BASELINE ASSESSMENT ON THE NUMBER OF TRADE UNIONS AND EMPLOYERS ASSOCIATIONS OPERATING IN ETHIOPIA

Association for Human Rights in Ethiopia

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Abbreviations

AHRE	-	Association for Human Rights in Ethiopia
AFD	-	French Development Agency
CETU	-	Confederation of Ethiopian Trade Unions
CSO	-	Civil Society Organization
FDRE	-	Federal Democratic Republic of Ethiopia
GBV	-	Gender Based Violence

1. Introduction

I. Organizational background (AHRE)

Association for human rights in Ethiopia (AHRE) is a non-governmental, non-partisan, and not-for-profit organization dedicated to the advancement of human rights in Ethiopia established in 2015. The organization was initially registered and based in Geneva, Switzerland. It was established through the initiative of an Ethiopian human rights activist who fled the country and other members of the Ethiopian Diaspora, as an overseas human rights organization carrying out activities that were difficult for organizations based in Ethiopia to undertake due to financial and administrative restrictions imposed by the then repressive CSO law of the country. Under the Federal Democratic Republic of Ethiopia Agency for Civil Society Organization, AHRE has been registered and accorded legal personality with registration number 5223 on November 12, 2020, as a local organization in accordance with the Civil Society Organization Proclamation No. 1113/2019.

II. Project Description and Background

AHRE in consortium with other six local civil society organizations and Center for the Advancement of Rights and Democracy (CARD) as a project lead is implementing a project aimed at assessing various labor rights issues. The project is done with the support of the French Development Agency (Agence Française de Développement - AFD). This project is aimed at ensuring that trade unions and employer associations in selected regions of the country have an awareness of labor rights from the perspective of human rights to ensure the fulfillment and respect of such rights.

One aspect of the project is to conduct a baseline survey on the number and size of labor unions and employers associations in three selected regions of the country which will also help as a baseline for the research the organization is planning to conduct. As part of the implementation of the project, this baseline survey is to be conducted in two selected regions and one city administration of Ethiopia specifically Oromia, Amhara, and Addis Ababa, respectively.

III. Purpose of the survey

The baseline survey is aimed at determining the quantitative and qualitative practices that exist in relation to the formation, structure, size, and registration process of trade unions and employer's

associations in Oromia, Amhara, and Addis Ababa. In addition to this, the baseline survey has identified the challenges, and opportunities of the trade unions and employer associations to function in Ethiopia. Furthermore, the baseline survey has assessed the areas of employment that are more prone to abuse employees, on which most cases are reported, and also established a baseline for the project´s key indicators against which to measure performance during the project's life.

IV. Objective

General Objective

- To assess the number of trade unions and employers associations operating in Ethiopia

Specific Objective

- To produce a standard and quality baseline document that can be used to identify the exact number of unions in the selected regions that can serve as a base for research

V. Methodology

This baseline study used data collection methods that would help capture relevant data in achieving the objective of this study. As a result, accurate and detailed data that informs specific and actionable recommendations was gathered. To achieve this it has employed a combination of primary and secondary data generation methodologies to study the number and size of trade unions in two regions (Amhara and Oromia) and one city administration (Addis Ababa).

This baseline study focused on the use of primary data to produce the deliverables of the study for different reasons. First, it was used to refer to first-hand information that enriches and serves as a point of reference for an aspired intervention in the sector. Secondly, it was used to partake reliable data for further intervention based on this baseline study. As a result, interviews with relevant stakeholders were mainly conducted, specifically trade union and employer's federation representatives of Amhara and Oromia region and Addis Ababa city administration, and representatives of the Confederation of Ethiopian Trade Unions (CETU) and various federations. Lastly, public archive data was collected from the CETU. In view of that, ten (10) interviews were held with east and west Amhara, Oromia trade union leaders, CETU experts, CETU women

affairs departments, Construction Federation, Amhara Employer Federation, Employers Confederation as well as Oromia Labor and Social Affairs Bureau.

Secondary data collection and review, including a desk review of the existing literature and international and national instruments from pertinent authorities was also done. Moreover, generic and thematic reports by relevant stakeholders on the challenges and opportunities of the trade unions and employer associations to function in Ethiopia were reviewed and analyzed.

In view of that, information and data were gathered from key informant interviews conducted with the selected federations and employers' association focal persons/leaders. This has helped identify the current practice and challenges encountered in the course of ensuring the establishment of more unions and associations, and the size and operation of these associations in Ethiopia for the promotion of human rights.

The information and data gathered through primary and secondary sources are adequate to be analyzed and interpreted to identify the size, and structure of trade unions and employer associations as well as positive practices, gaps, and patterns behind the data in a manner that responds to the objectives of the survey.

2. Context of employee association (trade union) and employers association

2.1. Context analysis

Collective bargaining is a right that promotes a free and voluntary nature of the negotiations in the bipartite employer and employee. [1]This right was promoted by the ILO through various instruments that are part of the ILO constitution/ convention to advance social justice by setting standards for ILO members and not member nation in the world. The Declaration of Philadelphia (1944), Convention No. 98- Right to Organize and Collective Bargaining (1949), and Declaration on Fundamental Principles and Rights at Work (1998) are the instruments that laid the foundation for the right to collective bargaining.[2]

Collective bargaining under ILO recommendation 91 is defined as:

> *"all agreements in writing regarding working conditions and terms of employment concluded between an employer, a group of employers or one or*

[1] Bernard GERNIGON, Alberto ODERO and Horacio GUIDO, *ILO principles concerning collective bargaining* 33, *International Labour Review,* Vol. 139 (2000), No. 1, P 33-55

[2] Ibid

more employers' organizations, on the one hand, and one or more representative workers' organizations, or, in the absence of such organizations, the representatives of the workers duly elected and authorized by them in accordance with national laws and regulations, on the other."[3]

This definition indicates that employees and employers can jointly act to negotiate for working conditions and terms of employment, as a result, it reflects the existence of trade unions, trade union federations, and confederation on one hand, and employer associations, federations and confederation on the other.

Besides the convention and declaration stated above, Freedom of Association and Protection of the Rights to Organize Convention (1950)[4], Convention 135- workers representative Convention (1971),[5] Convention 151- Labour Relations (1978),[6] Convention 154-Collective Bargaining Convention (1981)[7], and Recommendation No. 163- collective bargaining recommendation (1981),[8] specify a vital role by defining the parameters of rights, laying detailed explanation and setting a standard for smooth labour relation.

In Ethiopia, historically labor unions and employers associations have been closely intertwined with the country's political system with a relatively short history in Ethiopia, dating back to the early 1960s. In 1962, the Ethiopian labour movement saw a significant milestone with the recognition of labour unions and employers' associations.[9] This recognition came about through the issuance of the labour relations Decree No.49/1962 by the imperial regime. This, in turn, resulted in the birth of the Confederation of Ethiopian Labour Union (CELU) on 9 April 1963

[3] R091 Collective Agreements Recommendation, 1951 (No. 91), Available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R091

[4] International Labour Organization (ILO), *Freedom of Association and Protection of the Right to Organize Convention, C87*, 9 July 1948, C87, available at: https://www.refworld.org/docid/425bc1914.html [accessed 26 July 2023]

[5] C135 Workers' Representatives Convention, 1971 (No. 135), available at https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:::NO:12100:P12100_INSTRUMENT_ID:312280

[6] International Labour Organization (ILO), Convention Concerning Protection of the Right to Organize and Procedures for Determining Conditions of Employment in the Public Service, 27 June 1978, C151, available at: https://www.refworld.org/docid/5c77a2637.html [accessed 26 July 2023]

[7] C154 Collective Bargaining Convention, 1981 (No. 154), available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312299

[8] R163 Collective Bargaining Recommendation, 1981 (No. 163), available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R163

[9] Adane Kassie, 'The Formative Period of the Ethiopian Labour Movement, 1962-1974' (Policy Studies Institute, 2022) 1

and the Ethiopian Employers' Federation (EEF) on 11 April 1964.[10] Another hallmark development for workers' rights in the 1960s is that Ethiopia ratified Convention No. 87 on Freedom of Association and Protection of the Right to Organize (1948) in 1963 and Convention No. 98 on the Right to Organize and Collective Bargaining (1949) in 1963.[11]

During the period of the communist regime between 1974 and 1991, the government established a single trade union confederation, the All-Ethiopia Trade Union Organization (AETUO) which later changed its name to the Ethiopian Trade Union (ETU) in 1986 which was closely aligned with the ruling party and served as the primary representative of workers in the country.[12] Following the fall of the Derg regime and the rise to power of the Ethiopian People's Revolutionary Democratic Front (EPRDF), the state-controlled All-Ethiopia Trade Unions were replaced in 1993 by another national trade union organization the Confederation of Ethiopian Trade Unions (CETU).[13]

In the early 1990s, Ethiopia underwent a major political transition with the fall of the communist government and the establishment of a new federal system. This led to a period of rapid economic liberalization, which resulted in the emergence of a more diverse range of employers and industries.[14] As a result, trade unions and employer's associations began to play a more significant role in the country's industrial relations landscape. In a 2022 study by Samuel Andreas titled, 'Trade Union Resurgence in Ethiopia', he wrote that: "despite a global trend of declining trade unionism, the Ethiopian trade union movement is resurgent". Today, there are several labour unions and employer's associations operating in Ethiopia, representing a wide range of industries and sectors. CETU is the largest and most influential labour union confederation in Ethiopia which was established in 1993 and represents workers in a variety of industries, including manufacturing, agriculture, and construction. There are also several sectorial and enterprise-level unions operating in Ethiopia, as well as employer's associations

[10] Ibid
[11] International Labor Organization, 'Ratifications for Ethiopia' <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102950>accessed 2 July 2023
[12] Samuel Andreas Admasie, 'Trade Union Resurgence in Ethiopia' (Global Labour Journal, 2022) 13(2) 176
[13] John Markakis, 'Ethiopia: The last two frontiers' (James Currey, Woodbridge, 2011) 251 -252; Vincent Hardy and Jostein Hauge, 'Labour challenges in ethiopia's textile and leather industries: no voice, no loyalty, no exit?' (OUP, 2019) 12
[14] Alemayehu Geda, 'Ethiopia's Economic Growth Path: Options for the Future' (Ethiopian Journal of Economics, vol. 12, no. 2 2003) 1-28

representing various industries and sectors. These include the two Ethiopian Employers' Federations that represent employers in various sectors.

Despite the existence of trade and employer associations, the relationship between trade unions and employers in Ethiopia has often been characterized by tensions and conflicts. In particular, the country's large garment and textile industry has been the site of a number of high-profile strikes and protests by workers demanding better wages and working conditions.[15] Besides, there are also long-standing reported infringements of union rights by both employers and the state.[16] Despite these challenges, the Ethiopian government has taken steps to promote the development of labour unions and employer's associations, including the establishment of a legal framework for industrial relations and the provision of support and training to labour unions and employers. To ease the tensions the CETU serves as a facilitator with Employer Federation to negotiate trade unions and employers association by giving priority to dialogue and negotiation mechanisms through multilateral and tripartite discussions. However, many challenges remain, including the need to improve the capacity of labour unions and employers to engage in constructive dialogue and negotiate collective agreements.

Overall, the development of trade unions and employer associations in Ethiopia is still a work in progress. While there have been some positive steps taken to promote industrial relations and protect workers' rights, there is still a need for further reforms and improvements to ensure that workers are capacitated fully, able to organize and bargain collectively and that employers are able to operate in a stable and predictable industrial relations environment.

2.2. Legal framework

The FDRE Constitution as the supreme law of the land has laid down rights that can be exercised and enjoyed by citizens.[17] Labour relation is one of the concerns that are addressed in the constitution under its fundamental rights and freedom section. Accordingly, Article 41 and 18 (3) recognize everyone's right to choose his/her means of livelihood and profession and preclude

[15] Samuel Andreas (n 11) 179
[16] Samuel Andreas, 'Dynamics of Assertive Labour Movementism: Organised Labour, Unrest and Wages in a Socio-Historical Perspectives' (PhD dissertation, University of Pavia and University of Basel, 2018) 171-172
[17] The Constitution of the Federal Democratic Republic of Ethiopia, Federal Negarit Gazeta, Proclamation No. 1/1995 (adopted 08 December 1994, entered into force 21 August 1995) (hereinafter FDRE Constitution).

forces/ compulsory labour.[18] Likewise, it dedicates Article 42 to the recognition of labour rights which include the right to form associations to improve employment conditions and economic well-being by forming trade unions and other associations to bargain with an employer and other organizations collectively.

Apart from the FDRE Constitution, trade unions and employer's associations are regulated by the Ethiopian Labour Proclamation, which was revised in 2019.[19] The law provides procedures and requirements for the formation and registration of trade unions and employer associations.[20] In addition to this, the proclamation provides negotiation and enforcement of collective agreements. Under the proclamation, employees have the right to join or form a trade union of their choice, and to engage in collective bargaining with their employer. Meanwhile, employers have the right to form an employers association to represent their collective interests in negotiations with trade unions. Likewise, trade unions and employers associations have a right to form trade union federations and employer federations, as well as these federations jointly can form a confederation.

Most importantly the Labour Proclamation has stipulated the protection of employees' rights, non-discrimination, and the promotion of gender equality in the workplace. It also provides for the establishment of a labour court to adjudicate labour disputes and enforce labour laws.[21]

Even though there is some progress after the enactment of the labour proclamation, however, the implementation of these provisions has been challenging, particularly in sectors such as the informal sector, which accounts for a significant portion of the workforce. The labour proclamation has failed to include employees in this sector and left them without access to social protection and other benefits. Recently, the demonstration and public celebration called on May Day by the CETU was banned by the government and the press statement issued by CETU showed that the government is exerting pressure on them.[22]

[18] Ibid Art 41 and 18(3)
[19] Labour Proclamation, Proclamation No. 1156/2019 (Federal Negarit Gazzeta, 25th Year No. 89, Addis Ababa, 5th September 2019) (hereinafter labour proclamation)
[20] Labour Proclamation, Article 113
[21] Ibid Article 112
[22] CETU Press Statement on April 30, 2023

3. Finding and discussion

3.1 National Data on Trade Unions

There are nine sectorial federations for trade unions nationally, with more than 2,305 member trade unions with over 800,000 members. Here we can see that employees from informal sectors are not included which might raise the number of workers. The number of trade unions compared to the employee number in the country (in 2022 close to 56 million people are employed in Ethiopia)[23] is highly insignificant (only 1.43% of the work force is organized) and needs further work and advocacy to raise awareness of employees about their rights and the benefit of having trade unions. According to the data from CETU the National Federation of Banking and Insurance has lesser trade union and members as the nature of the sector is federal and the trade unions are found at the federal level.

No.	***Industrial Sector***	***Member Trade Unions***	***Number of Members***		
			Male	***Female***	***Total***
1	National Federation of Agriculture, plant, fish and Agro-industry	400	120,206	100,155	220,361
2	Food, beverage, and tobacco industrial federation	272	48,223	49,141	97,364
3	National Federation of Power, chemical, and mining industry	240	56,548	25,095	81,643
4	Textile, leather, and garment industrial federation	270	46,897	77,189	124,086
5	Ethiopian Construction, wood, and metal industrial federation	330	71,309	21,189	92,498
6	Tourism, hotel, and general service industrial federation	539	28,963	32,157	61,120
7	National Federation of banking and Insurance	30	22,462	23,377	45,839
8	Transport and communication industrial federation	55	25,467	12,822	38,289

[23] Statista, Number of people employed in Ethiopia from 2012 to 2023, available at https://www.statista.com/statistics/1295833/number-of-employees-in-ethiopia/#:~:text=In%202022%2C%20there%20were%20close,examined%2C%20dropping%20only%20in%202020.

9	Trading technique and printing Industrial federation	172	18,875	18,875	37,750

Table 1: CETU data on National Trade Unions number designated by sector (federation) and sex

3.2. Trade Union and Employers Association in Ethiopia

I. Trade Union Size and Structure

Ethiopia has ratified the ILO Convention (C087) on Freedom of Association and Protection of the Rights to Organize Convention. Additionally the FDRE Constitution has recognized the rights of employees and employers to form a union.

For trade unions, the registration process is conducted based on the union's voluntary registration and in accordance with the labour proclamation. Accordingly, a worker has the right to establish and organize a trade union where a company has ten or more employees, yet the trade union shall have a minimum of ten employees as a member.[24] CETU and sector specific federations in which the trade unions are aligned to provide capacity building trainings to workers to form a trade union and advocate for their own rights collectively. [25]

Besides, providing such training as a capacity building for the promotion of employee rights the CETU has the power, in accordance with Articles 115 and 116 of the labour proclamation, to organize workers and form trade unions. The registration of trade unions follows the same process in the three regions targeted under this baseline study. Hence, the respective bureau of Labour and Skills in the region is the organ responsible for registering trade unions that gave them a legal personality.[26]

Accordingly, CETU has established nine (9) federations[27] that comprise the whole country's trade unions to entertain various sectors in Ethiopia. These are (a) the national federation of Agriculture, plant, fish, and Agro-industry; (b) the Ethiopian Construction, wood, and metal industrial federation; (c) the Textile, leather, and garment industrial federation; (d) the food, beverage and Tobacco industrial federation; (e) national federation of power, chemical and

[24] Labour proclamation Article 114
[25] Interview with Mr. Dribsa, Expert at CETU Dated on July 4, 2023
[26] Interview with East and West Amhara CETU representative (Mr. Admasu and Awol) respectively dated on 5, 2023, and Interview with Mr. Ayele Oromia Labour and Social Affairs, dated July 25, 2023
[27] Interview With Mr. Dribsa (n 25)

mining industry; (f) trading technique and printing industrial federation; (g) transport and communication industrial federation; (h) tourism, hotel, and general service industrial federation; (i) national federation of banking and insurance.

In the Amhara region, there are three hundred seventy-nine (379) trade unions out of which one hundred ninety-two (192) are found in East Amhara and one hundred eighty seven (187) trade unions are found in West Amhara.[28] These trade unions in total have forty-eight thousand two hundred sixty-four (48,264) members, of which seventeen thousand six hundred eighteen (17,618) members are female and amount to 36.5%. For instance, the National Federation of Power, Chemical and Mining Industry has seventeen (17) trade unions that comprise four thousand seventeen (4,017) members and Food, Beverage and Tobacco Industrial Federation, with eighteen (18) trade unions and three thousand one hundred fifty (3,150) members in Amhara region.

Structurally, trade unions have five (5) or seven (7) executive committees that represent and carry out the trade unions' responsibilities. Among this trade unions, only one hundred sixty-seven (167) trade unions are members of the federation, yet they comprise forty thousand one hundred thirty-five (40,135) members, which is 83% of trade union members. On the same note, trade unions to be a member of federations that are part of the confederation are required to contribute a membership fee. Hence, often the trade union that has few members ranging from the minimum required number to form trade union and trade union that are newly established commonly tend to not apply to be a federation member.

The Federations operating in the area with higher number of trade unions are, (a) the power, chemical, and mining industries and (b) the tourism, hotel, and general service industries, (c) the textile, leather, and garment industrial federation, and (d) the food, beverage, and tobacco industrial. In the meantime, the national federation of Banking and Insurance; and the transport and communication industrial federation have a low number of trade unions compared to the other sectors. Moreover, it is indicated that few trade unions have not registered as members of the federation and this is the case for all federations due to various reasons and their number varies from one federation to the other.

[28] East and West Amhara CETU representative (Mr. Admasu and Awol) respectively

In Oromia region, there are six hundred seventy five (675) trade unions that comprise five sectors, that is, (a) the national federation of Agriculture, plant, fish, and Agro-industry; (b) the Ethiopian Construction, wood, and metal industrial federation; (c) the Textile, leather, and garment industrial federation; (d) the food, beverage and Tobacco industrial federation; and (e) national federation of power, chemical and mining industry. The total number of members of these trade unions are one hundred twenty two thousand eight hundred seventy one (122,871) out of which seventy six thousand eight hundred forty nine (76,849), 62.5%, are male. For instance, the National Federation of Power, Chemical and Mining Industry has twenty nine (29) trade unions with twenty thousand four hundred sixty seven (20,467) members where as Food, Beverage and Tobacco Industrial Federation has fifty six (56) trade unions comprising seven thousand three hundred twenty one (7,321) members in Oromia region.

Likewise, in **Addis Ababa city administration,** there are around six hundred (600) trade unions registered under the relevant government authority by representing workers from various sectors.[29] These trade unions have eighty five thousand (85,000) members under their structure. Among these, twenty three (23) trade unions with its twenty seven thousand forty six (27,046) members are members of the CETU under the National Federation of Power, Chemical and Mining Industry federation. As well, Food, Beverage and Tobacco Industrial Federation has twenty four (24) trade unions with its seven thousand two hundred ten (7,210) members in Addis Ababa. However, this members and trade unions number is a lesser amount compared to the number of worker of various sector in Addis Ababa which is estimated to be around two million (2,000,000).[30] These created a gap in the effective labour relation and promotion of worker rights as well as a good working environment that supports productivity. These trade unions represent various sectors in Addis Abba city administration, among which the manufacturing industry has a higher number of trade unions while the power, and agriculture sector has a less number.[31]

[29] Interview with industry, peace. Safety and health directorate director (Engineer Kassa Seyoum) dated on July 28, 2023.
[30] Ibid
[31] Ibid

With regards to the National Federation of Banking and Insurance sector, as per the nature of this sector, the trade unions are located at the federal level. In doing so, there are thirty (30) trade unions with fifty two thousand (52,000) members.[32]

II. Employers Association Size and Structure

For the employers association, the registration process is conducted according to the labour Proclamation. Consequently, two or more employers can form an employers association and similarly, two employers' associations may form a federation while two or more federations can form a confederation based on Article 114 of the labour proclamation.

The registration application to form an employers association at the Federal level will be submitted to the Ministry of Labour and Skills. Similarly, at the regional level, Regional Labour and Skills Offices are mandated to register. Regarding their structure, they can be formed based on sector or regional structures. These formed employers' associations can jointly form a federation and the employers' federation jointly forms employers' confederation.[33] The Ethiopian Employers Confederation has eight federations such as the Oromia Employers Federation, and the Transport Federation which have a higher number of associations. Moreover, similar to the trade union federation membership requirements, the employer association also requests a membership fee, thus far ten thousand (10,000) ETB is the maximum membership fee (in Amhara Region).

In the Oromia region, there are twenty (20) Employers' associations[34] that are members of the Employers association federation. The agricultural, construction, and manufacturing sector have a large number of employers' associations. The employers' associations comprise four hundred ninety seven (497) members in total of which three hundred eighty three (383) are male and one hundred fourteen (114) are female. This holds only 23% of female members in the employers' associations. Among these employers' associations, only thirteen (13) employers' associations are members of the Employers' Association's federation and this holds three hundred three (303) members, that is, two hundred twenty nine (229) male and seventy four (74) female members.[35]

[32] Interview with Mr. Dribsa(n 25)
[33] Article 114 (4), labour Proclamation
[34] Interview with Mr. Ayele, Dirctorate of Harmonious Industrial Relation Oromia, Dated July 25
[35] Ibid

Likewise, under **the Amhara Region Employer Federation,** there are fifty seven (57) employers' Associations.[36] These associations comprise the private and public enterprise/ sector that are located in Gonder, Dessie, Debrebirhan, Finoteselam, Awi zone, and Debretabor. In doing so, Bahirdar garage association and Bahirdar hotel owners association have two hundred fifty (250) and one hundred fifty (150) members respectively which is the highest number of members. And, Gonder employers' associations and Debremarkos employers' associations each have fifty (50) members where Finoteselam employers' associations have forty eight (48) members. [37]

In **Addis Ababa** the number of the employers' associations are seventy two (72) out of which only fifteen (15) associations are actively engaged with relevant stakeholder. These employers' associations has five thousand five hundred (5,500) members under their structure. Regularly this associations are formed to seek for their benefits instead of engaging in productivity, safety of the working environment or to negotiate with trade unions for the promotion of healthy environment for effective delivery of service/ product.[38]

III. Human Rights and Gender in trade unions and Employers Associations

A. Labour Exploitation

It is mentioned by Mr. Dribsa that there is a systematic exploitation of workers, especially in industrial parks which is related to low wages, unpaid overtime, working without necessary protection and safety equipment's, and decent working conditions. For example, in a place we visited, we found workers working without gloves, and we asked them why they did not wear gloves. They responded that wearing gloves would not allow them to work quickly.[39] This also shows that there is awareness gap among the workers and the lack of orientation about such protection equipment's coupled with the exploitation. The private sector is one of the sectors that lacks government attention and has exposed employees to modern slavery. There is also exploitation of labour on those who are hired by private agencies because such a hiring system deprives them of certain rights and benefits such as annual health insurance, bonuses, and other benefits availed for those hired by the organization itself.

[36] Interview with Mr.Sileman Amhara Employer's Federation Chair, dated July 21 2023
[37] Interview with Mrs. Ejegayehu, Amhara Employer's Federation- expert, dated July 22, 2023
[38] Interview with Engineer Kassa (n 29)
[39] Interview with Mr. Dribsa(n 25)

For instance, “employees at Bole Lemi Industrial Park haven’t established a trade union. Hence, employees are taking extra workload by taking care of their supervisor's personal tasks/engagements and fear of consequence to ask about the disappearance of co-workers. They only have bathroom breaks twice a day and need a coupon as a pass card. Workers are afraid of establishing trade unions because they are afraid of being dismissed and demoted from their positions.” [40]

B. Women's Participation and Gender-Based Violence

The interview we had with the CETU representative showed that there has been an improvement in women’s participation in trade unions compared to the previous years across the country. The confederation assigned the women's department to monitor women’s participation. The confederation also set a requirement for trade unions to be registered as a member they should have at least one woman in the executive committee[41]. Consequently, he mentioned that there are some women-led trade unions, such as the Sheger Transport trade union based in Addis Ababa.

Unfortunately, of more than three hundred fifty trade unions in the Amhara region, there is only one trade union that is led by a woman, but often there are one or two women in each trade union executive committee that serve as secretariat or/ and finance/cashier.[42] These women may have a higher number of votes in their trade union election for the committee nevertheless they are not assigned as leaders of the trade union. Here, there are various factors and variables to consider ranging from the willingness of women to be upfront representing the trade union to the cultural and social norms of the country. Likewise, in Oromia region women's participation in the trade union committee is almost nonexistent except in positions like secretariat or/ and finance/cashier[43].

On the same note, the women's involvement in the executive committee of the employer association in the Amhara region also has the same tendency by having eleven (11) female

[40] Ibid
[41] Ibid
[42] Interview with Mr Admasu (n 28)
[43] Interview with Mr. Lema Vice Chairperson at Oromia Trade Union Confederation, dated July 5, 2023

members as executive committees from the forty six (46) executive members in a total of seven (7) cities.[44]

Similarly, women's participation in employers' associations is less as most of the employers or positions of leadership are held by men. Accordingly, the Ethiopian Employers Federation has one woman board member and the Confederation has two women board members. The lesser number of women involved in these federations can exist for the same reason that is stated for the involvement of women in the trade unions. Currently, it can be said that there are almost no women in the executive committees of such Associations.[45]

In relation to the harassment of workers, usually, Gender-Based Violence (GBV) cases are not reported to the trade unions due to different reasons. However, research showed that GBV is prevalent in all employment sectors and particularly in the industrial parks, hotel and tourism sector, and newly established factories.[46] The interview we had with Amhara, Oromia, and Addis Ababa Trade Union Federation indicates particularly in the textile and floriculture industries, where there are more women workers; there is a high number of GBV cases where they usually hear about such cases when they went to train members[47] Our interviewee pointed out that GBV starts from the recruitment process whereby employers discriminate against women based on their age and pregnancy by recruiting only young women and excluding older and pregnant women. In addition to this, some employers ask for sex in exchange for securing a job, and young females have usually experienced such sexual exploitation to get hired. Such sexual exploitation continues on a job where they will be asked to take the night shift which creates a conducive environment to sexually exploit them.[48]

It is also mentioned that there are pregnancy tests at every stage of the recruitment process and high-level psychological violence encountered by female workers. They also highlighted that there is a gender pay gap where women workers are paid less than their men colleagues for the same job, particularly in the construction sector. An interviewee mentioned that women workers

[44] Interview with Mr.Sileman (n 32)
[45] Interview with Mrs. Shuree Jibicha an expert at Oromia Employers Federation, dated July 5, 2023
[46] ILO, Experiences of Violence and Harassment at Work: A first global survey, available at https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_863177/lang--en/index.htm, see also Nebiyu Markos Joba, 'Protection of Women Workers from Sexual Violence in Ethiopian
Industrial Parks: A Case Study in Hawassa Industrial Park" Addis Ababa University School of Law May, 2022
[47] Interview with Dribasa, Admasu, and Ayele
[48] Interview with Dribasa, Admasu, and Ayele

encounter discrimination in holding senior and executive positions due to the existing gender stereotypes despite their qualifications.[49]

4. Challenges

There are different challenges that are raised by the regional trade union federations which in general are related to the technical, capacity, and security of workers.

Specifically, the existing trade unions don't cover all sectors and workers. This shows some workers are excluded from benefits that are accessible and presented to workers as a right through the formation of trade unions.[50] The other challenge mentioned by the representative of the federations is the disinclination of workers being executive members or leading the trade union. The reasons for not taking such representation involved the adverse consequence including retaliation from an employer. In doing so, trade union leaders are often targeted and transferred to other areas/regions, demoted, and terminated to pressure the worker.[51] Moreover, it's commonly known that employers assign people on the inside to report back the involvement and undertaking of the employee in the workplace/ industry.[52] On the other hand, it is pointed out that the worker has a dearth of knowledge to their obligation or responsibility under the labour proclamation which created a gap between the worker and employer and their representative to have effective labour relation.[53]

Likewise, the unwillingness of employers for the formation of trade unions is one of the challenges mentioned by the regional federations[54]. It is stated that there is limited understanding on the operation and role of trade unions by the employer which they adversely associated having a trade unions with the lower productivity of the worker.[55] As well, there is a dearth of timely responses and attention to workers' issues/ questions by the representative of CETU. For instance, labour disputes, unlawful layoff or termination of employment, litigation by a trade union is taking more than a year in a court of law despite what the labour proclamation aspires

[49] Interview with Dribas (n 25)
[50] Interview with Dribasa, Admasu, and Ayele
[51] Interview with Dribas (n 25)
[52] Ibid
[53] Interview with Engineer Kassa (n 29)
[54] Ibid
[55] Ibid

and states to complete such disputes in a shorter period of time.[56] For instance, a conciliatory is expected to settle a labour dispute within thirty (30) days, the labour division of a Regional First Instance Court is expected to render its decision within sixty (60) days and etc.

In terms of a knowledge gap, it can be said that most of the workers are not aware of their rights which is a hindrance to their active involvement as regular members or trade union leaders. The CETU and labour and skill offices regularly train trade union members on various topics, like safety measures and workers' rights. However, the interviewee mentioned that the current training programs are inadequate or regular to reach as many members as possible.[57]

On the other hand, there is limited awareness of the authority that registers the trade union and employer association and failure by trade unions to properly complete forms, submit bylaws and/or relevant documents to complete the registration process that legally establishes the trade union. Delays to get registered also occur due to the high turnover rate of workers who have involvement in trade union registration at the government office, particularly in the three areas this baseline study is conducted.[58]

5. Good Practices

CETU has a practice of providing training for trade union members on various issues, including worker rights, women's participation, dialogue, and leadership. This practice of providing training exists to educate workers on the function and benefits of trade unions along with gender perspective to encourage the formation of trade unions. These trainings continue in during the formation of trade union and afterward the legal establishment of the trade union is completed. Likewise, labour enterprise and industry development bureau provides training on labour proclamation, and youth, gender and persons with disabilities rights, safety and health of workers.[59]

Both the trade unions and employer's associations mentioned the conflict resolution mechanism they set in place and exercise as one of the good practices.[60] A conflict between trade unions and

[56] Interview with Dribas (n 25)
[57] Interview with Dribasa, Admasu, and Ayele
[58] Ibid
[59] Interview with Engineer Kassa (n 29)
[60] Interview with Dribasa, Admasu, Ayele and Mr. Suleman

employer associations for various reasons such as lack of awareness of their rights and obligation, differing interests, violation of labour laws, and the unwillingness of one party to negotiate on a collective agreement, the confederation of trade unions and employer associations respectively work jointly in solving the problems encountered. Additionally, CETU spends a significant amount of time resolving disputes between workers and employers. The interviewee stated that:

> *"We aim to solve these problems using labour proclamation mechanisms such as social dialogue rather than court procedures, which can create hostile work relationships and take a longer time to resolve the problem. Workers can report disputes to their sectorial federations, and then the federation refers the cases to us. We have a good practice of solving disputes through bilateral discussions between the trade union confederation and the employers' confederation. Additionally, we have a good practice of solving disputes between workers and employers through tripartite discussions involving the employers' confederation, the government, and the trade unions federation."*[61]

Moreover, it is pointed out as an example that the interviewee successfully resolved the case of Hilton hotel workers' protest regarding labour conditions through a bilateral discussion. Also, it is stated that the arrest of five trade union executive members in Adama for claiming workers' rights has been resolved through a bilateral discussion with employers.[62] Mr. Sued Mohammed mentioned that recently, the Federation of Employers in Addis Ababa encountered a registration problem which led to the taking of the case to court and their split into two. This case was solved through a tripartite discussion and resulted in the registration of both federations separately.[63] In such a case and forming a trade union the involvement of registration authorities to provide advice is a good practice that is followed by the confederation of workers and employers. On the same note, working collaboratively with regional institutions such as the labour and social affairs bureau is a good practice.[64]

[61] Interview with Dribas (n 25)
[62] Ibid
[63] Interview with Mr. Sued Mohammed project coordinator at Ethiopian Employer Federation Dated July 4, 2023
[64] Interview with Dribasa, Admasu, Ayele and Mr. Suleman

On another note, in the Amhara region, it is pointed out that a women's committee is formed beside the executive committee for the trade union to specifically address women's issues and concerns encountered in the workplace. This committee will be led by women that are also members of a trade union executive committee.[65]

The practice of conducting a social dialogue sessions to improve the relationships of worker and employer, healthy working environment and condition is the other good practiced pointed.[66] This platform support the labour relationship of worker/ trade unions and employer/ employee associations to be effective in resolving conflicting matters and encourage worker and employer to collaborate instead of adversary. Also, the research and assessment in labour matters and the safety laboratory that examine products and working environment is an upright practice that promote workers' rights and community wellbeing.

[65] Interview with Mr Admasu
[66] Interview with Engineer Kassa (n 29)

Conclusion and recommendation

Conclusion

The FDRE constitution as the supreme law of the land laid a foundation for protecting workers' rights and a safe environment for productivity. In doing so, it recognizes various rights that support the trade union and employer federation establishment and their operation in Ethiopia. Likewise, the international instruments that are ratified by Ethiopia to promote labour relations can be pointed out as relevant documents for worker and employer issues. Moreover, labour proclamation set detailed provisions that are significant to the labour relation including rights to form associations, formation of an association, the function of associations to guide the trade union and employer operation.

In order to acquire legal personality, such unions/ associations have to pass the registration process through the labour and skill bureau in their respective regions. Afterward, they can partake in the federation of trade unions upon their submission of application to be members and payment of membership fees.

The Addis Ababa city administration, Amhara, and Oromia regions have 600, 379, and 675 trade unions as well as 72, 57, and 20 employers' associations respectively. Among these trade unions, more than half of trade unions are members of the federation which comprise almost 80% of worker members. In regards to members, it can be said that women occupy almost 40% of the membership, however, there is a dearth of women in leadership positions such as executive committee membership or leader of the specific trade union/ employer association or federation. On another note, there are cases of harassment and/ or human rights violation in general and in particular in the three areas that this baseline study has been conducted. Nevertheless, the harassment level of females in the work environment persists in various forms compared to males.

In circumventing workers' rights violations and empowering workers, the federations in the regions in which this baseline focused provide training before, during, and after such trade unions are legally registered. However, there is a gap in the federations' capacity to reach out to a significant number of trade union members in their respective regions to enhance their understanding of human rights that include labour issues and related matters/ concerns.

Recommendation

- Set up regular capacity-building training for the respective federations' (trade union and employers association) representatives and/ or in the form of TOT on the topic of human rights, labour rights, human rights-based approach, gender, advocacy, alternative dispute resolution, and negotiation skill.
- Provide separate training sessions for women executive members of trade unions and employer federations on the topic of gender-based violence, negotiation, and advocacy.
- Create a platform that allows women workers/employers to regularly meet and discuss their encounters and solutions. This provides sisterhood, solidarity, and learning from each other to look beyond and become a voice for fellow women's human rights violations. This intervention needs sustainable support until the platform is strengthened.
- Conduct deep assessment or research to understand the occurrence and impact of GBV cases in the work environment. And, support setting up an effective complaint system and a strong legal department to take GBV cases to court and document GBV cases and to have a strong disciplinary committee for GBV cases separately, and provide a series of training for such committees on GBV, women rights and related human rights concept.
- A tripartite platform that linkup employers, workers, and government for an effective operation of trade unions and to raise the concerns and issues of each party that result in a concrete solution as an action plan or Memorandum of Association for the year to come. In this way, the concerns raised by each party will have a focal person that can be easily reached, and reach out to the solution in a short period of time.
- Develop a joint advocacy plan for worker rights.
- Produce an advocacy plan to encourage CSOs to work on labour related issues or collaborate with the relevant stakeholder that works on labour issues can support the promotion of human rights by improving a healthy working environment.
- Form or support a platform that recognizes and celebrates workers' and women's rights. This can take in the form of experience-sharing events and/ or annual acknowledgment/ recognition sessions. This can encourage the active involvement of the members in trade unions or employer associations.

- Support by providing information, training or via advocacy a referrals linkage for the trade unions or employer association leaders when they encountered arbitrary termination of employment/ passed promotion or where they are at risk for their work at trade unions or employer associations.

Annex

Annex I

Questioner for a Baseline study on the number and size of labor unions and employers' associations in Oromia, Amhara, and Addis Ababa

1. How many trade unions exist in Oromia?
2. How many employer associations exist in Oromia?
3. How is the registration process for trade unions and employer associations?
4. Explain the structure of trade unions and employer associations?
5. Which sector has a higher number of trade unions and employer associations in Oromia? Such as Agricultural, manufacturing, construction
6. Which sector has a less number of trade unions and employer associations in Oromia?
7. How's the participation of women? How many women are members of the trade union and employer association? How many women are in decision-making? How does women participation look like in trade union and employer associations?
8. Which sector has reported a higher number of GBV, sexual assaults, and human rights violations in general? Such as trade exploitation, human trafficking
9. Are trade unions and employer associations have awareness of labor rights from the perspective of human rights to ensure the fulfillment and respect of such rights? Is there an opportunity to provide training or participated in training organized by CSO?
10. Explain the good practice of labor unions and employer associations?
11. What is the challenges and opportunities for trade union and employer association in terms of functioning and registration? Such as legal, execution, awareness

Annex II

No.	*Name*	*Position*	*Phone number*
1.	Mr. Dribsa	Expert at CETU	0935988393
2.	Mr. Admasu	East Amhara CETU representative	0913139722
3.	Mr. Awol	West Amhara CETU representative	0920795771
4.	Engineer Kassa Seyoum	Yesra enterprise ena Industry limat burea, Industry, peace. safety and health directorate director	0911205654
5.	Mr. Ayele	Dirctorate of Harmonious Industrial Relation Oromia	0910902268
6.	Mr.Sileman	Amhara Employer's Federation Chair	0918765222
7.	Mrs. Ejegayehu	Amhara Employer's Federation- expert	
8.	Mr. Lema	Vice Chairperson at Oromia Trade Union Confederation	-
9.	Mrs. Shuree Jibicha	expert at Oromia Employers Federation	-
10.	Mr. Sued Mohammed	project coordinator at Ethiopian Employer Federation	011579825

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