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## **PUBLIC STATEMENT**

### **EFSCRJ Calls on Workers to Stand United to Protect Their Rights and Welfare**

Today, May 1<sup>st</sup> is International Workers Day, globally recognized in honour of a workers' strike across America on May 1, 1886, to demand an eight-hour workday, leading to violent confrontations between the police and labourers in Chicago on May 4. Today, 139 years later, the rights and welfare of workers across the world continue to face dire conditions largely due to the failures of both the state and employers to uphold the law to protect the rights of workers. In this regard, the Gambia is not an exception. Workers are confronted with issues of poor pay, harassment, unfair treatment, and over taxation amidst general poor working conditions.

On this occasion, EFSCRJ, first of all salutes and stands in solidarity with all Gambian workers. Workers are the producers of wealth, goods, and services, hence the foundation of the governance and development of a country. Therefore, we wish to urge all workers,

- To endeavour to know the laws and policies on workers' rights, welfare, and benefits,
- To take deliberate actions to exercise their rights and duties,
- Every worker in every institution, organization, company, or entity to organize themselves into unions to secure their rights, welfare and dignity.

On that basis, we also pay tribute to Edward Francis Small as the first national pioneering trade unionist who, over 100 years ago had organized workers to agitate for their rights. We wish to recognize his role and contribution to not only the promotion and protection of workers' rights and dignity but also for spearheading the creation of trade unions.

The rights of workers are backed by law and in this regard, we welcome the Labour Act as amended in 2023 which has provided strong foundations for the protection of workers' rights. The law has protected women employees including protection of pregnant women employees and guarantees paternity and maternity leave. The law provides protection for employees with disabilities. The rights of employees to fair labour practices such as satisfactory, safe, and healthy working conditions, rest, and leisure are guaranteed. The Act has also guaranteed the right to form, join and take part in trade unions, be trained and retrained as well as access to information relevant to his or her work. The Labour Act guarantees the right to collective bargaining and industrial action.

We wish to inform all employees that workers' rights are guaranteed by international law which the Gambia has ratified. These include the following ILO Conventions,

- Convention No. 87 on the Freedom of Association and Protection of the Right to Organize,
- Convention No. 98 on the Right to Organize and Collective Bargaining,
- Convention No. 100 on Equal Remuneration,
- Convention No. 111 on Discrimination (Employment and Occupation),
- Convention No. 138 on the Minimum Age Convention,
- Convention No. 182 on the Worst Forms of Child Labour Convention,





- Convention No. 29 the Forced Labour Convention
- Convention No. 105, the Abolition of Forced Labour.

While we welcome the Labour Act as amended in 2023, we note several concerns in the law that require reforms to fully guarantee the rights of workers.

1. The Act under Section 3 does not cover civil servants, members of the Armed Forces and other disciplined forces. We hold that civil servants and security officers are human beings and workers who have the right to organize for the promotion of their welfare.
2. The requirements for sole bargaining under Section 167 impose severe limitations on workers to form a recognized union.

In light of the foregoing, we wish to therefore recommend the following,

1. The Government should reform the Labour Act 2023 to guarantee labour rights to civil and public servants, members of the armed and security services and domestic servants.
2. The government should ensure that all employees, particularly public institutions, and private sector companies, uphold the laws including the Labour Act, Women's Act, Persons with Disabilities Act and the Anti-Corruption Act to ensure the full protection of workers.
3. Employers of all categories should uphold and comply with these laws in full.
4. Employers to ensure that working conditions are satisfactory, safe, and healthy to ensure the full protection of rights and dignity of workers.
5. All employers create necessary internal policies, tools, and mechanisms to ensure the full protection of workers' rights and dignity. Among these policies include the following,
  - a. Sexual Harassment Policy
  - b. Whistleblower Protection Policy
  - c. Anti-Harassment and Complaints Procedure
  - d. Grievance Policy
6. The trade unions and the Workers Confederation to become more active and engage all stakeholders vigorously to ensure the full protection of workers' rights.
7. We urge all workers to unite and stand in solidarity with each other to ensure that their full rights and welfare are protected.

Workers of the Gambia, Unite, Organize and Agitate for Your Rights and Welfare! Today.

**2025 – The Year of Transparency and Accountability**

