



THE EMPLOYMENT (AMENDMENT) ACT, 2025

THE EMPLOYMENT (AMENDMENT) ACT, 2025**Arrangement of Sections****Section**

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THE EMPLOYMENT (AMENDMENT) ACT, 2025

An Act to amend the Employment Act, Cap. 226 to introduce Part IVA on recruitment of persons for employment abroad; to provide for breastfeeding and child care facilities; to provide for severance allowances; to provide for dismissal and termination of contracts of employment; to introduce Part IXA on employment of migrant workers and for related matters.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by Parliament as follows:

1. Amendment of Employment Act, Cap. 226

The Employment Act, in this Act referred to as the “principal Act”, is amended in section 2—

- (a) by inserting immediately before the definition of “affiliated union”, the following—

““adjudication” means a form of dispute settlement in which a labour officer considers the evidence and arguments of both parties to a labour dispute upon which the labour officer makes a decision;”;

- (b) by substituting for the definition of “Commissioner”, the following—

““Commissioner” means the Commissioner for labour in the Ministry responsible for labour;”;

- (c) by substituting for the definition of “disability”, the following—

““disability” has the meaning assigned to it under the Persons with Disabilities Act;”;

- (d) by substituting for the definition of “dismissal from employment”, the following—

““dismissal from employment” means the discharge of an employee from employment at the initiative of his or her employer on any of the grounds provided under section 64A;”;

- (e) by inserting immediately after the definition of “dismissal from employment”, the following—

““domestic work” means work performed in or for a household or households;

“domestic worker” means a person engaged in domestic work within an employment relationship but excludes a person who does domestic work occasionally and not on an occupational basis;”;

- (f) by inserting immediately after the definition of “forced and compulsory labour”, the following—

““foreign recruitment agency” means a legal entity registered under the laws of a country other than

Uganda which is accredited by a Ugandan mission abroad and licensed by the Ministry to recruit Ugandans to work abroad;”;

- (g) by inserting immediately after the definition of “industrial court”, the following—

““job order” means a written communication from a foreign recruitment agency or employer to a recruitment agency in Uganda, indicating the number of workers required for a specific job, skills required of the workers and wages to be paid;”;

- (h) by inserting immediately after the definition of “recruitment”, the following—

““recruitment agency” means a company licensed by the Ministry to facilitate the placement of a prospective employee with a prospective employer within Uganda or with a foreign recruitment agency for employment abroad;”;

- (i) by substituting for the definition of “regulations”, the following—

““regulations” means regulations made under this Act;”;
and

- (j) by inserting immediately after the definition of “week”, the following—

““workplace” means a place of work, a site or any area where work is carried out, including a permanent, indoor, factory, industry, household, a stationary place of work such as an office or shop and any temporary place of work such as a civil engineering site, an open air place, a field, forest, road, oil refinery,

and mobile-place of work such as a cab of a truck, a seat of a tractor, an excavator, a ship, gallery, freight deck of an air craft, and a place where a worker is found as a consequence of his or her work.”

2. Amendment of section 6 of principal Act

Section 6 of the principal Act is amended by substituting for subsection (4), the following—

“(4) Every employer shall have in place measures to prevent sexual harassment at the work place and shall display the measures in a conspicuous place at the work place.”

3. Insertion of section 6A in principal Act

The principal Act is amended by inserting immediately after section 6, the following—

“6A. Prohibition of intimidation or harassment against an employee

(1) An employer or the employer’s agent shall not intimidate or harass an employee at the work place.

(2) For the purposes of subsection (1)—

(a) “harass” means written, verbal or physical abuse or behaviour that interferes with work or creates an intimidating, hostile or offensive work environment;

(b) “intimidate” means physical or verbal abuse, or behaviour directed at isolating or humiliating an individual or a group of individuals or at preventing an individual or a group of individuals from engaging in work activities and includes—

(i) degrading public tirades by a supervisor or colleague;

- (ii) insults related to a person's personal or professional competence;
- (iii) threatening or insulting comments, whether oral or written, including by e-mail;
- (iv) desecration of religious or national symbols or both;
- (v) withholding food or other basic necessities which an employee is entitled to under the contract of employment; and
- (vi) insulting the modesty of an employee.

(3) A person who contravenes this section commits an offence.”

4. Amendment of section 12 of principal Act

Section 12 of the principal Act is amended in subsection (1)(a), by repealing the word “arbitration”.

5. Amendment of section 33 of principal Act

Section 33 of the principal Act is amended by inserting immediately after the word “disabilities”, the words “domestic workers, casual employees”.

6. Insertion of sections 34A and 34B in principal Act

The principal Act is amended by inserting immediately after section 34, the following—

“34A. Casual employment

(1) A person shall not employ another person as a casual employee for a continuous period exceeding six months.

(2) Where an employer lays off a casual employee and the employer rehires the casual employee, the casual employment shall be regarded as continuous.

34B. Piecework

(1) An employee may enter into a piecework contract with an employer.

(2) In this section, “piecework” means the amount of work an employer pays an employee for, upon the completion of the work by the employee.”

7. Repeal of section 36 of principal Act

Section 36 of the principal Act is repealed.

8. Repeal of section 37 of principal Act

Section 37 of the principal Act is repealed.

9. Insertion of Part IVA in principal Act

The principal Act is amended by inserting immediately after Part IV, the following—

“PART IVA—RECRUITMENT AGENCIES

38A. Illicit or concealed movement of persons

(1) A person shall not facilitate the illicit or concealed movement of persons for employment abroad by organising the departure, transit or arrival of the persons in Uganda or give assistance to any organisation for that purpose.

(2) A recruitment agency shall not recruit a person who the recruitment agency knows to be unlawfully present in Uganda.

38B. Licensing of recruitment agencies

(1) The Minister may, on the recommendation of the Commissioner responsible for employment services, issue a licence to a person to transact the business of a recruitment agency in Uganda.

(2) A person shall not transact the business of a recruitment agency without a licence issued by the Minister under subsection (1).

(3) A licence referred to in subsection (1) may be issued subject to conditions as the Minister may determine.

(4) A licence issued under subsection (1) shall be valid for a period of two years from the date of issue.

(5) A recruitment agency may apply to the Minister for renewal of a licence issued under subsection (1).

(6) The Minister may, in writing, revoke a licence issued under subsection (1).

38C. Recruitment agency to be company

(1) The Minister shall not grant a licence to operate a recruitment agency unless the person seeking the grant of a licence is a company incorporated under the Companies Act.

(2) A recruitment agency granted a licence under this Act shall submit a report of its operations to the Commissioner responsible for employment services at the end of every calendar year.

(3) The Minister shall, annually, lay before Parliament a report on the governance and operations of recruitment agencies in Uganda.

- (4) The Minister shall, by regulations provide for—
- (a) the procedure for obtaining a licence;
 - (b) the procedure and duration within which to renew a licence;
 - (c) the conditions for issuance of a licence;
 - (d) the grounds for revocation of a licence;
 - (e) the governance and general operations of recruitment agencies; and
 - (f) the fees payable.

(5) The Minister shall, within six months from the commencement of this Act, lay before Parliament for approval, regulations made under subsection (4).

38D. Companies not eligible to be licensed as recruitment agencies

A company in the category listed below is not eligible to be licensed as a recruitment agency—

- (a) a company that is declared insolvent;
- (b) a company whose licence to transact the business of a recruitment agency was cancelled within the past five years;
- (c) a company whose directors were formerly directors in a company under paragraph (b);
- (d) a company where any of its directors is convicted of an offence relating to illegal recruitment of workers or trafficking of persons; or

- (e) a company whose shareholders or directors are directly or indirectly engaged in the regulation of recruitment of persons for employment.

38E. Recruitment only on issuance of job order

(1) A recruitment agency shall not recruit a person without a job order.

(2) The job order referred to in subsection (1) shall be approved by the Commissioner responsible for employment services.

(3) A recruitment agency which contravenes subsections (1) and (2) commits an offence and is liable, on conviction, to a fine not exceeding one thousand currency points.

(4) Where the act or omission constituting an offence under subsections (1) and (2) is committed by a person who has—

- (a) the power to represent the recruitment agency;
- (b) the authority to take decisions on behalf of the recruitment agency; or
- (c) the authority to exercise control over the affairs of the recruitment agency,

the person is liable, on conviction, to a fine not exceeding one thousand currency points or to imprisonment for a term not exceeding five years, or both.

38F. Obligations of recruitment agencies

(1) A recruitment agency shall—

- (a) before a person who intends to work in Uganda or abroad signs a contract of employment, orient the

person on the policies, procedures and terms and conditions of employment, including the rights and duties under his or her contract of employment;

- (b) ensure that the contract of employment signed by the person being recruited for work is witnessed by a next of kin;
- (c) ensure that the person who intends to be employed abroad is skilled for the job as specified in the job order;
- (d) ensure that the contract of employment is not prohibited under the laws of Uganda and is in accordance with the laws of the country where the person is to be employed;
- (e) assume full responsibility for all claims which may arise in connection with the use of the licence of the agency;
- (f) keep and maintain a record of all persons recruited through the recruitment agency, including names and addresses, contracts of employment, biodata and passport photographs;
- (g) keep, monitor and update a record of the next of kin of persons recruited through the recruitment agency; and
- (h) ensure that a person who intends to be employed abroad is trained by a pre-departure training institution accredited by the Ministry.

(2) For the purposes of this section, “pre-departure training institution” means an institution accredited by the Ministry to orient and induct an employee recruited for

employment abroad for purposes of preparing the employee for employment abroad.

(3) The Minister shall, under this section, make regulations to prescribe—

- (a) the accreditation procedures for pre-departure training institutions;
- (b) the duration of pre-departure training;
- (c) the fees payable;
- (d) procedures for suspension and revocation of accreditation of pre-departure training institutions;
- (e) general operations of pre-departure training institutions; and
- (f) any other information as may be required by the Minister.

38G. Repatriation clause in contract of employment

A recruitment agency shall not recruit a person for employment abroad unless the contract of employment provides for the right of the employee to be repatriated at the expense of the employer under the following circumstances—

- (a) upon the expiry of the period of service stipulated in the contract of employment;
- (b) upon the termination of the contract of employment by reason of the inability of the employee to perform the contract;
- (c) upon the termination of the contract of employment by agreement between the parties;

- (d) upon the termination of the contract of employment by a competent court; or
- (e) upon the death of the employee.

38H. Appeal to High Court

(1) A person who is aggrieved by a decision of the Minister under this Part may appeal to the High Court.

(2) The decision or order of the High Court under subsection (1) shall be final.

38I. Offences under this Part

A person who contravenes the provisions of section 38A, 38B, 38F or 38G commits an offence.”

10. Amendment of section 54 of principal Act

Section 54 of the principal Act is amended—

- (a) in subsection (1)(a), by substituting for the words “first month’s”, the words “first two months”;
- (b) by inserting immediately after subsection (1)(a), the following—
 - “(aa) if, at the expiry of the second month, the sickness of the employee continues, the employer is entitled to pay the employee half pay of the employee’s monthly wages for the subsequent four months;”
- (c) by substituting for subsection (1)(b), the following—
 - “(b) if, at the expiry of the sixth month, the sickness of the employee continues, the employer is entitled to terminate the contract of service upon complying with all the terms of the contract of service up to the time of termination of employment.”

11. Insertion of section 56A in principal Act

The principal Act is amended by inserting immediately after section 56, the following—

“56A. Establishment of breastfeeding and child care facilities

(1) Every employer shall make available at the workplace, time, space or a facility for breastfeeding and child care for children of the employees.

(2) The facility referred to in subsection (1) shall be for children between the ages of three months and thirty-six months.

(3) The Minister shall, by regulations, prescribe operational standards for the breastfeeding and child care facilities referred to in subsection (1).”

12. Amendment of section 64 of principal Act

Section 64 of the principal Act is amended—

(a) by substituting for the headnote, the following—

“Termination of employment”;

(b) in subsection (1), by inserting immediately after paragraph (d), the following—

“(e) in the case of redundancy of the employee;

(f) in the case of sickness of the employee which lasts more than six months and renders the employee unable to perform his or her duties under the contract of service; and

(g) where the continuous employment of the employee may lead to breach of a statutory obligation.”;

- (c) by inserting immediately after subsection (2), the following—

“(3) An employer may terminate the contract of service of an employee on the ground of redundancy under subsection (1)(e) upon proof that—

- (a) the employer has ceased business operations;
or
- (b) due to reorganisation of work, introduction of labour saving devices, change in work pattern or the employer requires fewer employees for the existing work.

(4) An employer shall, before terminating the contract of service of an employee on grounds of sickness under subsection (1)(f), seek the opinion of a medical doctor relating to the medical condition of the employee.”

13. Insertion of section 64A in principal Act

The principal Act is amended by inserting immediately after section 64, the following—

“64A. Dismissal from employment

(1) An employer may dismiss an employee from employment on any of the following grounds—

- (a) abscondment from duty by the employee;
- (b) where the employer establishes that the employee presented forged documents or did not possess required qualifications at the time of recruitment;
- (c) where the conduct of the employee inside or outside the employment may have an adverse effect on the business of the employer; or

- (d) any other ground specified in the contract of employment.

(2) For the purposes of subsection (1)(a), abscondment from duty is deemed to have occurred when an employee is absent from work without the permission and knowledge of the employer for a consecutive period of more than thirty days.”

14. Substitution of section 65 of principal Act

Section 65 of the principal Act is substituted with the following—

“65. Notification and hearing before dismissal

(1) Notwithstanding any other provision of this Part, an employer shall, before reaching a decision to dismiss an employee, explain to the employee, in a language the employee understands, the reasons for which the employer is considering the dismissal of the employee.

(2) The employee may, during the explanation in subsection (1), have a person of his or her choice in attendance.

(3) Notwithstanding any other provision of this Part, an employer shall, before making a decision to dismiss an employee, hear and consider any representations which the employee or the person of the employee’s choice under subsection (2), may make.

(4) The employer shall give the employee five working days within which to prepare the representations referred to in subsection (3).

(5) An employer who fails to comply with this section is liable to pay the employee a sum equivalent to four weeks’ net pay.

(6) A complaint alleging failure on the part of the employer to comply with this section may be joined with any complaint alleging wrongful dismissal, and may be made to a labour officer by an employee who has been dismissed.

(7) The labour officer shall have power to order payment of the sum specified in subsection (5) in addition to making an order in respect of any other award or decision reached in respect of the dismissal.

(8) A complaint under subsection (6) shall be made within three months after the date of dismissal or such other later period upon providing reasonable grounds.”

15. Insertion of sections 65A, 65B and 65C in principal Act

The principal Act is amended by inserting immediately after section 65, the following—

“65A. Unfair dismissal

Dismissal shall be unfair where the employer dismisses an employee for any reason other than the reasons specified in section 64A.

65B. Wrongful dismissal

(1) Dismissal shall be wrongful where the employer has not fulfilled his or her contractual obligations under the contract of employment while dismissing an employee.

(2) In determining whether the employer fulfilled his or her obligations under the contract of employment, a labour officer or court shall consider—

- (a) the terms and conditions of the contract of employment of the employee and the Disciplinary Code set out in Schedule 2 to this Act;

- (b) the extent to which the employer complied with his or her contractual obligations before and after the dismissal of the employee;
- (c) the procedure followed by the employer in reaching the decision to dismiss the employee;
- (d) the communication of the decision to dismiss the employee and the handling of any appeal against the decision, if any;
- (e) the conduct and capability of the employee up to the date of dismissal;
- (f) the previous conduct of the employer while handling the situation which led to the dismissal; and
- (g) any other reason which the labour officer or court may deem just or equitable.

65C. Circumstances that do not warrant dismissal or imposing disciplinary penalty

An employer shall not dismiss or impose any disciplinary penalty on an employee on the basis of the following—

- (a) a female employee's pregnancy, or any reason connected with the pregnancy;
- (b) the fact that an employee took, or proposed to take, any leave to which he or she was entitled under the law or a contract;
- (c) an employee's membership or proposed membership of a labour union;

- (d) participation or proposed participation in the activities of a labour union outside working hours or, with the consent of the employer, within working hours;
- (e) an employee's seeking of office as, or acting or having acted in the capacity of, an officer of a labour union or a workers' representative;
- (f) an employee's refusal or proposed refusal to join or withdraw from a labour union;
- (g) an employee's race, colour, sex, religion, political opinion or affiliation, national extraction, nationality, social origin, marital status, HIV status or disability;
- (h) an employee's initiation or proposed initiation of a complaint or other legal proceedings against his or her employer, except where the conduct is, in the opinion of the labour officer, wholly irresponsible and without foundation; and
- (i) an employee's temporary absence from work for any period up to three months on reliable grounds, including illness or injury."

16. Amendment of section 66 of principal Act

Section 66 of the principal Act is amended—

- (a) by inserting immediately after subsection (2), the following—

“(2a) Where an employer does not extend the probationary contract under subsection (2), and continues to pay the employee after the lapse of the probationary contract, the employee shall be deemed to have been confirmed in employment.”;

- (b) in subsection (4), by substituting for the words “seven days”, the words “one month’s”.

17. Substitution of section 67 of principal Act

Section 67 of the principal Act is substituted with the following—

“67. Reasons for dismissal

(1) An employer shall, in any claim arising out of dismissal, give reasons for dismissal of the employee, and where the employer fails to do so, the dismissal shall be deemed to have been wrongful.

(2) The reasons for dismissal shall be reasons which the employer, at the time of dismissing the employee, genuinely believed to exist and caused the employer to dismiss the employee.

18. Substitution of section 68 of principal Act

Section 68 of the principal Act is substituted with the following—

“68. Summary dismissal

(1) An employer may summarily dismiss an employee where the conduct of the employee constitutes a fundamental breach of his or her obligations under the contract of employment.

(2) Summary dismissal shall occur where an employer dismisses an employee without notice or with less notice than the notice the employee is entitled to be given, under a statutory provision or contractual term.

(3) An employee who is dismissed summarily is not entitled to claim for payment in lieu of notice.”

19. Amendment of section 69 of principal Act

Section 69 of the principal Act is amended by substituting for subsection (2), the following—

“(2) A labour officer presented with a claim under this section shall decide whether the dismissal was justified in the circumstances, having regard to section 65C and to the Disciplinary Code set out in Schedule 2.”

20. Substitution of section 70 of principal Act

Section 70 of the principal Act is substituted with the following—

“70. Complaint to labour officer

(1) An employee may lodge a complaint to a labour officer within three months from the date of the employee’s dismissal or such later period as the employee shall show to be just and equitable in the circumstances.

(2) An employee whose services are under a probationary contract shall not lodge a complaint under this section.

(3) The right of an employee to make a complaint under this section is in addition to the right an employee may enjoy under any agreement between an employer or group of employers and a labour union.

(4) A labour officer shall, upon receipt of a complaint, handle the complaint in accordance with this Act and regulations made under this Act.

(5) Where in accordance with this Act, a labour officer or an employee has referred the complaint or a dispute to the Industrial Court and the Industrial Court finds that the dismissal was unfair, the Industrial Court may—

- (a) subject to subsection (6)(a), order the employer to reinstate or re-employ the employee; or
 - (b) order the employer to pay compensation to the employee.
- (6) The court shall require the employer to reinstate or re-employ the employee unless—
- (a) the employee does not wish to be reinstated or re-employed;
 - (b) the circumstances surrounding the dismissal of the employee are such that a continued employment relationship may be intolerable;
 - (c) it is not reasonably practicable for the employer to reinstate or re-employ the employee; or
 - (d) the dismissal is unfair only because the employer did not follow the proper procedure.”

21. Repeal of section 72 of principal Act

Section 72 of the principal Act is repealed.

22. Repeal of section 74 of principal Act

Section 74 of the principal Act is repealed.

23. Substitution of section 76 of principal Act

Section 76 of the principal Act is substituted with the following—

“76. Remedies for unfair dismissal

Where upon an employee’s complaint for unfair dismissal under section 70, the labour officer determines that the employee’s dismissal was unfair, the labour officer may grant the employee an order for compensation under section 77.”

24. Substitution of section 77 of principal Act

Section 77 of the principal Act is substituted with the following—

“77. Compensatory order

(1) An order of compensation to an employee who has been unfairly dismissed shall, in all cases, include a basic compensatory order for eight weeks' wages.

(2) Notwithstanding subsection (1), an employee who has been unfairly dismissed may, at the discretion of the labour officer, be paid additional compensation which shall be calculated taking into account the following—

- (a) the employee's length of service with the employer;
- (b) the reasonable expectation of the employee as to the length of time for which his or her employment with that employer might have continued if the employee had not been unfairly dismissed;
- (c) the opportunities available to the employee for securing comparable or suitable employment with another employer;
- (d) the value of any severance allowance to which an employee is entitled under Part IX;
- (e) the right to file a claim for any unpaid wages, expenses or other claims owing to the employee;
- (f) any expenses reasonably incurred by the employee as a consequence of the unfair dismissal;
- (g) any conduct of the employee which, to an extent, caused or contributed to the unfair dismissal;
- (h) any failure by the employee to reasonably mitigate the losses attributable to his or her unfair dismissal; and

- (i) any compensation, including ex gratia payments, in respect of the unfair dismissal from employment paid by the employer and received by the employee.

(3) The maximum amount of additional compensation which may be awarded under subsection (2) shall be three months wages of the dismissed employee, and the minimum shall be one month's wages.

(4) An order of a labour officer made under this section may be executed in the Industrial Court.

(5) The Minister shall, by statutory instrument, make rules to prescribe the procedure of executing the order of a labour officer in the Industrial Court."

25. Amendment of section 80 of principal Act

Section 80 of the principal Act is amended—

- (a) in subsection (1), by substituting for the words "contemplates terminations of", the words "intends to terminate";
- (b) in subsection (1)(b), by inserting immediately before the word "notify", the words "thirty days before the termination,".

26. Amendment of section 86 of principal Act

Section 86 of the principal Act is amended—

- (a) by inserting immediately after paragraph (c), the following—
 - "(ca) the employer terminates the contract of employment of the employee due to the employee's physical incapacity;

- (cb) the position of the employee is declared redundant or the employer refuses to pay the wages of the employee and the contract of service is terminated by labour officer in accordance with section 30(1) of this Act;”; and

- (b) by repealing paragraphs (d), (e) and (f).

27. Substitution of section 88 of principal Act

Section 88 of the principal Act is substituted with the following—

“88. Calculation of severance allowance

The severance allowance payable to an employee under this Part shall be one month’s salary for each year worked by the employee.”

28. Insertion of Part IXA in principal Act

The principal Act is amended by inserting immediately after Part IX, the following—

“PART IXA—EMPLOYMENT OF MIGRANT WORKERS

91A. Disapplication of this Part

- (1) This Part shall not apply to—
 - (a) a member of the Mission of a sending State or Government and his or her private servant under the Diplomatic Privileges Act;
 - (b) a non-citizen employed by a prescribed organisation under the Diplomatic Privileges Act and statutory instruments made under that Act;
 - (c) a non-citizen who is a worker or service provider allowed to work or provide services under the

Protocol on the Establishment of East African Community Common Market or any agreement to which Uganda is a party;

- (d) an employee of a security agency of foreign State carrying out his or her duties in Uganda in collaboration with any of the security agencies in Uganda; and
- (e) any other person exempted by the Minister under this Act.

(2) Notwithstanding section 9(1), the Commissioner responsible for employment services under the Ministry responsible for labour is responsible for implementing this Part, acting under the directions of the Minister.

91B. Declaration of jobs

Subject to section 6(5), the Minister shall, by notice in the Gazette, declare the jobs migrant workers shall not be offered for employment.

91C. Exemption

The Minister may allow a migrant worker to be employed in a job declared under section 91B where—

- (a) there is an agreement between Uganda and a foreign organisation or company which allows a migrant worker to be employed in the job;
- (b) there is an agreement between Uganda and another State or Government which allows the movement of migrant workers or services on reciprocal arrangement; or

- (c) the job requires a particular skill and no Ugandan citizen possesses the skill.

91D. Prohibition of grant of entry permits to migrant workers

(1) The National Citizenship and Immigration Board shall not issue an entry permit to a migrant worker who is offered employment in a job declared by the Minister under section 91B, except where the migrant worker possesses an exemption certificate issued by the Commissioner responsible for employment services.

(2) The Minister may, by regulations, prescribe the procedure for obtaining exemption certificates.

91E. Prohibition on employment of migrant workers

An employer shall not offer employment to a migrant worker in a job which the Minister has declared under section 91B, unless the migrant worker possesses a certificate of exemption issued by the Commissioner responsible for employment services.”

29. Substitution of section 95 of principal Act

Section 95 of the principal Act is substituted with the following—

“95. Offences and penalties

- (1) A person who knowingly—
 - (a) furnishes false information for the purpose of procuring an entry permit or exemption certificate;
 - (b) obtains or attempts to obtain any document by means of fraud or false pretence or by presenting or submitting a false or forged document;
 - (c) obstructs or hinders an authorised officer in the execution of his or her duties under this Act;

(d) grants an entry permit to a migrant worker for a job declared under section 91B; or

(e) contravenes any condition attached to an entry permit,

commits an offence and is liable, on conviction, to a fine not exceeding five hundred currency points or to imprisonment for a term not exceeding five years, or both.

(2) A person who contravenes a provision of this Act for which no penalty is expressly provided is liable, on conviction—

(a) to a fine not exceeding five hundred currency points; and;

(b) on a second or subsequent conviction for the same offence, to a fine not exceeding seven hundred currency points or to imprisonment for a term not exceeding seven years, or both.

(3) Where an employer contravenes a provision for which no offence has been prescribed, a labour officer may caution the employer in writing against repeating or continuing such behaviour and if, having received a written caution, the employer repeats the infringement in respect of which a caution, has been given, the employer commits an offence and is liable, on conviction, to a fine not exceeding five hundred currency points or to imprisonment not exceeding five years, or both.

(4) Where an employer who was previously convicted of an offence under subsection (2)(b) contravenes the same provision, the employer commits an offence and is liable, on conviction, to a fine not exceeding seven hundred currency points or to imprisonment for a term not exceeding seven years, or both.

(5) Where court imposes a fine under this Act, court may direct that the fine, when recovered, or such part of it as the court may determine, shall be applied to compensate any employer, employee or other person for any wrong done.”

30. Amendment of section 96 of principal Act

Section 96 of the principal Act is amended in subsection (2)(f) by inserting immediately after the word “disabilities”, the words “domestic workers, casual employees”.

31. Amendment of Labour Disputes (Arbitration and Settlement) Act, Cap. 227

The Labour Disputes (Arbitration and Settlement) Act, Cap. 227 is amended by repealing sections 2, 3 and 4.

Act

Employment (Amendment) Act

2025

Cross References

Companies Act, Cap. 106

Diplomatic Privileges Act, Cap. 185

Labour Disputes (Arbitration and Settlement) Act, Cap. 227

Occupational Safety and Health Act, Cap. 231

Persons with Disabilities Act, Cap. 115