

GUIDE TO FILING & RESOLVING LABOUR DISPUTES IN UGANDA

1. JURISDICTION

- For general labour disputes such as breach of contract, unfair dismissal, etc. the *only* remedy available is to file with a **Labour Officer**, per *Sec 92(1) Employment Act Cap. 226*
- For torts arising from employment e.g., negligence causing workplace injury, defamation, assault, the labour officer has **no jurisdiction**. These must be filed directly in a regular civil **court** such as Magistrate's Court or High Court, as per *Sec 92(6) Employment Act Cap. 226*.

2. THE LABOUR OFFICER

All statutory and contractual labour disputes must start here.

A. Who Can File

An employee i.e. Any person employed under a contract of service but excluding the Uganda Peoples' Defence Force	Section 2 & 11 of <i>Employment Act Cap. 226</i>
An employer or employers' organisation i.e. against an employee or a labour union	Sec 11 of <i>Employment Act Cap. 226</i> and Section 2 of <i>Labour Disputes (Arbitration and Settlement) Act Cap. 227</i>
A labour union i.e. on behalf of its members or regarding collective bargaining agreements	Section 2 of <i>LDAS Act Cap 227</i>

B. Filing timelines

Claim type	Deadline	Law
Unfair / wrongful dismissal	filed within 3 months from the date of dismissal	<i>Sec 70(2) as amended by S. 20 of the Employment Amendment Act 2025.</i>
Unjustified disciplinary penalty / suspension	filed within 4 weeks	<i>Sec 63(1)] of Employment Act Cap. 226</i>

Summary Dismissal	filed within 6 months	<i>Sec 69(1)] of Employment Act Cap. 226</i>
--------------------------	------------------------------	--

C. Document to File

A written or oral complaint, i.e. typically a Complaint Letter or Memorandum detailing the breaches as per *Sec 63(1), 69(1), 92(1)] of Employment Act Cap. 226*

D. Procedure, issues determined & powers

The Labour Officer hears the matter, investigates, and seeks to settle it by conciliation or mediation, per *Sec 92(2)] of Employment Act Cap. 226*

For example, whether a dismissal was wrongful/unfair assessed on the Disciplinary Code (Schedule 2) and the employer's contractual obligations, under *Sec 65A-65C of Emp. Amendment Act 2025*.

The Labour Officer can order for compliance, payment of withheld wages, or remedies for unfair dismissal i.e. a basic compensation of **8 weeks' wages**, plus discretionary additional compensation of **1-3 months' wages**, under *Sec 24 of Emp. Amendment Act 2025, amending Sec 77*.

E. If no decision is issued

The former LDASA timelines of 2/4/8 weeks no longer apply, following the repeal of Sections 2-4 of LDASA Act Cap. 227

If the labour officer neither decides nor dismisses the complaint within **90 days** of submission, the complainant may proceed directly to the Industrial Court under *Sec 92(7) of Employment Act Cap. 226*.

3. THE INDUSTRIAL COURT

A dispute reaches the Industrial Court by one of the two routes i.e.

- A. **Original reference i.e.** the 90- day period under *Sec 92(7) of Employment Act Cap. 226* lapses without a decision

Documents required

- **Reference of a labour dispute to the Industrial Court by a party to the dispute** i.e. *Second Schedule of the Industrial Court Rules, 2012*
- **Memorandum of the Claimant** i.e. to be filed within 7 days of the Registrar's notice, detailing every item of the claim.
- **Affidavit of Service** i.e. proving the memorandum was served on the respondent.
- **List of Witnesses** which must be attached to the memorandum.
- *6 copies of all documents, per Rules 3(2), 5, & 10 Industrial Court Rules 2012*
- Upon being served, the Respondent has **7 days** to file a **Reply to the Memorandum** alongside an **Affidavit of Service**, per *Rule 5(4)] of the Ind. Court Rules 2012*.

B. Appeal from a labour Officer's decision

If the Labour Officer makes a decision, a dissatisfied party may appeal to the Industrial Court, per *Sec 93(1) of the Employment Act Cap. 226*

Whether leave is required depends on the ground of appeal, as per **Section 93(2) of the EA** and mirrored in **Rule 24(2) of the ICPR**, thus **NOT entirely automatic**.

Ground	Leave required?
Question of law e.g. wrong legal standard applied, officer acted without legal authority,	No. Appellant has an automatic right of appeal
Question of fact or mixed fact/law e.g. wrongful factual finding on absence or wage calculation	Yes. Appellant must apply by Notice of Motion and Affidavit before the substantive appeal is heard.

Documents to file

- **Appeal Form under the Fifth Schedule.**

(Note: Despite the Fifth Schedule being bizarrely titled "Appeal from the Industrial Court to the High Court", Rule 24(5) explicitly confirms this is the correct form for appealing a Labour Officer's decision to the Industrial Court).

- **Record of Hearing** from the Labour Officer.
- **The Award or Decision** being appealed, per *Rule 24 & Fifth Schedule of the Ind. Court Rules 2012*

C. Procedure & Powers of the Industrial Court

The Court is not bound by the strict rules of evidence used in civil courts. It compels written evidence, summon witness, and require expert opinions, as per *Sec 19 of LDASA Act Cap. 227*.

The Court has the power to confirm, modify, or overturn the Labour Officer's decision, per *Sec 93(3)/ Employment Act Cap. 226*

The Court holds High Court powers. It can order discovery, costs, reinstatement, and compensation, per *Sec 8(3) LDASA Act Cap. 227*

4. FINALITY OF LABOUR DISPUTES

Forum	Finality
Industrial Court	Final on all questions of fact, per Section 93(3) of the EA
Court of Appeal	Final only on questions of law and jurisdiction, per Section 23 of LDASA and Rule 23(1) & (2) of the Industrial Court Rules 2012

Once the matter reaches the Court of Appeal, the Industrial Court Procedure Rules no longer apply. It is the **Judicature (Court of Appeal) Rules that govern instead**, under *Rule 23(3) Industrial Court Rules 2012*