly; autonomously entering and exiting labour relationships as they please and unburdened by the interference of state regulations that may otherwise limit their range of choice within the market.[39] Indeed, the pro-gig work discourse celebrates the gig economy model precisely because it reduces the constraints on workers' capacity to flexibly navigate the labour market, and the demands of their job, on their own terms.

It suffices mention that the gig economy offers a wealth of opportunities for extra cash or full-time living. The way of working has been revolutionized, bringing opportunities and risks.

[38] Ben Z. Steinberger, "Redefining 'Employee' in the Gig Economy: Shielding Workers from the Uber Model," 23 FORDHAM J. CORP. & FIN. L. 577 (2018).

[39] James Hickson (06 Sep 2023): "Freedom, domination and the gig economy, New Political Economy," 5 (available at https://doi.org/10.1080/13563467.2023.2254712 accessed on February 20, 2024)

Organizations have leveraged digitization to produce efficiency and value.[40] For example, the job of a virtual assistant provides administrative support to clients. By increasing employee productivity, stimulating consumption, improving innovation, and entrepreneurship, it can increase economic growth and create well-being. Thus, employees recognize real benefits this is because most of the gig economy is very flexible. These flexibilities are found to be beneficial for both workers and companies.

2.3 Challenges/Issues Associated with the Gig Economy in the Labour Market

There is a challenge of misclassification. The gig economy has brought about a new way of doing business and has brought to light two important issues: the first is the meaning of what exactly an "employee" is and whether gig workers fit into this classification.[41] The second issue reflects on the need of protection for workers within the gig economy and their rights, regardless of how they end up being categorized.[42] Much of the discussion about platform work and the gig economy concerns the triangular relationship between client, gig worker and the platform. It suffices mention that many people working as gig workers could be at risk of misclassification. The challenge of misclassification has been raised by politicians, trade unions and public reports. However, there will always be workers who fall into a grey area because they are difficult to classify. That said, according to Orly, "the debate over how to classify workers, as either employees or freelancers, is a red herring. The larger issue is how to modernize employment and labour protections to fit with the realities of work today."[43] In employment and labour law, there is a need to strive to get regulation just right; not so little as

---

[40] Bora Ly, "Employment in the Gig Economy," (2020) 33, On Research, (available at https://www.academia.edu/44680356/EMPLOYMENT_IN_THE_GIG_ECONOMY accessed on February 04, 2024)
[41] Todolí-Signes, Adrían. "The 'gig economy': employee, self-employed or the need for a special employment regulation?" (2017) 197 *Transfer: European Review of Labour and Research,* vol. 23, no. 2, 2017, pp. 193-205, doi:10.1177/1024258917701381.
[42] Ibid 197
[43] Lobel, Orly. "The Debate Over How to Classify Gig Workers Is Missing the Bigger Picture." *Harvard Business Review*, 24 July 2019. (available at https://hbr.org/2019/07/the-debate-over-how-to-classify-gig-workers-is-missing-the-bigger-picture accessed on February 21, 2024)

to leave workers unprotected, but not so much as to distort the market and create employment disincentives.

In the same vein, there is a conception among many that the gig economy is referred to as self-employment. While self-employment is self-employment in name only, many platform workers share some of the characteristics of both employees and self-employed.[44] Some platforms act merely as a matchmaker where independent contractors find new assignments. In this case, the independent contractors are genuinely self-employed because the digital platform does not have any control over the process after the matchmaking is completed, apart from maybe taking a cut of the payment. These independent contractors work for their own business and are free to take on assignments from other channels. Many of these workers fall into the category of solo self-employment (self-employed with no employees).[45]

That notwithstanding, this is not the common practice of digital labour platforms in the gig economy. Many platform workers are formally classified as self-employed, but do not have the freedom and autonomy as mentioned, and thus characterised as "false self-employed."[46] "The platform firms present themselves as 'mere matchmakers', but the degree of control over the work and payment does not correspond with the notion of self-employment."[47] An example is SafeCar/safeboda, a transport service operating in capital of Uganda. Customers order and pay in the Safeboda-app, and the platform workers are working for safeboda (they wear a safeboda outfit, get payment through safeboda), but they are not employed by safeboda. Another example is virtual assistants of many platforms (e.g. Jumia, they work for Jumia but they are

[44] Daniel Massey, "Responding to the gig economy: A comparative case-study of platform work in Norway and United Kingdom," (2022) (available at https://hdl.handle.net/11250/3010697 accessed on February 18,2024)
[45] Stone, Katherine V. W. "Legal Protections for Atypical Employees: Employment Law for Workers without Workplaces and Employees without Employers." Berkeley Journal of Employment and Labor Law, vol. 27, no. 2, 2006, pp. 251-286.
[46] Jeremias Prassl, "Humans as a Service: The Promise and Perils of Work in the Gig Economy," (Oxford: Oxford University Press, 2018)
[47] Massey (n14) 10

not employed by them. Each platform unilaterally determines the wage rates and payment terms, ultimately controlling its workers.

That said, almost all labour platforms require workers to accept being classified as self-employed or independent contractors in order to remove themselves from any legal and social responsibility.[48] From the perspective of the labour platforms, independent contractors serve as an offloading of liability in both financial and legal requirements. The lack of recognition of a true employer-employee relationship has led to a series of violations in workers' rights, including the existence of a minimum wage, insurance coverage, vacation payment, social benefits, the right to establish and join trade unions, among others.

Further, another challenge associated with gig economy is that gig work can be seen as poorly paid and exploitative.[49] Workers bear most or all of the risk when participating in gig platforms because they provide the equipment and tools needed for the work, manage interruptions in service by platforms, deal with irregular income flows and so on, all of which enhance the vulnerability and instability faced by gig workers. Besides, the issues of concern with precarious working relate to those on low incomes or who are liable to exploitation. The characteristics of precarious working appear to be, firstly, instability and secondly, insecurity (i.e. the lack of control (individually or collectively) over working conditions, wage, or pace of work); thirdly, lack of protection in employment and social security; and lastly, social or economic vulnerability which is associated with low income resulting in poverty and insecurity.[50]

In the same vein, in the study on the role of Australian union organisations in resolving labour standards for gig workers found that such workers have limited bargaining power over the

[48] Seth D. Harris, Alan B. Krueger, A Proposal for Modernizing Labor Laws for Twenty-First-Century Work: The "Independent Worker" Discussion Paper, (Hamilton Project, Brookings, 2015, 18)
[49] Ly (n12) 34)
[50] Malcolm Sargeant, "The Gig Economy and the Future of Work," E-Journal of International and Comparative Labour Studies Adapt

contract terms and wages provided by gig work platforms.[51] The platforms unilaterally determine rates and payments and ultimately control the workers. This means that such workers are not protected by the labour standards in an economy, and their participation may lead to competitive pressures that will significantly undermine labour standards across the economy. Moreover, there are no clear contractual constraints between gig workers and platform users (their customers), with workers bearing most or all of the risk associated with providing the necessary equipment and tools, any interruptions in service by the platform, irregularity in income flows and so on, which enhances the vulnerability and instability of gig workers.
Based on that, there is a need for collective agreements for platform workers. What makes the case of improving working conditions for platform workers more challenging is that they are, unlike most types of non-standard employment, not categorized as employees. Self-employed and freelancers usually do not have the same access to collective bargaining due to competition law. Collective bargaining agreements in which wage levels are set between individual contractors are in fact price-fixing agreements, which would be deemed anti-competitive.[52] For instance, a group of freelance writers may form an association to advocate for fair working conditions and pay standards. The ideal scenario involves the freedom to associate, engage in collective bargaining, and industry-wide solidarity and support for gig workers in Uganda. Another issue is the lack of bargaining at the workplace level. Most platform workers do not have a workplace to relate to, never see their employer and communicate only through applications, which limits the opportunities for bargaining.

Further, it has been argued that the workers under this employment relationship group have more obligation and less control than self-employed; however, minimal compared to

[51] Kate Minter, "Negotiating labour standards in the gig economy: Airtasker and Unions New South Wales," (2017), The Economic and Labour Relations Review, 28(3), 438-454. Available at https://doi.org/10.1177/1035304617724305 accessed on February 14, 2024)
[52] Tonia Novitz (2020) The Potential for International Regulation of Gig Economy Issues, King's Law Journal, (available at https://doi.org/10.1080/09615768.2020.1789442 accessed on February 15, 2024)

employees.[53] The absence of entitlements from work has resulted in several challenges, including unbalanced bargaining power between employers and employees.[54] Companies often have more power than individuals, and as a result, workers suffer. Many people encounter poor wages and employment conditions, without safety nets and other benefits provided by typical employee status. Also, common work issues such as wage cuts, unfair dismissals, and terms of contract regularly falsely employees as self-employed.[55] Often this type of employment is shaped without considering full legal title, and individuals often appear to be abused by employers because of their employment status.

Therefore, before developing policies on gig work, the Government of Uganda needs to balance the economic development that gig work platforms bring to the country and protect gig workers on these platforms. These platforms have created many job opportunities because of their flexible operating models, and stricter laws will inevitably affect their operating model, profitability, growth, and other issues. Besides market conditions, governments should understand that employment relationships are affected by institutional practices, which differ across countries, industries, and types of firms (e.g. multi-nationals vs. small/micro enterprises). This means that any laws they make for gig workers will have to accommodate the interests of a diverse range of stakeholders. This study looks at how governments make these trade-offs by looking at gig work regulation and gig platform performance in different countries.

[53] Skyler Brown et al, "Protecting Workers' Rights in the Gig Economy: AI and Digital Labour Platforms by brown," ILO Externship Research, (available at https://global.lehigh.edu/sites/global.lehigh.edu/files/2_ILO_UN_Ex_Machina_Final_Draft.pdf accessed on February 14, 2024

[54] Ly (n12) 34

[55] ibid

2.4 Conclusion

Though the classification of gig economy workers may present itself as a new problem, it is really an old problem which has been given a digital paint job. The multi-faceted nature of the platform means that the traditional binary classification scheme (that is, judging whether a worker is an employee, who is within the scope of employment law, or an independent contractor or a self-employed individual beyond the scope of protective employment rights) can no longer be used to judge the complex situation faced by workers in the gig economy. Most platforms are in a legal grey area, and many gig workers are thus not protected by labour standards. With this regulatory evolution should come a middle ground that helps to fill the gap that exists for the gig economy.

CHAPTER THREE

LEGAL ASPECTS OF THE GIG ECONOMY AND LABOUR LAW REGIME IN UGANDA

3.0 Introduction

The gig economy has had a significant impact on the labour market. There has been a shift from traditional, fixed term and permanent contracts and much of the work through these providers are flexible contracts rather than permanent jobs. The traditional forms of contracts tend not to provide the level of flexibility required. Participating in the gig economy has its merits and demerits. On the one hand, they save companies costs as the individuals are not being hired with the rights associated with a permanent employee. While for some workers, the flexible gig economy can be a benefit. On the other side, the lack of certainty can be more far reaching, affecting their ability to plan for the future. The downside and the reason why the gig economy is under scrutiny is that workers have less employment protection and therefore an ardent need for legislation. This chapter explores the legal aspects of the gig economy within the context of Ugandan labour laws and the relevant international legislations, addressing issues of employment status, worker classification and regulatory challenges.

3.1 Regulatory Framework for Employment and The Gig Economy

There has been concerns about the future of employment and labour law with the rise of the gig economy and the unique challenges they present. As digital gig platforms begun to scale, most notably in the Ugandan market, policies and regulations around important areas, such as social protection for gig workers, have been slow to follow. Although a relatively new form of work, from a labour market perspective gig work resembles many long-standing work arrangements in developing countries, albeit with a digital tool that serves as an intermediary. Most current debates focus on whether those engaged in 'gig economy' work can be characterised as employees.[56] Despite this apparent growth, the researcher notes that the laws governing the gig economy in Uganda are largely fragmented and Uganda lacks consolidated legislation on this topic and therefore the need for this research. There has been moves in various jurisdictions to legislate on employment and the gig economy. This section deals with both the international and domestic legal framework of the gig economy since the diversity within the needs and work patterns in the gig economy suggests the nuance with which one should approach reforming the traditional employment and labour laws to better serve contemporary realities.

3.1.1 International Legal Framework

International principles and rights at work are enumerated in the International Labour Organisation's (ILO) conventions. The International Labour Organisation (ILO) categorises gig work into two main groups: crowd work and work on demand.[57] Crowd work is the type of gig work in which gig workers are hired to perform digital task or remote tasks.[58] These types of gigs can be done remotely and are often cloud computing enabled. They usually employ highly skilled digital workers with varied expertise. Examples of crowd work include online academic writing, freelance programming or system development, freelance graphic design, and online advertising, among others. These types of work do not require physical interactions with the clients and can all be performed remotely.

Further, one of the key developments is the European Union (hereinafter referred to as EU) Directive to reform conditions for digital gig economy workers in the EU.[59] The purpose of the proposals was to improve the working conditions of platform workers, support the growth of

---

[56] Ben Z. Steinberger, Note, Redefining 'Employee' in the Gig Economy: Shielding Workers from the Uber Model, 23 Fordham Journal of Corporate & Finance Law 577 (2018).
[57] Valerio De Stefano (2016). "Introduction: Crowdsourcing, the Gig-Economy and the Law." Comparative Labor Law & Policy Journal, 37(3).
[58] De Stephano (n2) 6
[59] Proposal for a Directive of the European Parliament and the Council on Improving working Conditions in Platform Work, 2021 (available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%A2021%3A762%3AFIN accessed on 10th March, 2024)

the platforms and provide legal certainty. The directive focused on the employment status and included a presumption of employment.[60] The directive sets out a list of "control "criteria and if an individual satisfies just two of the criteria there is a presumption of employment.[61] The directive ensures that if there are indications that platforms exercise de facto directions and control over people working for them, these people will be assumed to have an employment relationship. Platforms will be able to contest such presumption, but they will have to provide proof that there is no employment relationship. The platform provider may be able to rebut the employment presumption, but it will be more difficult. The new law aims to provide workers with all employment rights they should have and correct self-employment claims.

3.1.2 Regulation of the Gig Economy in the United Kingdom

In the UK, an individual doing paid work falls into one of three categories: an employee, self-employed and an intermediate category called worker. The term "worker" is defined by section 230(3) of the Employment Rights Act 1996 to mean:

> "an individual who has entered into or works under (or, where the employment has ceased, worked under) -
>
> (a) a contract of employment, or
>
> (b) any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual;

[60] ibid
[61] ibid

and any reference to a worker's contract shall be construed accordingly."

Further, a "contract of employment" is defined in **Section 230(2)** of the Employment Rights Act 1996 to mean "a contract of service or apprenticeship, whether express or implied, and (if it is express) whether oral or in writing." An "employee" means an individual who has entered or works under a contract of employment as per **Section 230(1).** However, the terms "employer" and "employed" are defined more broadly to refer to the person by whom an employee or worker is (or was) employed under a worker's contract as per Section 230(4) and (5) of the Employment Rights Act 1996. Similar definitions of all these terms are contained in section 54 of the National Minimum Wage Act 1998 and regulation 2(1) of the Working Time Regulations 1998.

In the UK, the question of the employment status of gig workers saw the light of the day in the case of **Uber BV and others v Aslam and others**,[62] which concerned the employment status of private hire vehicle drivers who provide their services through the Uber smartphone application (the "Uber app"). The main question raised is whether an Uber driver is a "worker" for the purposes of employment legislation which gives "workers" rights to be paid at least the national minimum wage, to receive annual paid leave and to benefit from certain other protections. Uber BV is a Dutch company which owns the technology behind the Uber app. Uber London Ltd is a UK subsidiary licensed to operate private hire vehicles in London. The claimants, Mr Aslam and Mr Farrar, at the relevant times were licensed to drive private hire vehicles in London and did so using the Uber app. Their claim was brought in the employment tribunal as a test case to establish their employment status. At the time of the tribunal hearing in 2016, the number of Uber drivers operating in the UK was estimated to be around 40,000, of whom around 30,000 were operating in the London area.

[62] [2021] UKSC 5

In particular court looked at the definition of a "worker" in section 230(3) of the Employment Rights Act 1996, that includes an individual who works under a contract "whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual". Uber argued that Uber BV acted solely as a technology provider with its subsidiary (Uber London in this case) acting as a booking agent for drivers who are approved by Uber London to use the Uber app. Uber argued that, when a ride is booked through the Uber app, a contract is thereby made directly between the driver and the passenger whereby the driver agrees to provide transportation services to the passenger.

The Supreme Court disagreed and stated that on the facts there was no written contract between the drivers and Uber London, the nature of their legal relationship had to be inferred from the parties’ conduct. The judgment emphasises five aspects of the findings made by the employment tribunal which justified its conclusion that the claimants were working for and under contracts with Uber. First, where a ride is booked through the Uber app, it is Uber that sets the fare and drivers are not permitted to charge more than the fare calculated by the Uber app. It is therefore Uber which dictates how much drivers are paid for the work they do. Second, the contract terms on which drivers perform their services are imposed by Uber and drivers have no say in them. Third, once a driver has logged onto the Uber app, the driver’s choice about whether to accept requests for rides is constrained by Uber. One way in which this is done is by monitoring the driver’s rate of acceptance (and cancellation) of trip requests and imposing what amounts to a penalty if too many trip requests are declined or cancelled by automatically logging the driver off the Uber app for ten minutes, thereby preventing the driver from working until allowed to log back on. Fourth, Uber also exercises significant control over the way in which drivers deliver their services. One of several methods mentioned in the judgment is the use of a ratings system whereby passengers are asked to rate the driver on a scale of 1 to 5 after each trip. Any driver who fails to maintain a required average rating will receive a series of warnings and, if their average rating does not improve, eventually have their relationship with Uber terminated. A fifth significant factor is that Uber restricts communications between passenger and driver to the minimum necessary to perform the particular trip and takes active steps to prevent drivers from establishing any relationship with a passenger capable of extending beyond an individual ride. Taking these factors together, the transportation service performed by drivers and offered to passengers through the Uber app is very tightly defined and controlled by Uber. Drivers are in a position of subordination and dependency in relation to Uber such that they have little or no ability to improve their economic position through professional or entrepreneurial skill.

The Supreme Court, however, disagreed with Uber's classification and ruled that the drivers should be considered workers rather than independent contractors. The court emphasized the practical reality of the relationship between Uber and its drivers, highlighting the level of control exerted by the company over key aspects of the drivers' work, including setting fares, determining terms of service, and monitoring performance through its app. This decision has significant implications for labour law in the gig economy. By recognizing Uber drivers as workers, the court affirmed the applicability of certain employment rights and protections, including the right to minimum wage, paid holidays, and rest breaks. This ruling aligns with the underlying principles of labour law, which aim to safeguard the rights and interests of workers, particularly those in vulnerable or precarious employment situations. Moreover, the judgment underscores the importance of substance over form in determining employment status. Despite the contractual framework put forth by Uber, the court looked beyond the written agreements to examine the practical realities of the working relationship. This approach reflects a broader trend in employment law jurisprudence, emphasizing the need to consider the economic dependence and relative bargaining power of the parties involved.

3.1.3 Domestic Legal Framework

A series of major labour-related law reforms were enacted in the 2000s and the beginning of the 2010s. The Government of Uganda adopted a set of regulations in labour and employment. The purpose was to fill in gaps in legislation and improve the implementation and compliance in the employment sector. The enactments were initiated with the view of improving further the status of the labour market, especially job creation and decent work. However, the status of regulation of gig work in Uganda is largely unclear, as the existing laws are tailored towards traditional employment and therefore only indirectly apply to the gig economy. There are seven main laws that directly and indirectly affect gig workers in Uganda as below.

The Constitution the Republic of Uganda 1995 (as amended)

Article 40(2) of the Constitution of the Republic of Uganda 1995 (as amended) guarantees that, "Every person in Uganda has the right to practice his or her profession and to carry on any lawful occupation, trade or business". The Constitution also guarantees decent work and provides for freedom: from slavery and servitude,[63] from forced labour,[64] freedom of association.[65] It further provides for the right to a clean and healthy environment,[66] and right to work under satisfactory, safe and healthy conditions; equal pay for equal work without discrimination, rest and reasonable working hours and periods of holidays with pay and remuneration for public holidays;[67] right to form and join trade union[68] and protection of women during pregnancy and after birth, in accordance with the law.[69]

[63] Articles 25(1) of the Constitution of the Republic of Uganda 1995 (as amended)
[64] Articles 25(2) of the Constitution of the Republic of Uganda 1995 (as amended)
[65] Article 29(1) of the Constitution of the Republic of Uganda 1995 (as amended)
[66] Article 39 of the Constitution of the Republic of Uganda 1995 (as amended)
[67] Article 40 of the Constitution of the Republic of Uganda 1995 (as amended)
[68] Articles 40(3) of the Constitution of the Republic of Uganda 1995 (as amended)
[69] Article 40(4)

The Employment Act No. 6 of 2006

The Employment Act is the primary legislation governing employment relationships in Uganda. The Employment Act 2006 establishes fundamental rights at work. The Act regulates key labour market issues, such as employment relationships, wages,[70] leave,[71] working hours,[72] protection against unfair treatment and dismissal,[73] and collective bargaining. The Employment Act aims to protect the rights of workers and ensure fair employment practices. The law is considered progressive and improved Uganda's compliance with international standards.

It suffices to mention that the Employment Act defines an employee as "any person who has entered into a contract of service or an apprenticeship contract, including, without limitation, any person who is employed by or for the Government of Uganda, including the Uganda Public Service, a local authority or a parastatal organisation but excludes a member of the Uganda Peoples' Defence Forces."[74]

In the case of **National Social Security Fund v MTN Uganda Ltd & UNISIS,[75]** the plaintiff first sued the 1st defendant for its alleged failure and or neglect to remit contributions for employees seconded by the 2nd defendant to it under a Recruitment Services Contract. The background of this case is that on the 18th day of June 2007, the 1st defendant and the 2nd defendant signed the Contract by which the 2nd defendant under clause 3.1.1 was to "provide skilled and competent temporary staff hereinafter referred to as "UNISIS contract staff" for assignments required by MTN Uganda, under MTN Uganda's control and direction". The obligations of each of the parties were clearly stated in the Contract. The question arose as to who the contributing employer, for NSSF, was, or whether the defendants are jointly or severally liable to pay NSSF contributions.

---

[70] Section 40 of the Employment Act 2006
[71] Section 54 of the Employment Act 2006
[72] Section 53 of the Employment Act 2006
[73] Section 70 of the Employment Act 2006
[74] Section 2 of the Employment Act 2006
[75] (Civil Suit No. 94 of 2009) [2011]

Relying on the definition in the Employment Act 2006 and the National Social Security Fund Act, Justice Hellen Obura noted that the definition of "employer" recognizes an arrangement where a person enters into a contract by which some other person is to provide employees for any lawful purpose. The section provides that where it is not clear from the contract which of the two persons is the employer then the person to whom the employee is provided shall be deemed for purposes of the Act to be the employer.

Further, the term employer was clearly defined in the contract, it is not open to this court to revise the words used by the parties, or to put upon them a meaning other than that which they ordinarily bear. Therefore, where the contract is explicit as to who the employer was and in my considered view there is no need to apply the tests this court was invited to apply because they are only applicable where court is in doubt as to who the employer is. Court found and held that UNISIS was the employer of the Contract staff who had the obligation and responsibility to pay their NSSF contribution.

That said, the Employment (Amendment) Bill 2022 was re-tabled for First Reading before the Parliament of Uganda on 21 September 2022. The Bill seeks to amend the Employment Act 2006. The Bill seeks to regulate the employment of domestic workers and casual employees. It includes a contract of domestic work or casual work under the definition of a 'contract of service' and to provide for a domestic worker to be considered as an employee under a contract of employment.

The Employment Act defines a casual employee but does not make provisions for the terms of employment of a casual employee. The Employment Regulations 2011 (Regulations) attempted to cater for casual employees by providing that a casual employee who is engaged continuously for four months is entitled to a written contract and all rights and benefits enjoyed by other employees.[76] However, the Regulations did not address the rights of a employee in the gig economy. The Bill seeks to convert the employment of a casual employee who remains continuously engaged for four months to a term employment. After four months, the casual employee will be entitled to a written contract and to all rights and benefits as enjoyed by other employees as provided under the Act.

The Labour Unions Act No. 7 of 2006

Under the labour law, employees are free to join labour unions of their choice. This freedom is guaranteed both under the Constitution and the Labour Unions Act. Article 29(e) of the Constitution provides that every person shall have the right to freedom of association which includes freedom to form or join trade unions.

Section 3 of the Labour Unions Act also provides that employees shall have a right to organize themselves in any labour union and may assist in running the labour union, bargain collectively through a representative of their own choice, withdraw their labour and take industrial action. Meanwhile, the employer is barred by the Act from interfering with this right to associate,[77] otherwise if he does, he commits an offence.[78]

National Social Security Fund (NSSF) Act Cap 222

The NSSF Act provides for the establishment of a National Social Security Fund and to provide for its membership, the payment of contributions to, and the payment of benefits out of, the fund and for other purposes connected therewith.[79] According to Section 2(k) of the NSSF Act (as amended) an employer is defined as the Government, a company, a partnership, a business registered, a manager or a subcontractor who provides employees for the principal contractor; but where a person enters into a contract by which some other person is to provide employees

[76] Regulation 39 of the Employment Regulations 2011; Kitaka v Aim Distributors Limited (Labour Dispute Reference No. 75 of 2017)
[77] Section 4 of the Labour Unions Act
[78] Section 5
[79] Long Title of the National Social Security Fund Act Cap 222 (as amended)

for any lawful purpose of the manager and it is not clear from the contract which of the two persons is the employer, the manager shall be deemed to be the employer. Such employer(s) is/are required to make NSSF contributions for their employees. Be that as it may, the NSSF Act (as amended) provides for voluntary contributions by members which caters for the categories of workers not classified as employees.

The Occupational and Safety and Health Act 2006

Article 39 of the Constitution provides for the right to a clean and healthy environment. The Occupational Safety and Health Act imposes an obligation on employers to ensure the safety of employees at work.[80] They are thus required to put in place measures for the achievement of this purpose for example provision of protective gear against the effect of pollution, to monitor and control the release of dangerous substances into the environment, to supervise the health of workers who are exposed to dangerous hazards due to pollution and other harmful agents, ensuring that work premises remain safe and without risk to health, displaying safety precautions etc. The Act requires workplaces to be kept in a clean state to have suitable lighting to ensure that buildings at a work place are of sound construction, to have adequate supply among others.

The Workers Compensation Act Cap 225

The Workers Compensation Act was intended to ensure that workers injured in the course of the employment receive compensation from their employers.[81] The Act defines an employer as the Government of Uganda, any person incorporated or unincorporated, association or partnership, which directly engages a worker or which, in respect of any worker, carries on the business of hiring out his or her services.[82] Under Section 1(1)(u), a worker is defined to mean any person who performs services in exchange for renumeration, other than a person who

[80] Section 13 of the Occupational and Safety and Health Act 2006
[81] Long Title of the Workers Compensation Act Cap 225
[82] Section 1(1)(g) of the Workers Compensation Act Cap 225

performs services as an independent contractor. The Act applies to all employment within Uganda and to workers employed by or under the Uganda Government in the same way and to the same extent as if the employer were a private person, but not to active members of the armed forces.[83] Workers' compensation is a legal remedy that covers medical expenses and wage loss for employees who have been injured in the course and scope of their employment. An employee must report any work-related injury or illness to the supervisor immediately or other personnel of the organisation.

As regards to employer's liability, where personal injury by accident arises out of and in the course of a worker's employment, the injured worker's employer shall be liable to pay compensation in accordance with this Act.[84] An act is deemed to be done out of and in the course of employment when a worker acts to protect any person on the employer's premises whom the worker believes to be injured or imperilled, or when a worker acts to protect property on the employer's premises.

The lack of laws specific to the gig economy has posed a challenge to regulation of gig platforms. Despite this apparent growth, the researcher notes that the laws governing the gig economy in Uganda are largely fragmented and Uganda lacks consolidated legislation on this topic and therefore the need for this research. Therefore, they do not adequately protect gig workers. Being classified as independent contractors, gig workers do not enjoy the basic statutory protection provided for by the current labour laws in the country. This lack of adequate gig platform legislation in the country has also led to the lack of social protections such as pensions, social security and health insurance for gig workers. This is because workers may not only ineligible for pension or social security but also unable to save because of poor and irregular income during the time they are active in the gig platforms.

[83] Section 2 of the Workers Compensation Act
[84] Section 3

A number of laws, policies and strategies which may have relevance to the regulation of work have been enacted and are in force. These include the Employment Act among others. However, the findings of this study revealed that the provisions of these laws, policies and strategies are not being applied to gig work because they were tailor-made for the traditional work environment.

3.2 Classification/Status of Gig Workers

The main legal challenge associated with the gig economy is that most jurisdictions have found it difficult to fit the gig economy workers within the traditional definitions governing employment status resulting in uncertainty for companies on whether their workers are classified in the right category.[85] Many jurisdictions have workers who fall into two categories: Self-employed (otherwise known as independent contractors) and employees, while in other jurisdictions, for example the UK, Canada and Italy, there is an additional employment status which falls between the employee and self-employed categories. Many courts have adopted the control test, integration test,[86] entrepreneur/business test,[87] and the multiple test.[88]

Globally there is limited statutory guidance in defining this different status and employers are generally required to consider case law. That notwithstanding, the case of Dynamex Operations West, Inc. v. Superior Court,[89] is a landmark decision in California that significantly impacts employment and labour laws, particularly in the context of the gig economy. In this case, the California Supreme Court established a new legal standard, known as the "ABC test," for determining worker classification, specifically for purposes of wage and hour laws.

---

[85] Orly Lobel, "The Gig Economy & The Future of Employment and Labor Law," *USF Law Review* 2016.
[86] Stevenson, Jordan, & Harrison Ltd V Macdonald & Evans [1952] 1 T.L.R 101, 111
[87] Market Investigations Ltd v Minister of Social Security [1969] 2 QB 173
[88] Ready Mixed Concrete Ltd V Minister of Pensions & National Insurance [1968] 2 QB 497
[89] Dynamex Operations West, Inc. v. Superior Court (2018) 4 Cal.5th 903

The ABC test presumes that workers are employees unless the hiring entity can demonstrate all of the following:

A) The worker is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact.

B) The worker performs work that is outside the usual course of the hiring entity's business.

C) The worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed.

This new standard is significant for the gig economy because it places a greater burden on companies to classify workers as employees rather than independent contractors. Many gig economy companies, such as Uber, have historically classified their workers as independent contractors, thereby avoiding certain legal obligations and costs associated with traditional employment relationships, such as minimum wage, overtime pay, and benefits.[90]

However, under the ABC test, gig economy companies may find it more difficult to classify their workers as independent contractors, especially under prong B, which requires that the worker perform work outside the usual course of the hiring entity's business. Since the primary business of many gig economy companies is the services provided by workers (e.g., ride-sharing, food delivery), it may be challenging for these companies to satisfy this prong.

The Dynamex decision has already had significant implications for gig economy workers in California, with some companies reclassifying their workers as employees or facing legal challenges over their classification practices. Furthermore, California also has adopted the Assembly Bill No. 5 of the State of California Legislative Counsel Bureau which classifies the

[90] Skyler Brown et al., "Protecting Workers' Rights in the Gig Economy:
AI and Digital Labour Platforms," International Labour Organization Research Externship, (available at https://global.lehigh.edu/sites/global.lehigh.edu/files/2_ILO_UN_Ex_Machina_Final_Draft.pdf accessed in March 15 2024)

platform workers as employees rather than contractors.[91] Uganda may look to California's ABC test as a model for their own worker classification laws, potentially leading to broader changes in employment practices in the gig economy nationwide.

3.3 Workers' Rights in the Gig Economy

It should be noted that employees in Uganda enjoy various benefits for example the right to equal pay for equal work,[92] right to reasonable working hours and adequate rest,[93] paid maternity leave policy, female employees are entitled to 60 days of maternity leave,[94] the freedom of association and the right to bargain collectively,[95] right to form and join a trade union, right to social security,[96] the right to compensation for any personal injury from an accident arising out and in the course of his work, [97] among other right the employees may enjoy.

That notwithstanding, the key issue is that gig workers who are classified as self employed and not employees do not enjoy the same legal rights and protections as other traditional permanent employees. Gig workers face challenges such as low wages, lack of pension, limited access to social protection schemes, limited collective bargaining rights, as well as violation of privacy and discrimination.[98] Further, other challenges no rights to claim unfair dismissal, the right to

[91] Georgios Petropoulos, "Work protection in the digital age: Towards a new social contract." Bruegel., available at https://www.bruegel.org/blog-post/work-protection-digital-age-towards-new-social-contract Retrieved March 17, 2024)

[92] Article 7 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and Article 40 of the Constitution of the Republic of Uganda 1995

[93] The Employment Act under Part IV sets out the rights and duties of employees and employers in the employment relationship, including the right to: weekly rest; work no more than 48 hours per week; annual leave and public holidays; sick pay and maternity/paternity leave. Employees are entitled to one day of rest for each six consecutive days of work. Employees may not be employed for more than 48 hours per week and 10 hours per day without being paid overtime.

[94] Section 56 of the Employment Act 2006

[95] Article 40(3) of the Constitution of the Republic of Uganda

[96] Article 22 of the Universal Declaration of Human Rights 1948

[97] Section 3 of the Workers Compensation Act

[98] De Stefano, V., & Aloisi, A. (2019). Fundamental Labour Rights, Platform Work and Human Rights Protection of Non-Standard Workers. In Research Handbook on Labour, Business and Human Rights Law (pp. 359–379). Cheltenham, UK: Edward Elgar Publishing. https://doi.org/10.4337/9781786433114.00007

sick pay and paid holiday and the right to benefit from certain social security protections or retirement provisions.

Employment status can also have an effect on workers' benefits, worker representation and collective bargaining. There is need for a workers' rights protection to enable easy flow of services and reduce the frequent strikes by gig workers. Additionally, there is a need to offer digital workers formal employment rights. Some countries have developed policies that include gig workers and are also trying to accommodate them in the formal working conditions.[99] According to Codagnone et al., countries like Germany, Italy, Canada and the United Kingdom have included platform workers in their employment and labour protection bills. The gig workers are seen as intermediaries between formal employees and self-employed workers.[100]

3.4 Comparative Study Between the Employment Status of the Gig Economy in the United Kingdom (UK) and Uganda

Comparing Uganda's labour laws with those of the UK in the context of the gig economy requires an examination of several key aspects, including the definition of a contract of employment and its distinction from other employment relationships. Both Uganda and the UK are common law jurisdictions, meaning their legal systems are based on precedent and case law. However, there may be significant differences in how they approach and regulate employment relationships, especially in emerging sectors like the gig economy.

---

[99] Georgios Petropoulos, (2021, December 1), "Work protection in the digital age: Towards a new social contract," Bruegel., available at https://www.bruegel.org/blog-post/work-protection-digital-age-towards-new-social-contract Retrieved March 17, 2024)

[100] Cristiano Codagnone et al., (2016). "The Future of Work in the 'Sharing Economy'. Market Efficiency and Equitable Opportunities or Unfair Precarisation?" Institute For Prospective Technological Studies, Science for Policy Report by The Joint Research Centre, available at https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID2784774_code2377452. pdf?abstractid=2784774&mirid=1 Retrieved March 10, 2024)

One crucial aspect to consider is how each jurisdiction defines a contract of employment. In the UK, a contract of employment is defined broadly and encompasses various factors such as the intention to create legal relations, mutual obligations between the parties, and control exercised by the employer over the worker. This definition has evolved through case law, with courts looking at the substance of the relationship rather than just its form.

In Uganda, while there are similarities in the principles governing employment contracts, the legal framework may differ in terms of specific provisions and enforcement mechanisms. Uganda's Employment Act, for example, provides definitions and regulations concerning employment relationships, including contracts of service and contracts for service. A contract of service typically refers to a traditional employment relationship where the worker is under the control and direction of the employer, while a contract for service may cover independent contractors or those in the gig economy who provide services on a freelance basis.

The distinction between these two types of contracts is crucial, especially in the gig economy, where individuals often work on a flexible and independent basis. In both jurisdictions, determining whether a worker is an employee or an independent contractor depends on various factors, such as the degree of control exerted by the employer, the level of independence enjoyed by the worker, and the nature of the work performed. In the UK, recent legal cases involving gig economy companies like Uber and Deliveroo have highlighted the challenges in classifying workers and the need for clearer regulations to protect their rights. Courts have ruled in some cases that gig economy workers should be classified as employees entitled to certain employment rights, such as minimum wage and holiday pay, despite contractual arrangements designating them as independent contractors.[101] In Uganda, similar issues may arise as the gig economy continues to grow, with individuals engaging in platform-based work

[101] Uber BV and others (Appellants) v Aslam and others (Respondents) [2021] UKSC 5

facing uncertainty about their employment status and legal protections. The implications of Uganda's labour laws on the gig economy may depend on how courts interpret existing legislation and whether there are specific provisions addressing the rights of gig economy workers.

3.5 Legal Challenges of the Labour Legislations on the Gig Economy in Uganda

To begin with, there are jurisdictional issues involved. It is not always clear what labour law are applied where the worker is in one country, for example Uganda, but the on-line platform is based in California and the client is in Germany. One may wonder which minimum wage law prevails; and how can workers ensure income security amidst such competition? Also, how flexible is working time when compensation is so low that one has to work very long hours to make a living. This poses a challenge to legislate and also litigate.

In the same vein, another challenge associated with employment law and the gig economy, is eliminating the misclassification of employment status. Many on-line platforms are quick to dismiss any responsibility as employers, categorizing these workers as independent contractors.[102] Some situations fall into a grey area and need to be addressed. But there are other cases of blatant misclassification, with important consequences for the worker today and in the future. The rise in the number of disputes and litigations on this issue indicates the need for responses.

In addition, workers have little recourse where their work is rejected by the 'client', giving rise to cases of wage theft. Workers risk becoming 'unlisted' (or in practice dismissed) if their star ratings fall, adding pressure to be always connected, always available and always cheerful. The Employment Act provided for the duties and rights where there is wrongful dismissal. Wrongful dismissal is where an employee has been dismissed without notice or an employee

[102] Seth D. Harris and Alan B. Krueger, "A Proposal for Modernizing Labor Laws for Twenty-First-Century Work: The "Independent Worker" Discussion Paper 2015-10, December 2015

has not been given the right amount of notice, or the employment is terminated contrary to the contract.[103] Such rights are not guaranteed for the gig workers.

In the same vein, there are also risks for the fundamental principles and rights at work. How can we ensure that work isn't being performed by children? How can we ensure that compensation is not discriminatory? How can faceless workers spread across the world organize for better conditions?

3.5 Conclusion

The 'gig economy' may be the future, but one needs to recognize that it is indeed work and that the work should be decent. In Uganda, labour protection is incompatible with technological innovation and there is a gap. The difficulty for most jurisdictions is that those working within the gig economy do not fit easily within the parameters of the laws that govern the traditional relationship between an employee and the employer. Globally, jurisdictions have struggled to define the nature of their employment status. Assessing the correct employment status is important for determining the rights that the worker has. It is the researcher's assertion that there is a need for a specific legal framework to better regulate the new type of employment. However, too much regulation may lead to a much more unfavorable outcomes for the parties involved.

[103] Bank of Uganda v Joseph Kibuuka & 4Ors Civil Appeal No. 281 of 2016 [2021]

CHAPTER FOUR

SUMMARY AND DISCUSSION OF FINDINGS

4.0 Introduction

The gig economy in Uganda, much like in other parts of the world, has witnessed significant growth in recent years, driven by technological advancements and changing labour market dynamics. In the dynamic landscape of the gig economy, where technology platforms connect independent workers with short-term, flexible jobs, the implications of labour laws in countries like Uganda are crucial to examine. This chapter aims to provide a comprehensive overview of the findings and discussions surrounding the implications of labour laws in Uganda's gig economy. In this chapter, the researcher guided by the general objective of the study "to analyse the efficacy of the labour laws on the gig economy in Uganda," summarised, examined and discussed the salient findings of the study presented.

4.1 Summary of Findings

The Concept and the Rise of the Gig Economy in Uganda

This study analyzed the applicability of the labour law in the gig economy Uganda and the need to protect gig workers in Uganda. A sustainable digital economy is particularly important for developing countries like Uganda which aspires to reach middle-income status by 2040. With Uganda Vision 2040, the Government of Uganda has granted high-level policy recognition to the importance of the digital economy and the need to create a conducive enabling policy and regulatory environment to foster its growth.[104] In Uganda's National Development Plan III, ICT is mentioned as a crucial driver of social and economic development. Under the fourteenth chapter titled 'Digital Transformation', the Government has committed itself to increasing ICT penetration, reducing the cost of ICT devices and

[104] OECD, 'Key Issues for Digital Transformation in the G20', 2017

services, creating 30,000 jobs within the ICT sector, increasing local ICT innovation, and providing 80 percent of Government services online.[105]

Be that as it may, the labour and employment sector empowered by the digital economy shows great promise within Uganda. In the past few years, the digital trade and gig work have exponentially grown in the country. With intentional and targeted effort exerted in these sectors, Uganda is one step close to achieving middle-income status by 2040. In regard to retail websites, the sector is serviced by both local and international platforms. Given the nature of online stores, the volume of the websites used in Uganda cannot succinctly be summarized. However, it is important to note that Uganda's retail e-commerce activity is relatively unsophisticated as a significant amount of it takes place on social media platforms such as WhatsApp and Facebook. Online retail websites include Tuko app, Kikuu, Maskini, Kikuubo Online Uganda, Jiji Uganda, Ubuy Uganda, and well-known ones such as Jumia, Amazon, eBay, and Alibaba.[106] In the ride-hailing sector, Safeboda and its new flagship product, Safecar dominate this particular industry. With over twenty-four thousand riders, Safeboda is the biggest ride-hailing service in the country. Other digital ride-hailing services in the country include Uber, Bolt, Lolo ride, Mondo ride, Dial Jack, and Little Ride.[107] The ride-hailing industry has spurred Uganda's gig economy which holds promise in reducing the country's low employment levels. The use of food-delivery applications has also steadily increased in the country. Well-known applications include Jumia Food, Glovo, and Uber Eats.

The researcher found out that there are various factors shaping the development of employment relations such as sociocultural factors, which are societal beliefs and values; political factors; economic factors, which covers aspects of technology, labour market, and money market; and

[105] Ibid Page 30
[106] National Information Security Authority Uganda 'National Information technology Survey Report Final Report, 2022, Pg. 120-121
[107] HiUG' The top Ride-Hailing Apps In Uganda Including Safeboda and Uber' Available at https://hereinuganda.com/ride-hailing-apps-uganda)

also, legal factors. According to Ernest Jjingo the gig economy in Uganda has been steadily growing and is "mainly dominated by social media influencers. The influencer space is dominated by artistes, media personalities or simple millennials with no professional qualifications, but have huge followings on their social media platforms, especially Twitter and TikTok."[108] Internet access and social media usage are heavily relied upon for such grow. This explains why the gig economy in rural areas are not heavily pronounced.

According to the paper, "The Gig Economy in East Africa: A Gateway to the Financial Mainstream', the gig economy continues to grow, with almost two-thirds (60 percent) of gig workers joining this segment of the economy.[109] The UBOS report on the Uganda National Household Survey 2019/2020 indicates that the rate of employment stood at 39% of the population in 2019/2020 down from 48% in 2016/17. Unemployment unsurprisingly reduced to 9% in 2019/2020 compared to 10% during the same period. According to the survey, Uganda has a population of 41 million.[110] Uganda has a diverse e-commerce sector, ranging from ride-hailing, online retail stores to food delivery services and hospitality and accommodation services. In a 2022 survey carried out by the National Information Technology Authority Uganda (NITA – (U)) that collected information on individual e-commerce services and experiences in Uganda, it was found that overall, 9% of all individuals reported using the internet to make an online purchase in the period of 12 months in the years of 2021-2022. It found that individuals that had made online purchases in 2022 mostly bought from sellers in Uganda (96.7%). Individuals that had made online purchases mostly bought clothing, footwear, sporting goods or accessories (41.2%), followed by food, groceries, alcohol, or tobacco (24%),

[108] Ernest Jjingo, "Welcome to Uganda's gig economy," The Observer November 15, 2022, (available at https://www.observer.ug/lifestyle/75869-welcome-to-uganda-s-gig-economy accessed on 05 May, 2024)
[109] *Saqib Munir, "*Gig economy is the future of work," The Independent, September 10, 2021 https://www.independent.co.ug/gig-economy-is-the-future-of-work/ accessed on 05 May 2024)
[110] ibid

and household goods (22.7%). Other items bought included household items, computer software, electronic books, medicine, and cosmetics.[111]

Be that as it may, the business models of these businesses vary. While some sell specific items such as apparel, others are intermediaries or ‘digital marketplaces’ through which customers can purchase products from other stores or sell their products to fellow customers. Despite this apparent growth, the researcher notes that the laws governing the gig economy in Uganda are largely fragmented and Uganda lacks consolidated legislation on this topic and therefore the need for this research.

The study particularly focused on whether the legal and regulatory framework on employment/labour have succeeded in protecting the gig economy in Uganda. It aimed at establishing labour rights in a gig economy; this was by examining the challenges hindering the effective implementation of the labour regulation in protecting the gig workers in Uganda and to recommend measures that may be adopted to protect gig workers in Uganda.

The legal and regulatory framework on the gig workers and their implication in protecting the gig economy in Uganda

The study found out that the employment law regime in Uganda is majorly governed by the Employment Act 2006, and other specific legislation. These laws have played a role in establishing the employment relations and providing the rights of workers. However, there is considerable uncertainty regarding the scope of traditional regulations, minimum standards and remedies in the realm of irregular digitally mediated work.[112] The employment law frameworks affect the rights of workers which in turn affects the growth of the gig economy. Regulators

[111] National Information Security Authority Uganda ‘National Information technology Survey Report Final Report, 2022, Pg. 120-121

[112] Fairwork, “A Need For Pro-Worker Change: Uganda Ratings 2023,” p.12 https://fair.work/wp-content/uploads/sites/17/2023/08/Fairwork-Uganda-Ratings-2023-EN-red-1-1.pdf accessed on the 05, May, 2024)

and policymakers should consider how to strengthen and expand the regulatory framework governing gig work.

The researcher found out that there are various factors shaping the development of employment relations such as sociocultural factors, which are societal beliefs and values; political factors, which concerns actions to amend and create legislation in line with employment issues; economic factors, which covers aspects of technology, labour market, and money market; and legal factors, which includes laws like common, statutory, and collective bargaining laws. While there have been arguments that casual workers are the same as gig workers, the study found out that gig workers are often classified, by many, as independent contractors rather than employees, meaning they work for themselves and are not entitled to the same rights and benefits as employees. Casual workers, on the other hand, are usually considered employees of the company or organization they work for, even if their employment is temporary or irregular. Further, gig workers may have limited legal protections compared to casual workers who are recognized as employees. In contrast with continuous service,[113] continuous employment involves a traditional employer-employee relationship where the worker is engaged on a long-term basis, usually under a contract of employment.

The term "gig economy" describes the business model where workers rely on a digital platform to be put in contact with clients to provide their freelance services. Those working within the gig economy do not fit easily within the parameters of the laws that govern the traditional

[113] Under Section 83(1) of the Employment Act "continuous service" means an employee's period of uninterrupted service with the same employer. There shall be a rebuttable presumption that the service of an employee with an employer shall be continuous, whether or not the employee remains in the same job as per Section 83(2). Also see Uganda Local Government Association v Kibira & 4 Ors (Labour Dispute Appeal No. 026 of 2016) [2018]

relationship between an employee and the employer and globally jurisdictions have struggled to determine the nature of their employment status.[114]

During the Uganda Law Society Employment Law Conference 2023, Asmahaney Saad noted that "the employment law in Uganda is still typical, it is still Ugandan, very typical." In the context of the current Employment regime, Mr. Ivan Engoru observed that "there is a whole legislative gap in working remotely. Issues are likely to arise in terms of workers compensation... there is going to be a whole reorganisation of legislation to cater for aspects not currently legislated."[115] However, the regulatory framework governing the gig economy in Uganda remains inadequate and outdated. The country's labour laws were primarily designed to address traditional employment relationships, leaving gig workers vulnerable to exploitation and lacking essential protections.

The platform economy has significantly influenced the organisation, practices and cultures of work in Uganda. It has been referred to as an avenue of employment amid an unemployment crisis. Despite the growth and influence of platform work in Uganda, labour regulation, laws and policies continue to lag.[116] Given the large number of the country's working population engaged in this form of work, official government and internal platform policies will need to be brought in to protect them from exploitative labour practices. Regulation is needed to curb the challenges that keep cropping up in this sector. These include issues of job security, uncertain income stability, lack of social protection such as a safety net, and potential exploitation of workers. The specifics of these standards may vary depending on the sector and nature of work.

---

[114] Norton Rose Fulbright, "Doing Business in the Gig Economy: A Global Guide to Employers," https://www.nortonrosefulbright.com/en-ug/knowledge/publications/87afaec5/doing-business-in-the-gig-economy-a-global-guide-for-employers

[115] Uganda Law Society, "Navigating the Shifting Landscape of Employment Law," Employment Law Conference 2023

[116] Fairwork, "Uganda's Rating 2023," p.11 (available at https://fair.work/wp-content/uploads/sites/17/2023/08/Fairwork-Uganda-Ratings-2023-EN-red-1-1.pdf)

Challenges hindering the effective implementation of the labour regulation in protecting the gig workers in Uganda

One of the critical issues about the gig economy in Uganda is an employee as an independent contractor. According to Crystal Kabajwara Misclassification is not only a risk to the business but to the worker as well as the worker loses out on benefits or protections generally available under the employment law such as sick pay, leave pay and protection from unlawful dismissal.[117] Much of the discussion about platform work and the gig economy concerns the triangular relationship between client, gig worker and the platform. However, in the case of **Uber BV and others v Aslam and others**,[118] the Supreme Court disagreed with Uber's classification and ruled that the drivers should be considered workers rather than independent contractors. The court emphasized the practical reality of the relationship between Uber and its drivers, highlighting the level of control exerted by the company over key aspects of the drivers' work, including setting fares, determining terms of service, and monitoring performance through its app. This classification ambiguity has led to legal disputes and challenges, with gig workers advocating for recognition as employees to access better working conditions and benefits.

Platform or gig labour over the past decade has determined our present work practices, especially within the informal sector. Yet, labour laws continue to lag in ensuring that gig workers are protected from exploitative practices and have access to fair working conditions. This highlighted the shortcomings of labour policies and regulation that only focus on traditional and formal forms of work, rather than the evolving nature of work organised online, which can be categorised as informal work making up 90% of Uganda's economy. According

[117] Crystal Kabajwara, "Relying on Contractors has huge tax implications," (Available at https://www.pwc.com/ug/en/press-room/relying-on-contractors-has-huge-tax-implications.html)
[118] [2021] UKSC 5

to Cynthia Kyofuna of Outbox, an Innovation hub based in Kampala, Uganda, the "gig work is organised and characterised by its volatile nature and flexibility. She identified that there is no legal framework or protection for the workers in the gig economy in Uganda. As such, while adhering to the minimum wages is a key step towards fair pay, Kyofuna explains that payment systems should be transparent between the workers. The pay should also meet one's basic needs and there should be a medium for collective bargaining and monetization."[119]

Access to social security, sick pay and health insurance is fundamental to ensuring fair working conditions. The conversation demonstrated that an industry-wide intersection and collaboration were indispensable to ensuring fair working conditions. According to Peter Bayiga, "with gigs, you are not entitled to employment benefits such as medical, in some cases work environment, social benefits among others," Mr Bayiga says.[120] Policy's Research Manager, Bonnita Nyamwire explained that working conditions available for full-time workers should be accessible to gig workers whose labour is integral to platform companies' growth. Nyamwire explained that power is still concentrated in the hands of platforms since they determine the conditions through their opaque algorithms and policies – which workers have less control over.[121] Collectively demonstrating the need to redesign platform work to ensure that workers have access to benefits and protection. Labour regulation and protection also need to be designed from a community action approach where workers are engaged throughout the process.

Apart from that, the research found out that within the gig economy in Uganda, women's position in the labour market is already less favorable than men's in any country you look at.

---

[119] Mardiya Siba Yahaya for Policy, "Recapping the Fairwork multistakeholder workshop in Uganda," Fairwork, 08.02.2023 (Available at https://fair.work/en/fw/blog/recapping-the-fairwork-multistakeholder-workshop-in-uganda/)
[120] Rocket Health, "Gig economy: Could it drive job market trends?" available at https://rockethealth.africa/gig-economy-could-it-drive-job-market-trends/ accessed on 05 May 2024)
[121] ibid

As women have entered the gig economy in Uganda, they've often faced additional issues that neither male gig workers nor platform workers tend to encounter.[122] Women working in the digital economy also face discrimination from clients who don't want to hire women, sexual harassment and stalking by customers, and a lack of safety measures from employers.

Besides, according Mwajab Namirembe to job insecurity is one such concern, as freelancers lack the stability associated with traditional employment, leaving them vulnerable to fluctuations in demand and income uncertainty. Additionally, freelancers often miss out on employee benefits such as health insurance, retirement plans, and paid time off, which places the responsibility of securing their financial future on individuals.[123]

Another significant finding is the absence of collective bargaining rights for gig workers in Uganda. Labour unions play a crucial role in advocating for workers' rights and negotiating better terms and conditions of employment. However, gig workers, operating in decentralized and fragmented environments, face challenges in organizing and collectively bargaining for improved wages, working hours, and job security. The conversation on fair representation focused on the individualised and alienating nature of gig work that restricts works from collective bargaining or unionising. Platforms have directly blocked unionisation, by either suspending the workers' accounts or permanently banning workers. Further, it was explained that the imbalance of power that exists between the workers and the platforms makes it difficult for collective bargaining to happen, especially when they can easily lose employment.

---

122 Irene Mwendwa, Bonnita Nyamwire & Sally Roever, "How Gig Work Exploits Instead of Empowers Women in the Global South, Standford Social Innovation Review, Oct. 18, 2023 https://ssir.org/articles/entry/how_gig_work_exploits_instead_of_empowers_women_in_the_global_south accessed on 05, May 2024)

123 Mwajab Namirembe, "The Rise Of The Gig Economy: Embracing Freelancing And Its Impact On Traditional Employment," August 3, 2023 (available at https://nwscwaterherald.co.ug/the-rise-of-the-gig-economy-embracing-freelancing-and-its-impact-on-traditional-employment/)

Further, Many gig workers also lack meaningful ways to address disputes or assert their rights, since they're often shut out of traditional means of organizing for better conditions.[124] In Uganda, gig workers are effectively excluded from existing unions, either by policy, since many unions require members to have full-time contracts, or de facto, since many union members are hesitant to ally with people working on platforms that disrupted their industries, as with ride-hailing apps' impact on the traditional taxi and public transportation sector. And when gig workers have sought to organize, platforms have often engaged in aggressive union-busting activity, including by suspending or banning workers who try to unionize.

While gig platforms began to boom in Global South nations like Uganda during the pandemic, workers did not benefit in the same way. Workers in informal employment already lack key legal protections, social benefits and bargaining power, which make them more vulnerable to exploitation and precarious work arrangements.[125] Technology can exacerbate these problems, giving platform owners new ways to exploit workers and evade labour laws, controlling workers' labour conditions in ways that are often opaque and abusive, through policies workers have no say over. Some digital platforms use algorithms to determine wages and workers' hours, or to monitor their performance, leading to unpredictable pay and working schedules, poor working conditions, and little job security. Many digital labour platform workers must take on multiple gigs in order to make a living, and still end up in debt.

Recommendation/measures that may be adopted to better protect gig workers in Uganda

The ILO brought together government, private sector actors and social partners to discuss findings of its exploratory assessment of the microwork and gig economy in Uganda and

[124] Irene Mwendwa, Bonnita Nyamwire & Sally Roever, "How Gig Work Exploits Instead of Empowers Women in the Global South, Standford Social Innovation Review, Oct. 18, 2023 https://ssir.org/articles/entry/how_gig_work_exploits_instead_of_empowers_women_in_the_global_south accessed on 05, May 2024)
[125] Ibid

gathered recommendations on how to improve digital skills training and devise pathways into digitally enabled jobs for young people. Stephen Opio, ILO Chief Technical Adviser, Uganda, in his welcoming remarks stressed the importance of bringing together government actors, trade union representatives, employers' organizations, non-governmental organizations, development partners, and representatives of refugee communities in the country to understand the transformations that the labour market in Uganda is experiencing. He pointed at the need to balance digital innovation and decent work opportunities for youth. Although the number of digitally enabled jobs in Uganda is still relatively low, they are expected to grow exponentially in the near future, Opio explained.[126]

Further, as the gig economy continues to grow, it is imperative that policymakers, businesses, and workers collaborate to address these challenges and develop innovative solutions to ensure that both traditional and gig workers can thrive in the modern world of work. Finding a balance between the advantages of freelancing and the security of traditional employment will be critical in shaping a sustainable and equitable future for the workforce.[127]

To build a more just future for labour and tech, we must prioritize workers' rights, needs and voice in the design of these platforms and how they are governed. That will take a collaborative effort from platform owners, workers, policymakers, and more. When women can be owners at all levels, a feminist future of work will not only be possible but probable - that means agency over phones and data plans used to find work, to the mobile money accounts through which they are paid, to the platforms themselves. Ultimately, that's the only way women can gain

[126] ILO, "With Uganda embracing digital transformation of jobs, stakeholders gather to discuss opportunities and challenges, 1 June 2023 https://www.ilo.org/resource/news/uganda-embracing-digital-transformation-jobs-stakeholders-gather-discuss

[127] Mwajab Namirembe, THE RISE OF THE GIG ECONOMY: EMBRACING FREELANCING AND ITS IMPACT ON TRADITIONAL EMPLOYMENT, August 3, 2023 (available at https://nwscwaterherald.co.ug/the-rise-of-the-gig-economy-embracing-freelancing-and-its-impact-on-traditional-employment/)

leverage over the systems that relegated them to the bottom of the economic pyramid to begin with.[128]

As the gig economy continues to evolve, there is a need for the government and relevant authorities to introduce specific regulations or guidelines to address the unique challenges of gig work and the platform workers within it. Moreover, platform workers must be informed about any developments in the labour laws and there must be continued effort towards ensuring that their rights and entitlements as workers are upheld.[129]

4.2 Conclusion

In conclusion, the implications of labour laws in Uganda's gig economy are multifaceted, encompassing issues of worker classification, collective bargaining rights, platform accountability, and social protection. Addressing these challenges requires a collaborative effort from all stakeholders to ensure that the gig economy serves as a source of inclusive and sustainable employment opportunities for Ugandan workers. Regulatory reforms, coupled with innovative policy interventions, are essential to harnessing the full potential of the gig economy while safeguarding the rights and dignity of its workforce.

---

[128] Irene Mwendwa, Bonnita Nyamwire & Sally Roever, "How Gig Work Exploits Instead of Empowers Women in the Global South, Standford Social Innovation Review, Oct. 18, 2023 https://ssir.org/articles/entry/how_gig_work_exploits_instead_of_empowers_women_in_the_global_south

[129] https://fair.work/wp-content/uploads/sites/17/2023/08/Fairwork-Uganda-Ratings-2023-EN-red-1-1.pdf

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

5.0 Introduction

A surge in development and the accompanying change in technology have brought about a fresh kind of workers who are differentiated by being exceptionally mobile, elastic, and sprightly to fit the evolving preference of consumers. The gig economy has been hailed as an ideal platform for flexible work arrangements, offering individuals the opportunity to work on short-term projects and therefore the need to protect their rights. Hence, the employment law and employee relations are the avenue by which corresponding rights and responsibilities are made between the employee and the employer and serves as the basic route by which employees can access rights and benefits. However, the reality of the gig economy often diverges from the ideal, with workers facing precarious employment conditions, lack of benefits, and limited job security. In this chapter, the researcher provides conclusions and recommendations to better the gig economy market.

5.2 Conclusions

The study raised and addressed a number of issues namely: whether the legal and regulatory framework on employment/labour have succeeded in protecting the gig economy in Uganda; whether there are any challenges hindering the effective implementation of the labour regulation in protecting the gig workers in Uganda and any measures available to protect the rights of workers in the gig economy. Given the interdisciplinary nature of the labour laws and gig economy, the researcher employed a qualitative method of study.

In an age when more emphasis is placed on autonomy and flexibility in the workplace, the gig economy is becoming the new normal. With its growth, this movement has led to rethink the concept of work in a changing world. Further, in the present day labour market, the gig economy has materialized to permeate a deficiency of continuing employment chances and mirrors the enormous impact which the internet and technology have had on the present-day economy.

Despite the fact that there are regulations that govern employment relations, there are a number of challenges associated with the labour laws in the gig economy. For example, the absence of specific legislation or regulation tailored to address the unique characteristics of the gig economy. The current legal framework primarily focuses on traditional employment relationships, leaving gig workers vulnerable to exploitation and lack of legal recourse. The findings also highlight the legal uncertainty surrounding the employment status of gig workers. One of the major issues in the protection of the gig workers has been the issue of misclassification. A principal issue raised by working arrangements in the gig economy is the pattern in which an individual's entitlement to employment rights is based on their status such as employee, worker, or self-employed. Similarly, ambiguity in classification has led to disputes over worker rights, including minimum wage, overtime pay, and entitlement to benefits such as sick leave and worker's compensation.

In the same vein, there has been a debate of whether the gig economy should be regulated under human rights protection or labour rights protection.[130] From a human rights protection perspective, they argued that gig workers should have the fundamental right to work and earn a livelihood without discrimination or exploitation. They argue that denying gig workers basic labour rights, such as fair wages, safe working conditions, freedom of association, collective bargaining and access to social protections, violates their human dignity and autonomy. They argue that gig workers should have the ability to organize and advocate for their interests

[130] Alcia A. Koski, "Human and Equal Relief for Gig Economy Workers," (available at https://humanrightsclinic.law.harvard.edu/human-rights-and-equal-relief-for-gig-economy-workers/ accessed on 30th March, 2024)

collectively, without fear of reprisal or retaliation from platform companies.[131] On the other hand, the proponents of labour rights protection argued that gig workers should be recognized as employees rather than independent contractors, entitling them to the same legal protections and benefits afforded to traditional workers. They argue that gig platforms exercise significant control over gig workers' work activities and should therefore be held accountable as employers. For instance, in the landmark case of Dynamex Operations West, Inc. v. Superior Court (2018),[132] the California Supreme Court ruled that gig workers should be presumed to be employees under state labour law unless they meet strict criteria for independent contractor status.

Be that as it may, the question of whether the gig economy should be regulated under human rights protection or labour rights protection is a complex and contentious issue with far-reaching implications for gig workers, platform companies, and society at large. While both perspectives offer valid considerations and insights, finding a balanced approach that respects the rights and dignity of gig workers while promoting innovation and flexibility in the labour market remains a formidable challenge for policymakers and stakeholders. The researcher notes that just as there are specific laws relating to workers' rights, it is prudent that a particular legislation be dedicated to the gig economy workers.

4.3 Recommendation

Given the rise of platform work and need to protect the rights of gig workers, the researcher makes the following suggestions:

---

[131] Naomi R. Kefford, The human rights of gig workers An exploration of the rights of freedom of association and to collectively bargain for gig workers in international human rights and labour law," (available at file:///home/chronos/u-2776be71dfd6b4eb098ef477fe776eb2c3942916/MyFiles/Downloads/1406467.pdf accessed on 30th March 2024)
[132] supra

To begin with, the Ugandan government should enact legislation specifically tailored to regulate gig work. This legislation should define the rights and responsibilities of gig workers and provide clarity on employment classification, ensuring that gig workers are afforded adequate protection under the law. To address the shortcomings of the gig economy, policymakers should consider implementing regulations that strike a balance between flexibility and worker protections. This may include establishing minimum wage standards, mandating access to benefits such as healthcare and paid leave, and ensuring avenues for collective bargaining. Additionally, efforts should be made to address the underlying social and economic inequalities that contribute to the vulnerability of gig workers.

There is a need to redefine the term "gig worker" or "gig economy" to fit into the traditional definition of an employee involves reconceptualizing the nature of gig work and the relationship between workers and employers. Traditionally, an employee is someone who works for a company on a regular basis, often full-time or part-time, under an employment contract that outlines their rights, responsibilities, and benefits. This model contrasts with the gig economy, where workers typically engage in short-term, freelance, or independent contractor arrangements. However, by redefining gig work within the framework of traditional employment, we can establish a new understanding that prioritizes stability, benefits, and protections for workers.

In this reinterpretation, gig workers would transition from independent contractors to employees of the companies they work for. Rather than being hired on a per-project or on-demand basis, they would become permanent members of the workforce upon fulfilment of certain conditions, eligible for all the rights and benefits afforded to traditional employees. This shift requires proper legislation and companies to revise their employment practices and recognize gig workers as integral members of their teams. By reclassifying gig workers as employees, companies assume greater responsibility for their well-being and professional development. This includes providing training and resources to help them succeed in their roles, as well as fostering a supportive work environment that values their contributions and promotes career growth. Furthermore, recognizing gig workers as employees enhances their legal protections and rights in the workplace.

The digital reconstruction of labour markets by gig platforms calls for rebuilding and reallocation of risks, liabilities, and protection along the production value chain. As regards this, two main principles are proposed. The first is to expand existing employment law categories, classification tests and types of employment protection to incorporate gig work. Secondly to develop fresh categories of employment laws mainly for gig workers. However, for a country like Uganda to benefit from the gig economy, the legislators and the policymakers need to regulate it in a way that makes the gig economy both more sustainable and inclusive. So that, eventually, it becomes less complicated belonging to either side of the labour spectrum. Perhaps then it will also serve as a solution to the unemployment challenges faced by the continent.

Further, there is a need to enhance worker protections. Legislation should guarantee gig workers access to essential labour rights, overtime pay, social security benefits, and protections against discrimination and harassment. Additionally, mechanisms should be established to enforce these rights and hold employers accountable for violations. Besides, there is a need to promote social safety nets. To address the lack of access to social security benefits, the government should explore innovative solutions such as portable benefits schemes tailored to gig workers. These schemes should provide access to healthcare, retirement savings, and other essential benefits independent of employment status.

In a bid to protect the rights of gig economy workers, the political will and fostering stakeholder collaboration are paramount. Collaboration between government agencies, employers, gig platforms, and civil society organizations is essential to address the challenges facing the gig economy effectively. Stakeholders should engage in dialogue to develop comprehensive regulatory frameworks that balance flexibility for gig workers with necessary protections.

It is importance of bringing together government actors, trade union representatives, employers' organizations, non-governmental organizations, development partners, and representatives of refugee communities in the country to understand the transformations that the labour market in Uganda is experiencing. There is need to balance digital innovation and decent work opportunities for youth. Although the number of digitally enabled jobs in Uganda is still relatively low, they are expected to grow exponentially in the near future.

To sum it all, there have been employment laws, business leaders have been confused about whether and when to classify workers as employees versus independent contractors. And the issue has only intensified with the rise of the gig economy and myriad technologies connecting short-term talent with project-based employment opportunities. Hence, clarifying or expanding definitions of 'employment'; creating a new category of 'independent worker'; creating rights for 'workers', not employees; and reconsidering the concept of an 'employer' will go a long way in protecting the rights of gig workers in Uganda.

4.4 Further Research

The researcher suggests the following topics for further research to better the employment law regime and protection of gig workers in Uganda:

An Analysis of The Efficacy of the Labour Regulations in Protecting the Rights of Women in the Gig Economy in Uganda.

A Comparative Study of International Law Regulation of the Gig Economy: Case Study of the International Labour Organisation.

Conceptualizing the Gig Economy and its Regulatory Issues: Gig Economy Trends and Impact on Small and Medium Practices in Uganda.

BIBLIOGRAPHY

Legislation

The Constitution of the Republic of Uganda 1995 (as amended)

The Employment Act 2006

The Employment Regulations 2011

The Employment Rights Act 1996 (UK)

The International Covenant on Economic, Social and Cultural Rights (ICESCR)

The Labour Unions Act 2006

The National Minimum Wage Act 1998 (UK)

The National Social Security Fund Act Cap 222 (as amended)

The Occupational and Safety and Health Act 2006

The Universal Declaration of Human Rights 1948

The Workers Compensation Act Cap 225

The Working Time Regulations 1998 (UK)

Case Law

Bank of Uganda v Joseph Kibuuka & 4Ors Civil Appeal No. 281 of 2016 [2021]

Dynamex Operations West, Inc. v. Superior Court (2018) 4 Cal.5th 903

Kitaka v Aim Distributors Limited (Labour Dispute Reference No. 75 of 2017)

Market Investigations Ltd v Minister of Social Security [1969] 2 QB 173

National Social Security Fund v MTN Uganda Ltd & UNISIS (Civil Suit No. 94 of 2009) [2011]

Ready Mixed Concrete Ltd V Minister of Pensions & National Insurance [1968] 2 QB 497

Stevenson, Jordan, & Harrison Ltd V Macdonald & Evans [1952] 1 T.L.R 101, 111

Uber BV and others v Aslam and others [2021] UKSC 5

Textbooks, Articles, and Journal

Abraham, K., Haltiwanger, J., Sandusky, K., & Spletzer, J. (2017). Measuring the gig economy: Current knowledge and open issues. Measuring and Accounting for Innovation in the 21st Century.

Ben Z. Steinberger, "Redefining 'Employee' in the Gig Economy: Shielding Workers from the Uber Model," 23 Fordham J. Corp. & Fin. L. 577 (2018).

Bora Ly, "Employment in the Gig Economy," (2020) 33, On Research, (available at https://www.academia.edu/44680356/EMPLOYMENT_IN_THE_GIG_ECONOMY accessed on February 04, 2024)

Cristiano Codagnone et al., (2016). "The Future of Work in the 'Sharing Economy'. Market Efficiency and Equitable Opportunities or Unfair Precarisation?" Institute For Prospective Technological Studies, Science for Policy Report by The Joint Research Centre, available at https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID2784774_code2377452.pdf?abstractid=2784774&mirid=1 Retrieved March 10, 2024)

Crystal Kabajwara, "Relying on Contractors has huge tax implications," (Available at https://www.pwc.com/ug/en/press-room/relying-on-contractors-has-huge-tax-implications.html)

D.K Bailey, Methods of Social Research, London: Collier Macmillan Publishers, (1987)

Daniel Massey, "Responding to the gig economy: A comparative case-study of platform work in Norway and United Kingdom," (2022) (available at https://hdl.handle.net/11250/3010697 accessed on February 18,2024)

De Stefano, V., & Aloisi, A. (2019). Fundamental Labour Rights, Platform Work and Human Rights Protection of Non-Standard Workers. In Research Handbook on Labour, Business and Human Rights Law (pp. 359–379). Cheltenham, UK: Edward Elgar Publishing. https://doi.org/10.4337/9781786433114.00007

Ernest Jjingo, "Welcome to Uganda's gig economy," The Observer November 15, 2022, (available at https://www.observer.ug/lifestyle/75869-welcome-to-uganda-s-gig-economy accessed on 05 May, 2024)

Fairwork, "A Need For Pro-Worker Change: Uganda Ratings 2023," p.12 https://fair.work/wp-content/uploads/sites/17/2023/08/Fairwork-Uganda-Ratings-2023-EN-red-1-1.pdf accessed on the 05, May, 2024)

Georgios Petropoulos, "Work protection in the digital age: Towards a new social contract." Bruegel., available at https://www.bruegel.org/blog-post/work-protection-digital-age-towards-new-social-contract Retrieved March 17, 2024)

HiUG "The top Ride-Hailing Apps in Uganda Including Safeboda and Uber" Available at https://hereinuganda.com/ride-hailing-apps-uganda)

Igor Dosen & Michael Graham, "Labour rights in the gig economy: An Explainer," (2018) Research Note No. 7, June 2018 (available at https://www.parliament.vic.gov.au/publications/research-papers/download/36-research-papers/13869-labour-rights-in-the-gig-economy-an-explainer accessed on February 19, 2024)

Igor Dosen & Michael Graham, Labour rights in the gig economy, Research & Inquiries Unit Parliamentary Library & Information Service, No. 7, June 2018.

ILO, "With Uganda embracing digital transformation of jobs, stakeholders gather to discuss opportunities and challenges, 1 June 2023 (available at https://www.ilo.org/resource/news/uganda-embracing-digital-transformation-jobs-stakeholders-gather-discuss)

Irene Mwendwa, Bonnita Nyamwire & Sally Roever, "How Gig Work Exploits Instead of Empowers Women in the Global South, Standford Social Innovation Review, Oct. 18, 2023 https://ssir.org/articles/entry/how_gig_work_exploits_instead_of_empowers_women_in_the_global_south

Isaac Adebiyi, "Digitisation and women in the workforce: Exploring the impact of the gig economy on female 'participation' and 'status' in the labour market," *Granite Journal*, Volume 3, Issue no 2: (53-65)

James Hickson (06 Sep 2023): "Freedom, domination and the gig economy, New Political Economy," 5 (available at https://doi.org/10.1080/13563467.2023.2254712 accessed on February 20, 2024)

Jeremias Prassl, "Humans as a Service: The Promise and Perils of Work in the Gig Economy," (Oxford: Oxford University Press, 2018)

Kate Minter, "Negotiating labour standards in the gig economy: Airtasker and Unions New South Wales," (2017), The Economic and Labour Relations Review, 28(3), 438-454. Available at https://doi.org/10.1177/1035304617724305 accessed on February 14, 2024)

Lobel Orly. "The Gig Economy & The Future of Employment and Labor Law." University of San Francisco Law Review, Forthcoming, 2016. (available at https://ssrn.com/abstract=2848456 accessed on February 14 2024)

Lobel, Orly. "The Debate Over How to Classify Gig Workers Is Missing the Bigger Picture." *Harvard Business Review*, 24 July 2019. (available at https://hbr.org/2019/07/the-debate-over-how-to-classify-gig-workers-is-missing-the-bigger-picture accessed on February 21, 2024)

Malcolm Sargeant, "The Gig Economy and the Future of Work," *E-Journal of International and Comparative* LABOUR STUDIES ADAPT

Malik F et al., "Digital Labour Platforms in Pakistan: Institutional Voids and Solidarity networks," Information Technology & People, available at https://research.manchester.ac.uk/en/publications/digital-labour-platforms-in-pakistan-institutional-voids-and-soli accessed on February 20, 2024)

Mardiya Siba Yahaya for Policy, "Recapping the Fairwork multistakeholder workshop in Uganda," Fairwork, 08.02.2023 (Available at https://fair.work/en/fw/blog/recapping-the-fairwork-multistakeholder-workshop-in-uganda/)

Martin H. Malin, "Protecting Platform Workers in the Gig Economy: Look to the FTC," *Indiana Law Review* [Vol. 51:377].

Michael L. Nadler, "Independent Employees: A New Category of Workers for the Gig Economy," 19 *N.C. J.L. & Tech.* 443 (2018).

Mwajab Namirembe, "The Rise Of The Gig Economy: Embracing Freelancing And Its Impact On Traditional Employment," August 3, 2023 (available at https://nwscwaterherald.co.ug/the-rise-of-the-gig-economy-embracing-freelancing-and-its-impact-on-traditional-employment/)

National Information Security Authority Uganda 'National Information technology Survey Report Final Report, 2022, Pg. 120-121

Norton Rose Fulbright, "Doing Business in the Gig Economy: A Global Guide to Employers," https://www.nortonrosefulbright.com/en-ug/knowledge/publications/87afaec5/doing-business-in-the-gig-economy-a-global-guide-for-employers

OECD, 'Key Issues for Digital Transformation in the G20', 2017

Orly Lobel, "The Four Pillars of Work Law," 104 *MICH. L. REV.* 1539, 1543, 1545 (2006)

Orly Lobel, "The Gig Economy & The Future of Employment and Labor Law," *USF Law Review* 2016.

Orly Lobel, "We Are All Gig Workers Now: Online Platforms, Freelancers & The Battles Over Employment Status & Rights During the Covid-19 Pandemic," *San Diego Law Review* [Vol. 57: 919, 2020].

Proposal for a Directive of the European Parliament and the Council on Improving working Conditions in Platform Work, 2021 (available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%A2021%3A762%3AFIN accessed on 10th March, 2024)

Rocket Health, "Gig economy: Could it drive job market trends?" available at https://rockethealth.africa/gig-economy-could-it-drive-job-market-trends/)

Russon M.A, "Uber drivers are Workers Not Self-employed, Supreme Court Rules," BBC News, (available at https://www.bbc.com/news/business-56123668 accessed on February 17, 2024)

Saqib Munir, "Gig economy is the future of work," The Independent, September 10, 2021 (Available at https://www.independent.co.ug/gig-economy-is-the-future-of-work/ accessed on 05 May 2024)

Seth D. Harris and Alan B. Krueger, "A Proposal for Modernizing Labor Laws for Twenty-First-Century Work: The "Independent Worker" Discussion Paper 2015-10, December 2015

Skyler Brown et al, "Protecting Workers' Rights in the Gig Economy: AI and Digital Labour Platforms by brown," ILO Externship Research, (available at https://global.lehigh.edu/sites/global.lehigh.edu/files/2_ILO_UN_Ex_Machina_Final_Draft.pdf accessed on February 14, 2024

Skyler Brown et al., "Protecting Workers' Rights in the Gig Economy: AI and Digital Labour Platforms," International Labour Organization Research Externship, (available at https://global.lehigh.edu/sites/global.lehigh.edu/files/2_ILO_UN_Ex_Machina_Final_Draft.pdf accessed in March 15 2024).

Stone, Katherine V. W. "Legal Protections for Atypical Employees: Employment Law for Workers without Workplaces and Employees without Employers." Berkeley Journal of Employment and Labor Law, vol. 27, no. 2, 2006, pp. 251-286.

Taimaa Janat, "Opportunities, Difficulties, and Downsides of the Gig Economy's Future," (2022) International Journal of Engineering Technology Research & Management Vol-06 Issue 03

Todolí-Signes, Adrían. "The 'gig economy': employee, self-employed or the need for a special employment regulation?" (2017) 197 *Transfer: European Review of Labour and Research*, vol. 23, no. 2, 2017, pp. 193-205, doi:10.1177/1024258917701381.

Tonia Novitz (2020) The Potential for International Regulation of Gig Economy Issues, King's Law Journal, (available at https://doi.org/10.1080/09615768.2020.1789442 accessed on February 15, 2024)

Uganda Bureau of Statistics, *Uganda National Household Survey 2019/2020*, available at https://www.ubos.org/publications

Valerio De Stefano (2016). "Introduction: Crowdsourcing, the Gig-Economy and the Law." Comparative Labor Law & Policy Journal, 37(3).

Wendi S. Lazar & Nantiya Ruan, "Is There a Future for Work?" *Georgetown Journal on Poverty Law and Policy*, Volume XXV, Number 3, Spring 2018

William B. Gould IV, “The Future of The Gig Economy, Labor Law, and the Role of Unions: How Will They Look Going Forward?”

Zhenqian Dong, Impact of labour laws on the performance of gig work platforms: a legal review of three countries’ experiences,” (2022) (available at https://openrepository.aut.ac.nz/server/api/core/bitstreams/79c36c1f-458c-41f6-820f-a38746c6b685/content accessed on February 20, 2024)

Video

Uganda Law Society, “Navigating the Shifting Landscape of Employment Law,” Employment Law Conference 2023 (Available on You-tube)