



**Republic of Zambia**

**MINISTRY OF LABOUR AND SOCIAL SECURITY**

**FREQUENTLY ASKED QUESTIONS AND  
RESPONSES HANDBOOK**

**FIRST EDITION**

Prepared by the Ministry of Labour and Social Security  
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## FOREWORD

The Ministry of Labour and Social Security acknowledges the importance of providing information on labour matters as it benefits both the employees and employers. Sharing information is one of the key factors in ensuring the success of an organisation and one of the simplest and most effective management tools which requires relatively little resources.

The Frequently Asked Questions and Responses Handbook is the first edition and aims at providing information that will enhance knowledge base on the issues relating to Labour Administration, Labour Laws, Occupational Health and Safety, Social Security, Pensions and National Productivity.

It is envisaged that the dissemination of the Handbook will help mitigate work related conflicts. It will further increase employee engagement, improve productivity and customer relations, increase healthy workplace culture, boost employee job satisfaction and increase innovation. This will catalyse opportunity for investment and labour to contribute to the economic transformation agenda. Investment and labour are not mutually exclusive, but they are mutually reinforcing.

In addition, the Handbook will enhance the understanding of labour laws in the country, creating a well-informed labour market which is a precursor for industrial harmony. It is my wish that the Handbook will provide information that will aid in increasing awareness and better understanding of the Ministry's Mandate.



**Honourable Brenda M. Tambatamba, MP**  
**MINISTER OF LABOUR AND SOCIAL SECURITY**

## ACKNOWLEDGEMENT

The development and dissemination of this Handbook comes at a time when the Ministry of Labour and Social Security is focusing on providing quality service delivery and building the image of the Ministry through Integrity, Transparency, Collaboration, Confidentiality, Innovation and Client focus as we strive to enforce Labour Laws and advocate for decent work.

I wish to thank the team that took part in putting together this handbook, your contribution in this process is much appreciated. It is my sincere hope that the handbook will enhance knowledge on labour matters among our stakeholders, clients and the general public.



Zechariah Luhanga (MZIHRM)

**Acting Permanent Secretary**

**MINISTRY OF LABOUR AND SOCIAL SECURITY**

**LIST OF ACRONYMS**

1. AU-African Union
2. CPD - Continuous Professional Development -Program
3. CPE- Collective Protective Equipment
4. ECA- Employment Code Act
5. ILO-International Labour Organization
6. KIZ-Kaizen Institute Zambia
7. MOH- Ministry of Health
8. MLSS- Ministry of Labour and Social Security
9. NAPSA-National Pension Scheme Authority.
10. NHIS- National Health Insurance Scheme
11. NHI- National Health Insurance
12. NHIMA-National Health Insurance Management Authority.
13. NPDD- National Productivity and Development Department.
14. NPS- National Pension Scheme
15. NAE- National Average Earning
16. OSHS- Occupational Safety and Health Services
17. OHSI- Occupational Health and Safety Institute
18. PIA- Pensions and Insurance Authority
19. PSPF- Public Service Pensions Fund
20. PPE- Personal Protective Equipment and Clothing
21. PACRA- Patents and Companies Registration Agency
22. QCC- Quantity Control Circle (Work improvement Teams)
23. QCD – Quality Cost Delivery
24. SADC- Southern Africa Development Community
25. WCFCB -Workers Compensation Fund Control Board
26. ZIHRM- Zambia Institute of Human Resource Management

## GLOSSARY

### 1. Attestation:

The act of witnessing the signing of a formal document and then also signing it to verify that it was properly signed by those bound by its contents. Attestation is a legal acknowledgment of the authenticity of a document and a verification that proper processes were followed.

### 2. Dismissal

The termination of employment contract, with or without notice.

### 3. Employment-Relationship

Employment relationships are based on contract and amount to an agreement between the parties, employer and employee with mutual obligations to work and to pay for the work.

### 4. Lump sum

Lump-sum payment is a money paid in a single payment instead of allocated into instalments.

### 5. Pre-retirement Benefit (Partial Withdraw)

Refers to the accessing of the 20% of retirement benefits by the contributing member before the retirement age.

### 6. Probation

Is a trial period for newly recruited workers, Probation periods commonly last for three months, six months or a year? It's usually a fixed period of time

at the beginning of the employment relationship, during which the new employee is exempt from some contractual items Redundancy

### 7. Summary dismissal

Entails the termination of an employee without written notice or payment in lieu of notice (PILON) due to gross misconduct in the workplace

### 8. Social Protection

Social protection refers to the policies and programmes that look after the lives and welfare of people, especially poor people in a country. These policies look at various aspects such as social assistance, social security, livelihood and empowerment, and protection.

### 9. Social Security

Social Security refers to measures designed to protect individuals and families against income insecurity caused by contingencies such as unemployment, employment injury, maternity, sickness, individuality, old age and death. The main objectives of social security are to maintain income, provide health care and provide benefits to families with children.

### 10. Social Safety Net

This is a non-contributory assistance given to vulnerable families and individuals experiencing poverty and destitution to improve their lives.

### **10. Trade Union**

Also known as Labour Union, is an association of workers in a particular trade, industry or company created for the purpose of securing improvements in pay, benefits, working conditions, social and political status through collective bargaining.

### **11. Formal Sector**

Refers to establishment that are registered with any tax or a licensing authority such as the Revenue Authority, Registration of the Company with PACRA or Local Authorities.

### **12. Informal Sector**

refers to all economic activities by workers and economic units that are in law or in practice covered or insufficiently covered by formal arrangements. It thrives mostly in a context of high unemployment, underemployment, poverty, gender inequality and precarious work.

### **13. Human Error Tolerance System.**

Refers to an error-tolerant design or human-error-tolerant design is one that does not unduly penalize user or human errors. It is the human equivalent of fault tolerant design that allows equipment to continue functioning in the presence of hardware faults, such as a "limp-in" mode

for an automobile electronics unit that would be employed if something like the oxygen sensor failed.

### **14. Collective Protective Equipment**

These include the following examples, Safety nets, Hole covering, Scaffolding, railings and Foot bridges.

### **15. Personal Protective Equipment**

These include the following examples, Helmet, reflectors, safety glasses and Safety boots.

### **16. Accident**

Refers to an unexpected event, typically sudden in nature and associated with injury, loss, or harm.

### **17. Incident/ Near Miss**

An incident is an event that could have resulted in an accident but didn't. A good example of an incident is a near-miss report of a person avoiding being struck by a forklift.

### **18. Beneficiary**

A beneficiary is the person or entity that you legally designate to receive the benefits from your financial products. For life insurance coverage, that is the death benefit your policy will pay if you die

**20. Productivity** refers to converting resources (inputs) into products and services (outputs) efficiently, effectively

and with optimum utilisation of human and other resources for the benefit of an organisation, society, the economy and the environment

## MANDATE OF THE MINISTRY

The Ministry of Labour and Social Security is charged with the responsibility of formulating and administering policies as well as regulating activities in the labour and employment sector in order to enhance the sector's contribution to sustainable, social and economic development for the benefit of the people of Zambia. The Ministry draws its statutory mandate from Government Gazette Notice No.1123 of 2021 with the following portfolio functions:

- (i) Educational and Occupational Assessment Services;
- (ii) Employment Policy;
- (iii) Factories;
- (iv) Industrial and Labour Relations;
- (v) Labour Policy;
- (vi) Occupational Safety and Health Policy;
- (vii) Occupational Safety and Health Services;
- (viii) Productivity Management;
- (ix) Productivity Policy;
- (x) Social Safety Net; and
- (xi) Social Security Policy.

The Ministry is also responsible for the following Statutory Bodies and Institutions:

- (i) National Pensions Scheme Authority;
- (ii) National Health Insurance Management Authority (NHIMA);
- (iii) Occupational Health and Safety Institute;
- (iv) Workers' Compensation Fund Control Board;
- (v) KAIZEN Zambia Institute (KZI); and
- (vi) Zambia Institute of Human Resource Management (ZIHRM).

Further, the mandate of the Ministry is supported by the following Acts:

- (i) Apprenticeship, Cap. 275;
- (ii) Employment Code Act No. 3 of 2019;
- (iii) Factories, Cap. 441 of the Laws of Zambia;
- (iv) Industrial and Labour Relations, Cap. 269;
- (v) Medical Examination of Young Persons, (Underground Work), Cap. 216;
- (vi) National Health Insurance Act No. 2 of 2018;
- (vii) National Pension Scheme, Cap. 256;
- (viii) Occupational Health and Safety Act No. 36 of 2010;



- (ix) Workers Compensation, Cap. 271;
- (x) Pension Scheme Regulation Act;
- (xi) National Health Insurance Management Scheme Act No,3 of 2018;
- (xii) Zambia Institute of Human Resource Management Act No, 3 of 2022;
- (xiii) Minimum Wages and Conditions of Employment Statutory instrument No, 69 of 2018 (Domestic Workers);
- (xiv) Minimum Wages and Conditions of Employment Statutory instrument No, 70 of 2018 (Shop Workers);
- (xv) Minimum Wages and Conditions of Employment Statutory instrument No 71 of 2018 (General Application);
- (xvi) Minimum wages and Conditions of Employment (General) Order, 2011. (Employment Conditions); and
- (xvii) Minimum wages and Conditions of Employment (Truck and Bus Drivers) (Amendment) Order, 2022.

### **Vision**

A resilient productive prosperous workforce and enterprise anchored on decent work for all.

### **Mission**

To regulate the labour market, promote productivity and decent work in order to contribute to sustainable socio-economic transformation and growth.

### **Core Values**

The Ministry has set for itself six (6) Core values to instill a positive organisational work culture among all the members staff for the successful implementation of programmes in the Strategic Plan. The Six core values are: Integrity, Transparency, Collaboration, Confidentiality, Innovation, and Client-focus.

## **FUNCTIONS OF DEPARTMENTS AND UNITS IN THE MINISTRY**

### **1. Department of Labour**

The Department is responsible for administering labour laws to ensure compliance and protection of workers and employers' rights, facilitating social dialogue between the employers and employees in order to ensure industrial harmony and in addition, the Department will be in charge of employment exchange services for the purpose of placing unskilled and skilled labour in decent employment.

The Department is responsible for the following specific functions:

- (i) Ensure compliance with labour legislation;
- (ii) Promote sound industrial relations;
- (iii) Promote and monitor Zambianisation programmes;
- (iv) Operate the Public Employment Exchange Services;
- (v) Implementation, control and management of programmes on the elimination of Child Labour.
- (vi) Facilitate social dialogue and collective bargaining between employers and employees;
- (vii) Develop and disseminate standards for the establishment and management of Employment Agencies, Trade Unions, Employers' Associations and Labour Brokers;
- (viii) Regulate the employment of foreign labour;
- (ix) Mediate and facilitate resolution of Industrial disputes;
- (x) Maintain a database on Labour and Employment;
- (xi) Ensure domestication of regional and international legal instruments;
- (xii) Facilitate the review of labour legislation and policies; and
- (xiii) Develop and implement awareness programmes on Labour Laws

### **2. Department of National Productivity Development**

The Department is responsible for promoting productivity at enterprise, sectoral and national levels in order to enhance economic growth. Furthermore, the Department is responsible for the provision of occupational assessment services in order to facilitate placement of candidates for training and employment.

The Department is responsible for the following specific functions: -

- (i) Promote the application of productivity and quality improvement tools and techniques;

- (ii) Provide advisory services / consultancy services to both public and private sector organizations;
- (iii) Develop and implement productivity awareness and mainstreaming programmes;
- (iv) Establish and implement a mechanism for institutionalizing Productivity Based Collective Bargaining (PBCB) in Private and Public Institutions;
- (v) Develop and implement a productivity mentorship programme for Micro, Small and Medium Enterprises (MSME);
- (vi) Undertake productivity measurement at enterprise, sectoral and national level; and
- (vii) Provide occupational assessment services.

### **3. Department of Occupational Safety and Health Services**

The occupational Safety and Health Services Department will be responsible for promoting and enforcing of occupational safety and health services standards at places of work to ensure compliance and maintenance of a safe and healthy working environment.

The Department is responsible for the following specific functions: -

- (i) Administration and Enforcement of Occupational Safety and Health legislation through systematic inspection of workplaces;
- (ii) Examination and testing of Pressure Vessels (steam boilers, air receivers and steam receivers);
- (iii) Test and examine lifting machinery such as passenger lifts, fork lifts, cranes, etc.;
- (iv) Maintain a register of Factories which include data on pressure vessels and lifting machinery;
- (v) Approve factory drawing plans;
- (vi) Investigate Occupational accidents and dangerous occurrences in Factories, construction sites and other workplaces and carrying out research on Occupational Diseases;
- (vii) Advise Factory occupiers on safe design, operation and maintenance of machinery and other equipment;
- (viii) Advise Government on the ratification of international instruments such as Conventions, Codes and Directives related to occupational health and safety matters;
- (ix) Promote occupational health and safety standards through awareness raising and human resource capacity building;
- (x) Provide guidelines on hazardous operations in workplaces;
- (xi) Review and update Labour Legislation related to Occupational Safety and Health;
- (xii) Conduct workplace safety and health risk assessments;
- (xiii) Collection, analysis and compilation of occupational accident and diseases statistics;

- (xiv) Advise Government on policy issues related to Occupational Safety and Health; and
- (xv) Undertake legal proceedings for non-compliance of the Act.

#### **4. Department of Social Security**

The Department is responsible for developing a comprehensive social security system in the country in order to ensure that citizens have access to fair just and equitable life long security.

The Department is responsible the following specific functions:

- (i) Formulate and review social security policies;
- (ii) Reform the social security system;
- (iii) Formulate and review social security legislation;
- (iv) Review social security benefits;
- (v) Extend the coverage of social security to the informal sector;
- (vi) Educate the public on social security matters;
- (vii) Establish and maintain a social security database;
- (viii) Carry out research i.e. both desktop and field research on social security matters;
- (ix) Resolve pension complaints;
- (x) Monitor and evaluate social security trends at global, sub-continental and regional levels; and
- (xi) Develop and enforce social security standards.

#### **5. Department of Human Resources and Administration**

The Department of Human Resources and Administration is responsible for managing and developing human resources in the Ministry. It also provides administrative and logistical support in order to facilitate the effective operations of the Ministry.

The Department is responsible the following specific functions:

##### **A. Human Resources and administration**

- (i) Provision of an efficient and effective system to enhance operations of the Ministry in order to meet short- and long-term strategic objectives;
- (ii) Provide administrative, logistical and support services to enhance operations of the Ministry;
- (iii) Ensure systematic management and implementation of training interventions and co-ordinate all Human Resource Development activities in the Ministry;

- (iv) Provide an effective mechanism for recruitment, retention, promotion, separation and handling of disciplinary and health matters;
- (v) Facilitate the process of an effective Annual Performance Management System (APAS) that links with the Ministry's strategic position and ensures that effective performance is undertaken at all levels;
- (vi) Manage and utilize financial resources in order to facilitate implementation of Ministerial programmes effectively; and
- (vii) Develop and manage human resource in order to enhance individual and Organisational performance.
- (viii) Records Management;
- (ix) Secretarial Services;
- (x) Human Resource Management and Development;
- (xi) Payroll Management;
- (xii) Office Management; and
- (xiii) Transport management.

## **B. Internal Audit Unit**

The Unit will be responsible for monitoring and inspection of all financial and internal controls and regulations in the Ministry for purposes of ensuring transparency and accountability in the application of public funds.

Specifically, the Unit will perform the following functions:

- i. Develop and implement a system for identifying major Organisational risks and recommending appropriate interventions;
- ii. Undertake pre and post audits; and
- iii. Collaborating with the Office of the Auditor General

## **C. Procurement and Supplies Unit**

The Procurement and Supplies Unit shall be responsible for procurement, storage and distribution of goods and services for the efficient functioning of the entire Ministry. The Unit shall also develop and implement the Ministry's procurement plan in addition to providing secretarial services to the Ministry's Tender Committee. The Unit shall maintain effective linkages with all the Departments in order to ensure timely acquisition of goods and services.

## **6. Department of Finance**

The Department is responsible for effectively managing the utilization of financial resources in order to facilitate implementation of Ministerial programmes. The Department manages all financial matters of the Ministry, prepare financial reports and liaise with the Ministry of Finance on the disbursement of funds.

The Department is responsible the following specific functions:

- (i) Budget Execution;
- (ii) Prepare monthly Funding profile;
- (iii) Prepare monthly Bank Reconciliations;
- (iv) Prepare Financial Reports;
- (v) Undertake Revenue collection and monitoring activities; and
- (vi) Provide responses to audit queries.

## **7. Department of Planning and Research**

The Department is responsible for planning, monitoring and evaluating the implementation of Ministerial programmes in order to facilitate the development and implementation of appropriate interventions. In addition, the Department coordinates budgeting, inter-departmental programmes and projects in order to ensure their effective implementation. It also coordinates the formulation and review of relevant policies and legislation in order to provide appropriate guidance.

The Department is responsible the following specific functions:

- (i) Coordinate Cabinet and Parliamentary Business;
- (ii) Monitor and evaluate the implementation of the labour and labour related policies;
- (iii) Coordinate planning, implementation and review of the Ministry's strategic plan;
- (iv) Develop, harmonize and implement a comprehensive M&E system for effective deployment of the institutional strategy;
- (v) Establish and maintain a comprehensive labour market information system;
- (vi) Coordinate research on labour market matters;
- (vii) Coordinate the preparation of the Ministry's Annual budget and monitor budget performance;
- (viii) Undertake the compilation and publication of reports and documents on labour issues; and
- (ix) Facilitate the formulation of project proposals for the mobilization of resources.

## CHAPTER ONE

# LABOUR AND EMPLOYMENT

### 1. WHO IS A LABOUR COMMISSIONER?

The Labour Commissioner is a public officer responsible for the administration of the Labour Laws. The Labour Commissioner is appointed by section 9 of the Employment Code Act.

### 2. WHO IS A LABOUR OFFICER/ INSPECTOR?

A Labour Officer or Labour Inspector is also known as Authorized Officer. These are Officers under the office of the Labour Commissioner who are appointed under Section 9 of the Employment Code Act, No. 3 of 2019. They are responsible for the employment and enforcement of Labour Laws and ensure industrial harmony.

**Note:** a Labour Officer or Inspector is also known as an authorised officer pursuant to section 11 and 124 of the Employment Code.

### 3. WHAT ARE THE POWERS OF LABOUR OFFICERS/INSPECTORS?

The Employment Code Act, 2019 provides the following powers to the Labour Officer/ Inspector:

- i. To inspect at any reasonable time, whether by day or by night, any workplace or conveyance where he/she may have reasonable cause to believe persons are being employed and to inspect such workplace and conveyance.
- ii. Replicate Section 10,1,4 5 To integrate whether alone or in the presence of witnesses, any employers, employees or casual policy on any matter concerning the application of any of the provisions of the Labour Laws, and to question any other person from whom he/she considers useful information may be obtained, so however, that no one shall be required to answer questions tending to incriminating himself; and
- iii. To require the production for examination of any book, register, account or other document, the keeping of which is prescribed by law and to copy such documents or to make extracts, if he considers such a course is necessary or expedient to remove such book, register, account or other document.

Any person who delays or obstructs a Labour Officer/ inspector from carrying out his/her duties shall be guilty of an offence and is liable to prosecution.

#### **4. WHAT IS THE MINIMUM AGE OF EMPLOYMENT IN ZAMBIA?**

The Constitution of the Republic of Zambia defines the minimum contractual age as Sixteen (16) years.

#### **5. CAN A CHILD BELOW THE AGE OF 16 BE ENGAGED IN GAINFUL EMPLOYMENT?**

Yes. A child between Thirteen (13) and Fifteen (15) years maybe engaged in light work that is not likely to be harmful to the child's health or development and will not deter the child's attendance at an institution of learning as well as participation in vocational orientation or training approved by a competent authority or the child's capacity to benefit from the institution.

#### **6. WHAT IS CHILD LABOUR?**

According to the International Labour Organisation, the term "child labour" is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that: is mentally, physically, socially or morally dangerous and harmful to children; and/or interferes with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely, or requiring them to attempt to combine school attendance with excessively long and heavy work.

The Employment Code Act in section 81 also states that a person shall not employ a child in a public or private industrial undertaking or in any branch of the industrial undertaking. This section shall not apply to work done by children as part of education or in technical schools or similar institutions, where the work is approved and supervised a person appointed by the Permanent Secretary for that purpose.

#### **7. WHAT IS THE DIFFERENCE BETWEEN CHILD WORK AND CHILD LABOUR?**

Child work is light work. This means that children learn to take responsibility, learn life skills and have rights to health and education, it is occasional and legal while, child labour is hazardous work and exploitative, deprivation of rights to health and education of children, it is constant for long hours and is illegal.

#### **8. HOW IS AN EMPLOYMENT RELATIONSHIP ESTABLISHED?**

An Employment Relationship is created when an employer, in turn for a service, engages an employee who agrees to render the service required by the employer in return for wages or commission.



## 9. WHAT IS AN EMPLOYMENT CONTRACT?

A contract of employment is an agreement made between an employer and employee about terms and conditions of employment. The agreement can be made orally or in writing. Both express and implied terms can be in the contract. The Labour department encourages employers and employees to set out terms and conditions of service in written contracts. (*Employment Code Act No.3 of 2019 Cap 269*).

Where an employer engages an employee for a period of six months or more or for a number of working days equivalent to six months or more within a year, the contract of employment shall be in writing.

## 10. WHAT ARE THE DIFFERENT TYPES OF CONTRACTS?

### i. A Permanent Contract.

A permanent contract refers to a contract of employment, if not terminated in accordance with the Employment Code Act, expires on the employee's attainment of the retirement age specified under the written law.

### ii. A Contract for a Long-Term.

A long-term contract refers to a contract of service for a period exceeding twelve months, renewable for a further term; or the performance of a specific task or project to be undertaken over a specified period of time, and whose termination is fixed in advance by both parties.

### iii. A Contract for a Specific Task.

A contract to perform a specific task shall terminate on the completion of the task required without the requirement for a notice of termination by either party.

### iv. A Contract for a Probationary Period Not Exceeding 3 months.

An employee may be employed for a probationary period, not exceeding three months, for the purpose of determining that employee's suitability for appointment. An assessment of an employee shall be taken by the employer during the probationary period and the result of the assessment shall be communicated to the employee before the end of the probationary period.

## 11. WHAT DETAILS SHOULD BE CONTAINED IN THE EMPLOYMENT CONTRACT?

### i. Details of Employer

- a) the name of the employer;
- b) the name of the undertaking in which the employee is to be employed;
- c) the official address of the employer;
- d) the nature of the business conducted by the employer.

### ii. Details of Employee

- a) the name of the employee;
- b) the age of the employee;
- c) the sex of the employee;
- d) the permanent address of the employee;
- e) the nationality of the employee;
- f) the identity and social security numbers of the employee;
- g) the place of engagement of the employee; and
- h) any other particulars necessary for the employee's identification.

### iii. Contract Terms

- a) the date of commencement, form and duration of the contract of employment;
- b) the date on which the employee's period of service began, taking into account any employment with a previous employer that may count towards that period;
- c) the place at which, or the geographical limits within which, any work under the contract is to be performed;
- d) the ordinary working hours and days;
- e) the wages to be paid and the scale or rate of wages, the method of calculating the wages and details of any other benefits;
- f) the details of any cash payments, payments in kind or any other benefits;
- g) the intervals of payment of the wages of the employee, monthly or at a shorter period, as the case may be;
- h) if applicable, the particulars of any food to be provided under the contract or of any cash equivalent of the food;
- i) the deductions to be made to an employee's wages;
- j) the nature of the employment and tasks, where applicable and practical, and the general operations involved and such additional details as may be necessary to clarify, the nature of the work for which the employee has been contracted; and
- k) any other prescribed particulars.

**iv. Execution of Contract**

The parties to a contract of employment shall execute the contract by—

- a) appending a signature; or
- b) affixing a thumb or finger print.

**12. WHAT IS AN ORAL CONTRACT?**

An Oral Contract is a contract of service entered into by word of mouth. It is sometime referred to as verbal contract.

**13. IS THE EMPLOYER OBLIGED TO KEEP A RECORD OF AN ORAL CONTRACT?**

Yes. Even if the contract of employment is not in writing, the employer shall maintain a record of oral contract of service agreed by the employer and employee and give a copy to the employee as required by the Employment Code Act. A record of oral contract should include the following particulars under section 18 of the Employment code;

- i. The name, sex, address and nationality of the employee;
- ii. The name, address and occupation of the employer;
- iii. The date of the employee's engagement and the capacity in which the employee is to be employed;
- iv. The type of contract;
- v. The place of engagement;
- vi. The rate of wages to be paid and any additional payments in kind;
- vii. The intervals of payment of the wages; and
- viii. Any other prescribed particulars.

**14. WHAT ARE THE BENEFITS OF A CONTRACT?**

- i. It protects the interests of both the employee and employer because it is legally binding;
- ii. It outlines and stipulates the rights, obligations and responsibilities of the parties involved and therefore both parties know their roles;
- iii. A contract is a legally binding document that can be used as proof in the courts of law in case of any Labour dispute; and
- iv. Employers that do not provide contracts in writing to their employee's risk being charged an Administrative penalty as provided under section 32 and 33 of the Employment code Act as it is a breach of the Law.

**15. DOES AN EMPLOYEE HAVE TO SIGN AN EMPLOYMENT CONTRACT IF HE/SHE DOES NOT UNDERSTAND IT?**

No. The law places obligation on the employer to ensure that the employee has clear understanding of the contract before he/she signs. Before the contracts are entered into by both parties, the employer must forward a copy of the contract to the labour office for attestation as provided under section 22(5) and 25. After the contract has been understood and signed by the parties involved, it is the mandate of the Labour officer to attest the contract to ensure that the employee enters into the contract voluntarily with full understanding of the contents of the contract. By law, employers should ensure that the signed contracts are attested especially for the protected employees who fall under statutory instruments Nos. 1 and 2 of 2011. If an employer has 10 protected employees, all 10 contracts have to be sent to the labour office for attestation. It is the duty of the authorised officer to ensure that the employee fully understands and consents to the written contract of employment as provided under section 26 of the Employment code Act.<sup>1</sup>

**16. IN WHAT CIRCUMSTANCES DOES ATTESTATION NOT APPLY?**

Attestation of contracts by the Labour office does not apply to contracts made between employers and employees who are literate and thoroughly understand the provisions of the contracts.

**17. WHAT HAPPENS WHEN ONE PARTY BREACHES THE CONTRACT?**

If one party believes that the other has breached the agreement affecting the employment relationship, both parties should talk to each other to try and resolve the problem. They may also contact the nearest labour office for information, advice or mediation or seek court (Industrial Relations Court) redress. (Refer to section 121).

**18. WHAT ARE THE DIFFERENT WAYS IN WHICH EMPLOYMENT RELATIONSHIPS MAY END?**

An employment relationship may end through the following ways:

**a) Expiry of Contract**

A contract expires after the completion of a specified job or project. After such expiration or completion of the project the contract is void and no-longer enforceable by either party.

**b) Resignation**

Employees may resign at any time, provided they give a notice.

If the employee gives the required notice, the employer must pay the employee the wages up to the end the notice period, unless the employee is justifiably dismissed during that period. The employment relationship continues until that date. Depending on the type of employment relation between the employee and employer, i.e. fixed term contract or permanent contract, the employer shall pay the employee in addition to their accrued wages, their gratuity or severance pay at the rate of 25%, pro-rated, leave days not taken and any other benefits stated in their contract.

**c) Retirement**

Contract terminate when an employee reaches a retirement age of 55, 60 or 65 years.

Pension packages/ Terminal benefits may differ for employees covered by a collective agreement and individual contracts.

**d) Summary Dismissal**

Termination of employment by way of summary dismissal is allowed under the law. However, there must be a good reason for the dismissal otherwise the employee may have a grievance claim against the employer. Under the provisions of Section 50 (2) of the Employment Code Act, a summary dismissal must be reported to the Labour officer of the district in which the employee was working within four days from the date of dismissal giving reasons for the dismissal.

**What is fair depends on the circumstances. The following principles must be kept in mind:**

- i. Any relevant provisions in the employment contracts must be adhered to;
- ii. If an employment contract does not have a provision for a notice period, then reasonable notice must be given as per section 53 (2) of the Employment Code Act;
- iii. All companies should have a disciplinary code of conduct that outlines offences, punishments, disciplinary and grievance procedures;
- iv. Employees have the right to be informed of the reasons and that dismissal or other disciplinary action is inevitable. Employees must be given a genuine;
- v. Opportunity to tell their side of the story so that they are heard before the employer decides on their fate;
- vi. The employer shall investigate the allegation thoroughly and without prejudice;
- vii. Unless the misconduct is not serious that it, warrants an instant dismissal. An employee has the right to be heard before a properly the employee should be given a chance to

- reflect over the offence committed and be accorded a genuine opportunity to perform and improve. The sort of conduct that warrants instant dismissal must be set out in the Employment contract and disciplinary code; and
- viii. The employers must treat all employees equally under similar circumstances otherwise the difference must be justified.

**Note:** It is in the interest of all parties that it is made clear from the start what the job requires, what behaviour is expected and what could lead to dismissal.

**e) Redundancy**

An employee has the right under the Employment Code Act to ask the employer for a written statement of the reasons for redundancy.

The employee whose contract of service has been terminated by reason of redundancy shall:

- i. Be provided with notice of not less than thirty days or the representative of the employee on the impending redundancies and inform the Union of the number of employees to be affected and the period, within which the termination is intended to be carried out.
- ii. Entitled to such redundancy payment as agreed by the parties or as determined by the minister through the statutory instruments i.e. two months' basic pay for each year served; and
- iii. Be paid the redundancy benefits not less than the last day of duty.

Where an employer is unable to pay the redundancy benefits on the last day of duty of the employee, the employer shall continue to pay the employee full wages until the redundancy benefits are paid.

If within nine months from the date when the notice of termination of employment under section 55 takes effect, the circumstances leading to the redundancy of an employee have changed and an employer wishes to fill a vacancy occasioned by that redundancy, the employer shall offer a contract of employment, in respect of the vacancy, to the employee previously declared redundant, before considering any other applicant.

The above provision shall not apply to:

- i. A company in liquidation
- ii. A casual employee
- iii. An employee engaged for a fixed term and the redundancy coincides with the expiration of that term
- iv. An employee who is on probation; and

- v. An employee who has been offered reasonable alternative employment and has unreasonably refused the offer.

## **19. WHAT HAPPENS IF AN EMPLOYER TERMINATES AN EMPLOYMENT CONTRACT WITHOUT GIVING NOTICE?**

An employee whose contract is intended to be terminated is entitled to a period of notice in the following manner: -

- i. 24 hours period notice for a contract period not exceeding one month;
- ii. Fourteen (14) days period notice for a contract of more than one month but not exceeding 3 months; and
- iii. Thirty (30) days period notice for a contract of more than three months.

An employer who does not give notice to an employee shall pay the employee the wages that the employee would have received if the employee had worked during the notice period.

## **20. WHAT IS MINIMUM WAGE?**

This is the lowest remuneration that an employee should get as prescribed by the Minister of Labour and Social Security through a Statutory Instrument. It is meant for vulnerable workers who are not able to negotiate their conditions of service. The minimum wage does not apply to Unionized employees, companies which have procedures to negotiate for terms and condition of service and all others who can negotiate their conditions of service and is reviewed periodically.

## **21. WHAT ARE THE MINIMUM CONDITIONS OF EMPLOYMENT BY LAW?**

### **i. Medical examination:**

An employer may, before entering into a contract of employment with an employee, require the employees to be medically examined by a medical doctor as to ensure that the employees is fit to undertake the work which the employee is proposed to be employed.

### **ii. Probation**

An employee may be employed for a probationary period, not exceeding three months. This is for the purpose of determining the employee's suitability for appointment. An assessment shall be taken by the employer during the probation period, which shall be communicated to the employees before the end of the probationary period.

**iii. Hours of Work:**

The employee's normal working hours shall not exceed forty-eight hours. Any amount of time worked in excess of the normal working hours shall be compensated as overtime.

**iv. Annual leave:**

A full-time employee who has worked over a period of six months is entitled to a minimum of 2 days leave per month which accumulates to 24 days per year. An employer shall in consultation with the employee at the beginning of each year prepare an annual leave plan stating when the leave is to be taken by the employees.

**v. Public holidays:**

When an employee works on Sunday or public holidays (e.g. Christmas) he/she is entitled to overtime pay at double the normal rate (where Sunday does not form part of the working days).

**vi. Overtime:**

Employees will be entitled to overtime at the rate of one and half (1.5) the employee's hourly rate of full pay during the week-days and Saturday and double(x2) time for overtime worked on Sundays and public holidays respectively. Overtime specification will be agreed by the Supervising Officer. However, it should be noted that overtime is not mandatory.

**vii. Sick Leave:**

An employee who is unable to execute normal duties due to illness or accident not occasioned by the default of the employee, shall on production of a medical certificate from a registered medical practitioner or medical institution designated by the employer be granted leave of absence at the following rates:

- a) For an employee on a short-term contract, up to a maximum of twenty-six (26) working days on full pay and thereafter half pay for the equivalent of the next twenty-six days of the sick leave.
- b) An employee on a long-term contract shall be paid full pay during the first three months of the sick leave and thereafter, half pay for the next three months of the sick leave.

**viii. Maternity Leave:**

An eligible female employee is entitled to fourteen (14) weeks with full pay where the maternity benefits are not paid under a written Law providing for maternity benefits. It is



important to note that the duration of maternity leave for the protected workers is one hundred twenty (120) days in the Statutory Instruments Nos. 1 and 2 of 2011.

**ix. Mother's Day:**

A female employee is entitled to one day's absence from work each month without having to produce a medical certificate or give reason to the employer.

**x. Family Responsibility Leave:**

An employee who has worked for a period of six (6) months or more, shall be entitled to leave of absence with full pay for a period not exceeding seven (7) days in a calendar year to enable the employee to nurse a sick spouse, child or dependant as long as the employee produces a certificate from a medical doctor certifying that the spouse, child or dependant is sick and requires special attention.

**xi. Compassionate leave:**

An employee is entitled to compassionate leave with full pay for a period of at least twelve (12) days in a calendar where that employee has:

- i. Lost a spouse, parent, child or dependant: or
- ii. A justifiable compassionate

**xii. Paternity leave:**

A male employee is entitled to paternity leave of five (5) continuous working days if that male employee has:

- i. Has served the employer for a continuous period of not less than twelve months immediately preceding the date of commencement of paternity leave;
- ii. Is the father of the child in respect of whom paternity leave is sought;
- iii. Has submitted to the employer, the birth record of the child in respect of whom paternity leave is sought.

**xiii. Housing allowance:**

An employee who falls under minimum wages and is not unionised is entitled to 30% of the basic salary as housing allowance under the prescribed minimum wages and conditions of employment SI No.1 and 2 of 2011.

**xiv. Transport allowance:**

An employee who falls under minimum wages and is not unionised. An employee who lives beyond 3 kilometres radius from the place of work is entitled to transport allowance unless the employer provides transport; and an employee who lives within three (3) kilometres is not entitled to transport allowance.

**xv. Lunch allowance:**

An employee who falls under minimum wages and is not unionised. An employee is entitled to lunch allowance monthly unless the employer provides adequate meals free of charge.

**xvi. Funeral Assistance:**

In case of death of the employee, registered spouse, child (child under the age of 18 living with the Parents), biological mother or father, the company shall on the presentation of documentary evidence provides funeral grant in the following manner;

- a) Standard Coffin
- b) K1,500 in cash

**xvii. Gratuity:**

According to section 33 of the Employment Code Act, an employer shall at the end of a long-term contract or fixed term contract pay an employee a gratuity at the rate of not less than 25% of the employee's basic pay earned during the contract period and prorated at termination of the contract. Except for an employee in management, unless agriculture and domestic are they are excepted by exception order no. 28

(Note. See the actual SI for the figures on the minimum wage)

**22. WHAT IS GRATUITY?**

This is a payment made to an employee in respect of a person's service on the expiry of a long-term contract of employment based on basic pay earnings that have accrued to the employee during the term of service. (Employment Codes Section 73. 2)

**23. WHO IS ELIGIBLE TO GET GRATUITY?**

Employee serving a long-term contract.

**24. HOW IS GRATUITY CALCULATED?**

Gratuity is calculated at a rate not less than twenty-five percent of the employee's basic pay *earned during the contract period*. However, where the basic salaries during a contract period are varied, the basic salaries in their variations should be totaled to calculate gratuity.

**27. IS GRATUITY MANDATORY?**

Yes, once an employee qualifies for gratuity, it is mandatory for an employer to pay gratuity to the employee.

**28. IS ONE ENTITLED TO GRATUITY WHEN A CONTRACT IS TERMINATED BEFORE EXPIRY?**

Yes, where an employee's contract is terminated before expiry, an employee is entitled to a gratuity prorated in accordance with the period of employment.

**29. WHAT IS SEVERANCE PAY?**

The wages and benefits paid at 25% to an employee whose contract of employment is terminated in accordance with section 54 of the Employment Code Act No. 3 of 2019

**30. WHO IS ELIGIBLE TO GET SEVERANCE PAY?**

- i. An employee who refuses to be transferred;
- ii. An employee who has been medically discharged from employment;
- iii. Where a contract of employment is for a fixed duration;
- iv. Where a contract of employment has been terminated by redundancy.
- v. Where an employee dies in service, the severance pay shall be two months' basic pay for each year served under the contract of employment.
- vi. Where an employee dies before receiving the severance pay, the employer shall pay the severance pay to the employee's estate in accordance with the Intestate Succession Act or the Wills and Testate Estates Act.

**31. WHO IS NOT ELIGIBLE FOR SEVERANCE PAY?**

The severance pay under this section shall not be paid to a casual employee, a temporary employee, an employee engaged on a long-term contract or an employee serving a period of probation.

Part time employees are also not entitled to severance pay.

### **32. CAN AN EMPLOYER REDUCE SALARY OR CHANGE TERMS AND CONDITIONS OF SERVICE WITHOUT THE WORKER'S CONSENT?**

No. The Law does not permit the reduction of wages or benefits enjoyed by an employee without his/her consent. It is a breach of contract to do so. However, where such breach occurs, the employment terminates and the employee is entitled to the accrued benefits.

### **31. HOW ARE LEAVE DAYS CALCULATED**

Salary multiply by the number of leave days divided by twenty-six (26) days. Where the 26 days represents the number of days a general/domestic worker is expected to work in a month.

#### **Leave benefit**

$(FP \times D) = 26 \text{ days}$

FP = full pay

D = number of accrued leave days

### **32. CAN EMPLOYERS AND EMPLOYEES RESOLVE THEIR LABOUR DISPUTES?**

Yes, it is important to try in good faith to resolve any labour related complaints or disputes between the two parties before seeking mediation through the Office of the Labour Commissioner. Even when you have to pursue the problem further, discussing and clarifying the problem internally will save time in the process.

(input importance of a disciplinary code in case non-is existent)

### **33. WHAT STEPS SHOULD BE TAKEN BY AGRIEVED PARTIES IN FOLLOWING UP LABOUR DISPUTES?**

The following steps are a guide to follow in resolving labour disputes;

#### **i. Initiate Dialogue:**

Social dialogue includes all types of negotiation in dispute resolution, consultation and exchange of information between, or among, representatives of employers and workers on issues of common interest. In order to resolve conflicts arising out of an employment relationship parties to the dispute that is employers and employees are encouraged to dialogue in order to find an amicable resolution.

Where a dispute arises, the aggrieved employee should engage the immediate supervisor, where the dispute is not resolved internally, the aggrieved party can approach the union they belong to engage their employer.

**ii. Engage the Labour Office.**

If the grievance is not settled in Step 1, the aggrieved employee (s) shall have the right to take the matter to the labour office. The labour office will take measures to ensure that the labour disputes are resolved amicably.

**iii. Industrial Relations Court.**

If not satisfied with the outcome provided by the Labour Office, the employee may take the matter to court for a judicial hearing.

**34. WHAT IS CASUALISATION?**

Casualisation is an employment practice where an employer, without permissible reason, engages or re-engages an employee on a temporary or fixed basis, to perform work which is permanent in nature:

- A. That results, without justifiable reason, in the unfair treatment of an employee compared to those engaged in other employment relationships such as full time and long-term contracts.
- B. Which has the effect of enabling the employer to avoid any obligations, or depriving an employee of any employment rights.

**35. WHO IS A CASUAL EMPLOYEE?**

A person employed to perform casual work and whose terms of employment provide for an hourly rate, including casual loading, payable at the end of each day and who is not engaged for a period exceeding twenty- four (24) hours at a time. (*Employment Code Act No.3 of 2019*”).

Note: When a casual employee works for more than 6 months, he or she is impliedly considered as a permanent employee. It is important that the record of the oral contract is kept to show the duration of casual work.

**36. WHAT IS FLEXIBILIZATION?**

Refers to employment practice characterised by different aspects of human resource such as;

- i. Pay flexibility, which is focused on performance related pay and pay bargaining.
- ii. Contractual flexibility, which includes non-permanent contracts of service, sub-contracting and outsourcing;
- iii. Task -flexibility, which allows employees to perform various activities; and
- iv. Working hours flexibility, which focuses on part-time working, job sharing and flexible hours of work.

### **37. WHAT IS A DISCIPLINARY CODE?**

A disciplinary code is a set of rules and regulations for an establishment that constitutes various offenses with laid down penalties for each offense committed. The disciplinary code is designed by the employer lodged with the labour office for approval. The disciplinary code also informs the employee of these penalties and ensures that there is fairness, order and equity in the conduct of relations between the employer and the employee.

### **38. WHAT HAPPENS IF THERE IS NO DISCIPLINARY CODE?**

It is the obligation of the employer to ensure that there is a disciplinary code in accordance with the Employment Code Act No.3 of 2019. An employer who fails to comply with the provision of the Act is liable to an Administrative penalty. In absence of the disciplinary code, the labour laws of Zambia apply.

### **39. CAN EMPLOYERS OPPOSE TRADE UNION ACTIVITIES?**

No, the employer has no right to restrict the activities of Unions provided that the Union operates within the confines of the laws of Zambia. (The *Industrial and Labour Relations Act Cap 269 of the Laws of Zambia*)

The following are some examples of employer's unfair labour practices;

- i. Threatening to close down a plant or to subcontract if a Union is organized,
- ii. Questioning employees about Union activities in an effort to intimidate them.
- iii. Harassing Union activists,
- iv. Refusing to reinstate employees because they took part in a lawful strike.
- v. Demoting a worker for testifying in support of a co-worker's grievance or complaint to the labour office.

### **40. IF THERE IS NO TRADE UNION IN AN ESTABLISHMENT, ARE EMPLOYEES ENTITLED TO FORM ONE?**

Yes, all workers are entitled to form a Trade Union provided they meet the minimum requirements. One of the key requirements is to have 25 eligible employees and above. However, where the number of employees planning to form a Trade Union is below the required number, Workers are free to join an existing Union in a similar sector. It is illegal for an employer to dictate which Trade Union employees should belong to.

### **41. IS FORMING A TRADE UNION A PROTECTED RIGHT?**

Yes, the right to form a Trade Union is protected by the Republican Constitution in Article 21 and regulated by the Industrial and Labour Relations Act. This means that it is illegal for any

employer to restrict formation of Trade Unions or to retaliate against a worker for trying to organize one. Generally, a worker has the right to talk about organizing, and to distribute union membership cards anywhere in the workplace as long as it does not disrupt production. It is illegal for an employer to threaten or intimidate employees or try to bribe them with pay rises or other special benefits in order to discourage unionism.

#### **42. HOW IS A TRADE UNION FORMED?**

A Trade Union is formed by way application. An application to register a Trade Union must be signed by at least 50 eligible supporters and accompanied by

- i. Two duly certified copies of the constitution of the proposed Trade Union.
- ii. Such other information/document as may be required by the Labour Commissioner.

Once the Labour Commissioner is satisfied that the application for registration has been complied with under the ILRA Act, the Labour Commissioner shall register the group of employees as a trade union and issue the union with a certificate of registration, upon the payment of a prescribed fee. Section 9 of the Industrial and Labour Relations Act.

#### **43. WHAT IS A RECOGNITION AGREEMENT?**

A recognition agreement is a legally binding document in which the employer recognises the Trade Union as the representative and bargaining agent of the eligible employees which should be approved by the Minister of Labour on recommendation of the Labour Commissioner subject to a minimum of 25 eligible employees.

#### **44. WHO REGISTERS THE TRADE UNION?**

The office bearers of the proposed Trade Union apply and submit the Constitution of the proposed Trade Union to the Office of the Labour Commissioner for registration under the Industrial and Labour Relations Act within six months from date of formation. If the Labour Commissioner is satisfied with the submissions, a Certificate of Registration will be issued.

#### **45. WHAT ARE SOME OF THE QUALIFICATIONS FOR ONE TO CONTEST AS A UNION LEADER?**

A person should be employed for a period of 1 year or more in the trade, occupation or industry with which the Trade Union is directly concerned;

- i. The employee should not hold a management position as defined by the Industrial and relations Act;
- ii. Is of sound mind;

- iii. Is not bankrupt; and
- iv. Has not been disqualified before to hold union leadership office.

#### **46. WHAT IS A COLLECTIVE AGREEMENT?**

A Collective Agreement is a mutual agreement entered into by an employer and a Trade Union after negotiations in which terms and conditions of employment are determined. The provisions of a Collective Agreement are binding on both sides for a specific period of time as agreed upon by the parties and are enforceable through procedures as outlined in the Industrial and Labour Relations Act.

#### **47. DOES THE EMPLOYER HAVE TO BARGAIN WITH THE UNION?**

Yes. An employer is required to bargain in good faith with the certified union representing the employees.

#### **48. ARE EMPLOYERS OBLIGED TO DISCLOSE INFORMATION TO THE TRADE UNION?**

The Industrial and Labour Relations Act imposes no legal obligations on an employer to disclose information. It is however good industrial relations practice that relevant information is shared for the purpose of collective bargaining. Both parties are at liberty to agree on the type of information required to effectively negotiate by way of a collective agreement.

#### **49. WHAT IS LABOUR MIGRATION?**

Labour Migration is the movement of persons from one state to another, or within their own country of residence, for the purpose of employment.

#### **50. WHO IS A LABOUR MIGRANT?**

A Labour Migrant is a person who migrates within a home country or outside to pursue work C122- Employment Policy Convention, 1964 (No. 122).

**Note:** Zambia ratified Convention C122- Employment Policy Convention, 1964 (No. 122).  
With the Enactment of the Employment Code Act No. 3 of 2019.

#### **51. CAN A ZAMBIAN CITIZEN BE A LABOUR MIGRANT?**

Yes, a Zambian can be a labour migrant by seeking employment outside the borders of Zambia.



## **52. WHAT IS REQUIRED OF A LABOUR MIGRANT TO POSSESS BEFORE MIGRATING FOR WORK OUTSIDE ZAMBIA?**

In accordance with Section 30 of ECA No. 3 of 2019, the requirements are as follows:

- i. To possess an Employment Contract for the Job they have been offered outside the Country and ensure that, the Employment Contract is brought to the office of the Labour Commissioner for attestation by an authorized officer.
- ii. An employer or Employment Agency should give security by bond and provide a surety resident within the Republic as approved by an authorized officer. The bond shall provide for the due performance of the contract by the employer on the terms that an authorized officer may consider reasonable, or in lieu of that bond, an authorized officer may require the employer or employment agency to deposit in cash the sum of that the officer may consider necessary to guarantee the performance.
- iii. The money recovered under a bond shall be applied by an authorized Officer in or towards satisfaction of a claim of an employee employed under that contract of employment and any balance remaining after the satisfaction of that claim shall be paid to the employer.
- iv. Administrative requirements are that; the employer or employment agency shall provide the letter of offer of employment, the prospective migrant employee's National Registration Card and their Passport and employment permit, covering the period of the contract

## **53. WHY SHOULD A PROSPECTIVE LABOUR MIGRANT ENSURE A SAFE AND STANDARD MIGRATION?**

It is important for a Labour Migrant to ensure that they follow Safe and Standard Migration procedures because some employers and employment agencies can be used as conduits of Human Trafficking, hence the need for labour migrants to follow the processes stipulated in the Law, for a smooth transition.

**Note:** A person who has not attained the minimum capacity for contractual age as prescribed by the law of that foreign country as well as the republic of Zambia shall not be capable of entering into a contract.

**54. WHAT IS THE CHARGE FOR A PERSON WHO AIDS OR INDUCES ANOTHER PERSON TO PROCEED OUTSIDE THE COUNTRY FOR THE PURPOSE OF EMPLOYMENT?**

- A. A person who induces or attempts to induce or knowingly aids another for purposes of employment or transfer that person, contravenes the ECA Act; Section 32 (1) (a) (b).
- B. A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not exceeding five years or to both.

**55. WHO IS AN EXPATRIATE EMPLOYEE IN A ZAMBIAN CONTEXT?**

An employee who is foreign national assigned to work temporarily or Permanently in Zambia.

**56. WHO IS AN UNDERSTUDY?**

For the Purpose of section 60 (2) of the ECA No. 3 of 2019, an understudy means a citizen identified to work as a trainee under the supervision of an expatriate employee.

**57. WHAT IS AN UNDERTAKING?**

It is a work place.

**58. WHAT IS EXPECTED OF AN EMPLOYER WHO ENGAGES/EMPLOYS AN EXPATRIATE IN AN UNDERTAKING?**

Where practicable, designate an understudy of that expatriate and submit to the schedule of training programmes and management succession of the understudy; and submit to the Labour Commissioner annual returns in the prescribed manner and form.

**59. HOW LONG IS THE SKILLS TRANSFER SUPPOSED TO TAKE?**

It is expected that within two years or a period that may be prescribed by the Labour Commissioner and where applicable, with the view of eventually taking over the job.

**60. HOW ARE EXPATRIATES TAKEN STOCK OF?**

In section 60 of the employment Code Act, it states that there shall be a register of expatriates, kept and maintained by the Labour Commissioner which will contain:

- i. The name and nature of business of the undertaking in which an expatriate is employed;
- ii. The name, sex and nationality of the expatriate;

- iii. The qualifications of the expatriate;
- iv. The position in which the expatriate is employed; and
- v. Any other information that the Labour Commissioner may determine.

**61. IS THE REGISTER A PUBLIC DOCUMENT THAT CAN BE ACCESSED BY THE PUBLIC?**

Yes; it is kept in the custody of the Labour Commissioner and is open for inspection by members of the public during normal office hours.

Subject to the ECA, a copy of the last published and printed Register shall be evidence admissible in all legal proceedings of what is contained in that Register and the absence of the name of the expatriate from that copy, shall be *prima facie* evidence that the expatriate is not registered.

**62. CAN MAID CENTERS BE CLASSIFIED AS EMPLOYMENT AGENCIES?**

Yes; and they are expected to operate as such by applying for a single licensing system issued by the Labour Commissioner. An administrative charge is issued to any person who contravenes section 107 (1) of the ECA.

**63. HOW LONG DOES IT TAKE TO ISSUE THE LICENSE?**

The license will be issued within sixty days of receipt of an application, issue the application with a permit on the terms and conditions that the Minister may prescribe.

**64. WHAT IS THE VALIDITY OF A LICENSE?**

The license shall remain valid for a period of three years unless revoked by the Labour Commissioner or surrendered by an Employment Agency.

**65. WHAT ARE THE CONDITIONS FOR OPERATION OF EMPLOYMENT AGENCY AND FEES?**

An employment agency shall operate under the following conditions:

- i. Where an employee is matched with a prospective employer by an Employment Agency and job offer is secured, the employment agent shall determine the wages and conditions of employment.
- ii. An employment agency shall not:
  - A. Charge a prospective employee fees for matching services rendered except fees, not exceeding five percent of the employee's first wages with the successful employer, that may be payable in respect of services relating to job seeking;

- B. Maintain a register of employees that the agency has placed with employers for purposes of charging the employees fees; and
- C. interfere with the employment relationship between the employer and employee, including on matters relating to breach of contract and settlement of disputes.
- D. An employment agency shall charge a prospective employer fees that may be agreed by the parties.
- E. An employment agency shall charge a prospective employee a registration fee not exceeding five hundred fee units, fifty percent of which shall be refunded to the prospective employee if the employment agency fails to secure a job placement for the prospective employee within three months of registration with the agency.
- F. An employment agency shall not provide employment to an employee without ensuring that the employee has a contract of employment with the employment agency before or on the commencement of the employment.
- G. An employment agency shall not assign an employee of the agency to a third party to replace employees of the third party who are on lawful strike; or without ensuring that employees of the agency enjoy similar wages and conditions of employment with employees of the third party performing comparable tasks as the employees of the agency.
- H. An employment agency shall not interfere with the free transfer of an employee of the employment agency to the third party or another employer.
- I. A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both
- J.

## CONTACT INFORMATION

The Labour Department is present in 54 districts. You can contact us through the following Provincial and District labour Offices:

- 1) **Central Province (7 Districts)** Kabwe, Serenje, Mukushi, Kapiri Mposhi, Chisamba, Chitambo and Ngabwe;
- 2) **Copperbelt Province (6 Districts)** Chililabombwe, Chingola, Kitwe, Luanshya, Mufulira and Ndola;
- 3) **Eastern Province (8 Districts)** Chipata, Chipangale, Lumezi, Petauke, Vubwi, Sinda, Kasenegwa and Lundazi;
- 4) **Luapula Province (6 Districts)** Mansa, Chipili, Chembe, Mwansa bombwe and Mwense;
- 5) **Lusaka Province (6 Districts)** Chongwe, Kafue, Rufunsa, Lusaka, Chilanga and Shibuyunji;

- 6) **Northern Province (4 Districts)** Kasama, Nsama, Lunte and Lupososhi, Mu Saindamo
- 7) **North-Western Province. (5 Districts)** Solwezi, Manyinga, Ikelenga, Kalumbila and Mushindano;
- 8) **Southern Province (9 Districts)** Siavonga, Pemba, Choma, Kalomo, Livingstone, Chikankata, Mazabuka, Chirundu, and Itezi tezi;
- 9) **Western Province(7 Districts)** Mongu, Keyema, Kaoma, Litete, Limulunga, Sesheke and Mwandii;
- 10) **Muchinga Province(5 Districts)** Mpika, Shiwangandu, Nakonde, Chinsali and Isoka

## **CHAPTER TWO**

### **OCCUPATIONAL SAFETY AND HEALTH**

#### **1. WHAT IS OCCUPATIONAL SAFETY AND HEALTH?**

Occupational Safety and Health (OSH) is the anticipation, recognition, evaluation and control of hazards arising from the workplace that could impair the health and well-being of the workers and the surrounding. (Source: National Occupational Safety and Health Policy, Zambia)

#### **2. WHAT ARE THE BENEFITS OF OCCUPATIONAL SAFETY AND HEALTH?**

The benefits of occupational Safety and Health are:

- i. To promote and maintain the highest degree of physical, mental and social well-being of workers in all occupations.
- ii. To prevent workers from adverse effects on their health caused by their working conditions;
- iii. To place and maintain workers in an occupational environment adapted to physical and mental needs; and,
- iv. To adapt work to humans by developing and implementing Human error tolerant systems.

#### **3. WHY IS OCCUPATIONAL SAFETY AND HEALTH IMPORTANT?**

Occupational Safety and Health is important because:

- i. It prevents work related Accidents and diseases.
- ii. It prevents work related incidences.
- iii. It mitigates and reduces the frequent occurrence of work-related accidents and diseases that workers all over the world are faced with.

Without Occupational Safety and Health guidelines, Workers are subjected to operate in environments that pose a direct risk to their physical health and general well-being.

#### **4. WHAT RANGE OF COMPANIES DOES YOUR MANDATE COVER TO REGULATE?**

All workplaces with the exception of mines.

#### **5. HOW DOES THE GOVERNMENT ENSURE THAT THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS ARE UPHELD IN THE COUNTRY?**

- i. To administering and enforcing occupational safety and health legislation through systematic inspections of work places
- ii. To review and update labour legislation relating to occupational safety and health
- iii. To ratifying and domesticating international conventions, treaties and recommendations
- iv. To coordinating with the local standards body (bodies) by developing and adopting international OSHS standards
- v. To examine and test certain plants and machinery to ensure their safe use.
- vi. To investigate occupational accidents and dangerous occurrences in order to prevent recurrence
- vii. To conduct Investigations arising from complaints
- viii. To monitor hazardous exposures at work places
- ix. To approve building plans for factories
  - x. To give advice to factory owners on safe designs, operations and maintenance of plant and/or machinery and production process
  - xi. To collect, collate and disseminate information on occupational safety and health
  - xii. To undertake legal proceedings for non-compliance of the requirement of the factories act

#### **6. WHAT IS THE STRUCTURE OF THE OCCUPATIONAL SAFETY AND HEALTH (OSH) SERVICES DEPARTMENT?**

The Department of Occupational Safety and Health is Headed by a Director and has three (3) specialized units at headquarters. These are:

- i. **Construction Unit:**

The Unit enforces safety and health of building and works at construction sites regulations that focuses at ensuring Occupational Safety and Health in the construction

sector. The unit carries out inspection of buildings and works construction sites that include lifting equipment;

ii. **Occupational Hygiene Unit:**

The Unit identifies, evaluates and controls environmental factors that cause occupational hazards;

iii. **Mechanical, Electrical and Pressure Vessel Unit:**

The Unit enforces the Factories (Electricity) regulations and is responsible for enforcing provisions in the factories Act that are related to machinery and pressure vessel safety.

## **7. WHAT IS THE LINK BETWEEN OCCUPATIONAL SAFETY AND HEALTH AND THE LABOUR MARKET?**

Safety and Health work places are fundamental to achieving productivity and high-quality working lives. Internationally and locally, organizations have started considering safety and health as essential to achieving world-class performance rather than a narrow issue about legal compliance.

## **8. WHAT ARE THE BENEFITS OF REGULATING SAFETY AND HEALTH IN A WORK PLACE?**

- i. Safe working environment results in reduced injuries and cost of doing business
- ii. Integrating safety at Design stage is a source of improved efficiencies, increased innovation and improved quality
- iii. Safe workplaces enhance corporate reputations and staff retention
- iv. Reduced occupational injuries and incidences

## **9. WHAT ARE THE IMPACTS OF OCCUPATIONAL INJURY OR DISEASE ON THE EMPLOYEES?**

Work related injuries or diseases are very costly and can have many serious direct and indirect effects on the lives of and their families.

A. Some of the direct impacts are:

- i. The pain and suffering from the injury or diseases;
- ii. The loss of income;



- iii. The loss of a job; and
- iv. Healthcare costs

B. Indirect impacts to employees are often difficult to measure. One of the most obvious indirect impacts is the human suffering caused to the injured worker's families, which cannot be quantified.

## **10. WHAT ARE THE IMPACTS OF OCCUPATIONAL INJURY OR DISEASE ON THE EMPLOYERS?**

The following are the impacts of occupational injury and diseases on the employer:

- i. Payment for work not performed;
- ii. Medical and compensation payments;
- iii. Repair or replacement of damaged machinery and equipment;
- iv. Reduction or a temporary halt in production;
- v. Increased capacity building expenses and administration costs;
- vi. Possible reduction in the quality of work.

Some of the indirect impacts to employers are:

- i. The employee replacement costs;
- ii. Time dedicated to obligatory investigations, writing of reports and filling out forms;
- iii. Accidents often arouse the concern of fellow workers and influence labour relations in a negative way which is counterproductive.

## **11. WHAT ARE THE RESPONSIBILITIES OF THE EMPLOYEE WITH REGARDS TO SAFETY AND HEALTH IN A WORK PLACE?**

The responsibility of the workers includes:

- i. Follow all lawful employer safety and health rules and regulations,
- ii. wear or use required protective equipment while working.
- iii. Report hazardous conditions to the employer.
- iv. Report any job-related injury or illness to the employer, and
- v. Seek treatment promptly.

## **12. WHAT ARE THE DUTIES OF AN EMPLOYEE IN A WORK PLACE?**

An employee shall, at a workplace:

- i. Take reasonable care for the employee's own health and safety and that of other persons who may be affected by the employee's acts or omissions at the workplace;
- ii. Not operate any machine or engage in a process which is unsafe or is an imminent risk to the employee's own health or safety and that of others; and
- iii. Cooperate with the employer or any other person in relation to any duty imposed on the employer or that other person, so far as is necessary to enable that duty or requirement to be performed or complied with.
- iv. Where an employee has reasonable grounds to believe that any item, device, article, plant or substance, condition or aspect of the workplace is, or may be, dangerous to the employees' occupational health or safety at or near the workplace, the employee shall immediately inform the employer, the committee or health and safety representative.  
N.A.B 35, 2010 Occupational Health and Safety [No. of 2010 15 5 10 15 20 25 30 35 40 Duties of employees at workplaces
- v. A person who contravenes subsection (1) or (2) (of section 17 of the Occupational Health and Safety Act, 2010) commits an offence and is liable, upon conviction, to a fine not exceeding three hundred thousand penalty units or to imprisonment for a period not exceeding three years, or to both.

## **13. WHAT ARE THE RESPONSIBILITIES OF THE EMPLOYER WITH REGARDS TO SAFETY AND HEALTH OF WORKERS IN A WORK PLACE?**

The responsibility of the employer includes:

- i. Ensure that employees have and use safe tools and equipment and properly maintain this equipment.
- ii. Use color codes, posters, labels or signs to warn employees of potential hazards.
- iii. Establish or update operating procedures and communicate them so that employees follow safety and health requirements

## **14. WHAT ARE THE DUTIES OF AN EMPLOYER IN A WORK PLACE**

**i. Notwithstanding any other written law, an employer shall:**

- A. Ensure, so far as is reasonably practicable, the health, safety and welfare of the employees of the employer at a workplace; and

- B. Place and maintain an employee in an occupational environment adapted to the employee's physical, physiological and psychological ability.

**ii. Without prejudice to the generality of above, an employer shall:**

- A. provide plant and systems of work that are, so far as is reasonably practicable, safe and without any risks to human health and maintain them in that condition;
- B. ensure, so far as is reasonably practicable, that articles, devices, items and substances provided for the use of the employees at a workplace are used, handled, stored and transported in a manner that is safe and without any risk to the health and safety of the employees at the workplace;
- C. provide such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety of the employees at their workplace;
- D. so far as is reasonably practicable, maintain a workplace under the employer's control, in a condition that is safe and without any risk to the health and safety of employees at their workplace;
- E. so far as is reasonably practicable, provide and maintain the means of access to, or exit from, a workplace that are safe and without any risk to the health and safety of the employees using it;
- F. provide and maintain a working environment for the employees that is, so far as is reasonably practicable, safe and without any risks to their health and safety, and which is adequate as regards facilities and arrangements for their welfare at the workplace;
- G. inform and consult a health and safety representative (i) where an authorised officer visits the workplace, and give the health and safety representative an opportunity to meet the authorised officer; (ii) on the circumstances and future prevention of any injury or illness; (iii) on the circumstances of any injury for which a claim has been submitted to the Workers' Compensation Fund Control Board; or (iv) with a view to making and maintaining arrangements to enable the employer and the employees to cooperate effectively in promoting and developing measures to ensure the health and safety of the employees at the workplace, and checking the effectiveness of those measures;
- H. provide at the employer's expense all appropriate protective clothing or equipment to be used in the workplace by employees, who in the course of employment, are likely to be exposed to the risk of bodily injuries, and adequate instructions in the use of such protective clothing or equipment; and
- I. do for, or provide to, the employees, free of charge, anything which by law is required to be provided to those employees by the employer.

- iii. **A person who contravenes subsection (1) or (2) (of section 17 of the Occupational Health and Safety Act, 2010)** commits an offence and is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a period not exceeding five years, or to both

## 15. WHAT IS A FACTORY?

A factory is any premise in which persons are employed in manual labour in any process for or incidental to the following: *(Source: Factories Act Cap 441 of the Laws of Zambia):*

- i. Making or assembling of any article or part of any article;
- ii. Altering, repairing or assembling of any article; and,
- iii. Adapting for sale of any article

## 16. WHEN DOES ONE REGISTER A FACTORY?

### i. **Registration of a New Factory**

Every occupier of a new factory shall apply to the Director of Occupational Safety and Health for the registration of a factory, by written notice containing the particulars on the Labour Form F/25 before commencing operations.

### ii. **Registration of Existing Factory**

Every occupier of a factory shall within three (3) months of any material(s) change in particulars, apply to the Director of Occupational Safety and Health, by written notice containing the particulars on the Labour Form F/25.

Registration of existing factories comes about when there is any material change in the particular of factory such as:

- A. Occupier
- B. The location
- C. The products being manufactured.

## **17. HOW CAN ONE REGISTER A FACTORY?**

To have a factory registered, one must apply on a prescribed form F25 and provide mandatory documentation as listed:

- i. PACRA certificate of incorporation
- ii. Decision letter from ZEMA;
- iii. Factory Drawings; and
- iv. Duly completed application form F25

which prescribes particular details to the department before any occupation or use of the premises as a factory. The department through the Director may issue a Certificate of Registration if he/she is satisfied that the premises are suitable. The Director may refuse registration stating in writing the reasons for your refusal.

## **18. WHERE CAN ONE APPEAL IN THE EVENT THAT THE APPLICATION FOR APPROVAL OF FACTORY DRAWING PLANS AND REGISTRATION OF A FACTORY ARE REJECTED?**

Any person may appeal in writing to the Appeals Board (established under section 16, Factories Act) against the decision of the Director not to register or if he/she refuses to approve factory drawings.

The Board may:

- i. Confirm, vary or reverse the Director's decision on which the appeal was founded
- ii. Not awards costs unless it considers that the Director's decision was unreasonable or the grounds of appeal are frivolous

## **19. WHAT ARE THE POWERS OF THE INSPECTORS OF FACTORIES?**

The inspectors of factories have powers to enter, inspect and examine, by day and night, any factory, and every part of a factory, where there is reasonable cause to believe that any person is employed there, and to enter, inspect and examine by day and night any place which he has reasonable cause to believe to be a factory and any part of any building of which a factory forms part and in which he has reasonable cause to believe that explosive or highly inflammable materials are stored or used;

**20. HOW DO YOU ENSURE PLACES OF WORK ARE COMPLYING WITH THE FACTORIES ACT? ARE THERE PENALTIES FOR NON-COMPLIANT COMPANIES?**

- i. We ensure compliance by conducting workplace inspections – these could be random, routine/periodic. They could come about as a result of a request from an employer, complaints from workers. Forms include: during construction phase of factory; while the factory is operational; during decommissioning of plant or factory.
- ii. Penalties include: suspension of work in the factory; decommissioning any part of plant, machinery, building or work process within a factory; Fines.

**21. WHAT CIRCUMSTANCES MAY COMPEL COMMENCEMENT OF A LEGAL ACTION AGAINST A FACTORY OWNER?**

- i. Where inspectors have been intentionally obstructed in the lawful execution of their duties;
- ii. Upon establishing that false information has been given willfully with the intention to deceive in relation to a matter that gives rise to significant risk;
- iii. Failure to comply with the suspension of work or closure of a factory as instructed by the Chief Inspector of factories;
- iv. Work carried out without a Certificate of Registration of a Factory;
- v. Operating pressure vessels and lifting machinery without appropriate certification;
- vi. None reporting of occupational accidents and diseases;
- vii. Failure to comply with the recommendations of an inspector's report that was subject to a formal warning; and,
- viii. Accident leading to death due to breach of the factories act.

**22. WHAT WOULD LEAD TO ISSUANCE OF NOTICE TO CLOSE A FACTORY OR SUSPEND WORKS?**

The chief inspector of factories has powers to close a factory or suspend works if he/she is of the opinion that any building, machine, or practice in a factory is dangerous or defective to constitute a threat to the safety or health of any worker.

**23. WHEN ARE WRITTEN NOTICES EXPECTED TO BE SUBMITTED TO THE DEPARTMENT?**

- i. Prior to commencement of construction works;
- ii. When submitting periodical returns of persons employed in an establishment as determined by inspectors; and,
- iii. When occupational accidents that cause death or prevents an employee from work for a period of three days occur.
- iv. When registering a new factory and
- v. When registering an already existing factory if they changing the product or location

**24. WHAT SHOULD EMPLOYERS DO IN CASE OF DANGEROUS OCCURRENCES?**

Dangerous occurrences such as explosion of a boiler or collapse of a crane should be reported on the same prescribed form as used for ordinary occupational accidents

**25. WHAT IS THE COMPANY PROCEDURE FOR REPORTING ACCIDENTS?**

Section 76 of the Factories Act requires the employer to send written notice of the accident to an inspector on Form F6.

**26. WHAT TYPE OF OCCUPATIONAL ACCIDENTS/INCIDENCE SHOULD BE REPORTED?**

All Accidents are reportable. However, notification of Accidents and Dangerous Occurrences are reported in the cases where they cause loss of life or disabling a worker for more than three working days from earning full wages at the work at which he/she was employed. The accident must be reported immediately to the Department of Occupational Health and Safety and entered in the General Register. The near miss should also be entered in the register for future further reference as it will be checked by the inspector during inspections.

**27. WHAT TYPE OF MACHINERY OR EQUIPMENT SHOULD BE TESTED AND EXAMINED?**

The Department tests and examine all types of plant and machinery in the factories. For statutory compliances, certain plant and machinery are tested and examined these include pressure vessels and lifting equipment.

**28. WHAT ARE THE DUTIES OF MEDICAL PRACTITIONERS UNDER THE FACTORIES ACT?**

Any medical practitioner attending to a patient who is believed to be suffering from any industrial diseases as listed in the second schedule to the Act, will be required to report the matter to an inspector. Any doctor who fails to submit any such report is liable to a fine.

**29. WHAT RECORDS SHOULD BE KEPT BY AN EMPLOYER?**

- i. Certificate of Registration of a factory;
- ii. General Register of a factories;
- iii. Register of chains, ropes, lifting tackle and other lifting machines;
- iv. Abstract of the Act poster;
- v. Treatment for electric shock poster; and,
- vi. Boiler book
- vii. Accidents register Book

**30. WHAT ARE GENERAL DUTIES OF FACTORY OWNERS?**

- i. To ensure the whole establishment is safe for persons to work;
- ii. To provide personal protective equipment and clothing;
- iii. To provide competent persons to carry out specific tasks;
- iv. To provide supervision and training to workers;
- v. To report industrial accidents to relevant authorities; and,
- vi. To provide first aid facilities



### **31. WHAT ARE THE DIFFERENCES BETWEEN DEPARTMENT OF OCCUPATIONAL SAFETY AND HEALTH SERVICES AND OCCUPATIONAL HEALTH AND SAFETY INSTITUTE?**

- i. The Department of Occupational Safety and Health Services (OSHS) is a fully-fledged Government Department, whereas the Occupational Health and Safety Institute (OHSI) is a statutory body constituted by an Act of Parliament, the OHS Act No. 36 of 2010.
- ii. Oversight over OHSI is provided by a Board of Directors which reports to the Minister of Labour and Social Security, whereas the Department of OSHS is headed by a Director and assisted by Three (3) Inspectors of Factories.
- iii. Day-to-day management of the Institute is overseen by an Executive Director assisted by a Deputy Director and other Managers overseeing various functions.
- iv. Functions under the OHSI include the carrying out of pre-employment, during-employment, post-employment medical examinations and occupational hygiene surveys.

### **32. WHERE ARE WE FOUND?**

Geographical spread: Lusaka- HQ; Ndola; Kitwe and Choma. Solwezi and Kabwe soon to be fully established.

## **CHAPTER THREE**

### **OCCUPATIONAL HEALTH AND SAFETY INSTITUTE**

The Occupational Health and Safety Institute (OHSI) is a Statutory Body established under the Occupational Health and Safety Act No. 36 of 2010, to help employers in all sectors provide protection of both employees and other persons against risks to health or safety arising from their undertaking.

#### **1. WHY WAS THE INSTITUTE ESTABLISHED?**

The Institute was established under the Occupational Health and Safety (OSH) Act No.36 of 2010. We exist to ensure that workers in the productive sectors remain healthy and operate in safe and healthy work environment.

A healthy worker is a motivated and productive worker; therefore, the Institute contributes to the growth of the industries and the economy of Zambia through increased production in line with the Zambia's Eighth National Development Plan.

#### **2. WHAT DOES THE INSTITUTE DO?**

To ensure a productive workforce, safe and healthy work environment. The Institute provide the following services to all the industries in Zambia:

##### **A. Primary level of Care (Prevention):**

Surveillance on work place environment is done by the Industrial Hygiene Department and the following services are provided:

- i. Risk Assessments- identification of hazards, assessing the risk and advising on the control measures to put in place;
- ii. Job Safety Analysis- Assessing risk as a result of exposure while performing the duty;
- iii. Exposure Assessments- identification and quantification of workplace exposure;
- iv. Ergonomics Assessment- Assessing the risk factors at worker-workstation/environment interphase;
- v. Dust sampling- Collection and measurement of dust at workplaces;
- vi. Air Quality Monitoring- measurement air contaminants in workplaces;
- vii. Thermal Conditions Assessment- measurements/monitoring of temperatures in workplaces; and,
- viii. Noise sampling- measurement of noise in workplaces.

**B. Secondary Level of Care (Diagnosis and Management):**

Medical Screening and surveillance (all sectors-Mines, Agriculture, Construction, Hospitality industry etc)

- i. Types of screening include; Pre-employment, Periodic, Exit and Retirees medical examinations
- ii. Assessment for compensation purposes
- iii. Comprehensive Health Check-up- checking health status offered to whoever is interested
- iv. Other services which include First-Aid Health promotion- Wellness programmes (Non-Communicable Diseases, smoking, diet, exercises, alcoholism)

**3. WHICH SECTORS DOES THE INSTITUTE ATTEND TO?**

- i. Mining sector
- ii. Other sectors such as Agriculture, Processing and Distribution; Construction, Transportation, Hospitality, Commerce and Trade etc).

**4. HOW DIFFERENT ARE THE SERVICES OFFERED BY OSHI DIFFERENT FROM THOSE OFFERED BY OTHER HEALTH FACILITIES?**

Our services are unique because they are offered to workers in all workplaces, whether sick or not. They are tailor-made, offered in line with the OHS Act and other relevant OHS laws. Decisions are made by a panel of specialised doctors in diseases found in workplaces and are able to certify an occupational disease. In addition, they recommend for compensation in line with OHS laws.

**5. HOW LONG DOES IT TAKE TO ISSUE A MEDICAL CERTIFICATE?**

Express certificate is issued same day and ordinary is issued after 3 working days.

**6. ARE THERE PLANS TO OPEN MORE BRANCHES IN OTHER TOWNS?**

The Institute has plans to open more OHS centres in other towns to ensure ease of access to clients depending on the availability of resources.

## **7. HOW DOES ONE ACCESS YOUR SERVICES IN AREAS WHERE YOU ARE NOT FOUND?**

Outreach services are provided throughout the country. Get in touch with the Institute for outreach services.

We have offices at the following locations:

- i. Kitwe Main Office: Corner of Independence Avenue and Langashe Street, P.O. Box 20205, Kitwe.
- ii. Solwezi OHS Centre: Plot No.17327, Off Old Chingola
- iii. Lusaka OHS Centre: 26 Mushili Crescent, Northmead Opposite the Amusement Park. Contact Number: 0973869675 or 0764836633. Email: [info@ohmb.co.zm](mailto:info@ohmb.co.zm)

## **CHAPTER FOUR**

### **SOCIAL SECURITY**

The Department of Social Security is one of the key departments under the Ministry of Labour and Social Security. It is a department mainly deals with the contributory aspect of social security. However, the Department also from time to time does undertake non contributory aspects such Covid-19 emergency cash transfer (Horizontal component). The department has overall oversight of 3 statutory bodies namely:

- i. National Pension Scheme Authority (NAPSA)
- ii. Workers Compensation Fund Control Board (WCFCB)
- iii. National Health Insurance Management Authority (NHIMA)

These statutory bodies deal in pension benefits, worker injury and disease compensation, and social health insurance respectively. The Department also has a working relationship with the Pensions and Insurance Authority (PIA).

#### **1. WHAT IS THE LEGAL FRAMEWORK GOVERNING SOCIAL SECURITY IN ZAMBIA?**

The following are some of the Legal Frameworks Governing Social Security in Zambia:

- i. The Constitution of the Republic of Zambia, Cap 1
- ii. Benefits of Former Presidents Act Cap. 15
- iii. The Defense Force Act Cap 106
- iv. The Pension Scheme Regulation Act No. 28 of 1996 (As amended in 2005)
- v. The Presidential Emoluments Act Cap 260
- vi. The Ministerial and Parliamentary Offices (Emolument) Act Cap 262
- vii. The Constitutional Offices Emoluments Act Cap 263
- viii. The Judges (Conditions of Service) Act Cap 277
- ix. The Widows and Orphans Pension Act Cap 279
- x. The Non –Designated Expatriate Officers (Retirement Benefits) Act Cap 280
- xi. National Pension Scheme Act No. 40 of 1996
- xii. Workers Compensation Act No. 10 of 1999
- xiii. National Health Insurance Act No.2 of 2018.
- xiv. The Public Service Pension Act No. 35 Of 1996
- xv. Local Authorities Superannuation Fund CAP 284 of the Laws of Zambia
- xvi. The Employment Code Act No.3 of 2019
- xvii. The Income Tax Act 2008

## **2. WHAT ARE THE KEY INTERNATIONAL POLICIES AND LEGAL INSTRUMENTS ON SOCIAL SECURITY IN ZAMBIA?**

There is a link between social security and the labour laws as recognized within the Zambian legal system. These legal frameworks are drawn from the United Nations (UN), International Labour Organization (ILO), African Union (AU) and Southern African Development Community (SADC) Instruments. The most important legal instrument for social security under international and regional laws are follows:

- i. Universal Declaration of Human Rights (Art 22 and 25)
- ii. Social Security (Minimum Standards) Convention 102 of 1952
- iii. Social Security Floors Recommendation No. 202 of 2012
- iv. SADC Charter of Fundamental Social Right in the SADC, 2002
- v. Code of social security in SADC, 2007
- vi. Protocol to the African Charter on Human and People's Rights on the rights of citizens to Social Protection and Social Security.

## **3. WHAT IS THE SOCIAL SECURITY SYSTEM IN ZAMBIA?**

Zambia has a Multi-Pillar Social Security system. This comprises of the first tier represented by NAPSA, the second tier registered by the Pensions and Insurance Authority (PIA), individual Pension plans and the forth tier which comprises of Social assistance benefits under the Ministry of Community Development and Social Services.

## **4. WHAT IS THE RETIREMENT AGE REGIME IN ZAMBIA?**

The retirement age in Zambia was last revised in 2016. Arising from this revision the following are the applicable retirement age options:

- i. 55 – Early retirement
- ii. 60 – Statutory Retirement age (normal retirement age)
- iii. 65 – Late retirement (at the employer's discretion)

## **5. WHAT IS A PENSION SCHEME?**

A pension scheme (or pension plan) is a long-term saving plan that helps you save for the future. A pension scheme allows you to make regular payments and/or transfer one-off lump sums into a fund for retirement. The amounts saved in your pension account are called 'contributions'.

## **6. WHAT IS PRE AND POST RETIREMENT PROGRAMME AND WHY IS IT IMPORTANT?**

The Pre and Post Retirement Programme is mainly meant to prepare workers for retirement. It provides employees with information to assist them in making sound decisions in preparation for retirement as well as monitor the progress and livelihoods of those that have retired. This programme are important because it helps to prepare workers, potential retirees and senior citizens psychologically and financially on retirement issues as well as building financial management capacity among potential retirees and senior citizens.

## **7. WHAT MEASURES HAVE BEEN PUT IN PLACE TO EXTEND SOCIAL SECURITY COVERAGE TO THE INFORMAL ECONOMY?**

Government attaches great importance to extending social security coverage to the Informal economy, which employs over 87% of workers of the labour force. The Extension of Social Security Coverage will entail additional people to be covered by social security schemes which are currently not covered due to their status in terms of employment as well as the nature of their employment.

To this effect Government through the Ministry of Labour and Social Security has implemented the following measures:

- i. The Minister of Labour and Social Security issued Statutory Instrument No.72 of 2019
- ii. The Minister of Labour and Social Security issued Statutory Instrument No 13 of 2021

However, Government is working towards developing a National Strategy on extension of Social Security coverage to the informal economy;

## **8. WHAT ARE PENSION REFORMS?**

Government is undertaking some changes to the pension system on the continuous to the basis with the view to strengthen the system. It is envisaged that the system will become comprehensive to the needs of the people.

## **9. WHAT IS THE GREVANCE PROCEDURE UNDER SOCIAL SECURITY?**

The complainant submits a complaint letter to the office of the Permanent Secretary and the matter will be referred to the Department of Social Security who refer the matter to the statutory bodies and the matter will resolved through the service charter of the Ministry.

## CHAPTER FIVE

### NATIONAL PENSION SCHEME AUTHORITY (NAPSA)

#### 1. WHAT IS THE NATIONAL PENSION SCHEME AUTHORITY (NAPSA)?

NAPSA is a statutory organization that was established through Act no. 40 of 1996. NAPSA started its operations in February 2000. Its core business is to provide income security against the risk of Old Age, Invalidity and Death.

#### *MEMBER REGISTRATION WITH NAPSA*

#### 2. WHEN DID NAPSA START REGISTERING MEMBERS?

NAPSA has been registering members since February 2000. Membership to NAPSA is for both formal and informal sector workers.

#### 3. WHO IS ELIGIBLE TO REGISTER WITH NAPSA?

Membership to NAPSA is open to all income earners in both the formal and informal sectors between the ages of 16 to 65 years.

#### 4. IS IT MANDATORY TO BELONG TO NAPSA?

Yes, it is mandatory for all income earners to belong to NAPSA.

#### 5. HOW CAN ONE BECOME A MEMBER OF NAPSA?

A person can become a member of NAPSA by registering through the online platform on [eNAPSA - National Pension Scheme Authority](#)

- i. For employed persons (formal sector workers), registration can be facilitated by an employer and the employee can also register themselves through eNAPSA.
- ii. For self-employed persons (informal sector workers), registration can be done through an agent, NAPSA office or by self through eNAPSA.

However, employers, employees and self-employed persons are still encouraged to visit the nearest office for registration assistance.



**6. WHAT DOCUMENTS SHOULD ONE SUBMIT WHEN REGISTERING WITH NAPSA?**

The potential member needs to submit their NRC copy only.

**7. WHO IS RESPONSIBLE FOR REGISTERING MEMBERS WITH NAPSA?**

For the formal sector, it is the obligation of the employer to register its employees through eNAPSA online platform within one month of employing.

For self-employed persons, they are individually responsible for their NAPSA registrations.

**8. HOW MANY TIMES IS A MEMBER EXPECTED TO REGISTER WITH NAPSA?**

A Member can only register with NAPSA once, and assigned a permanent social security number which is linked to their NRC Number. However, they are mandated to amend their records when they have a change in status like employment, physical address, marital status and when there is a birth or death of a child in the family.

***NAPSA CONTRIBUTIONS UNDER THE FORMAL SECTOR*****9. WHAT ARE PENSION CONTRIBUTION RATES UNDER NAPSA?**

The contribution rate for formal sector workers currently stands at 10% of the gross monthly income of the member shared equally between the employer and employee, broken down as follows ;5 percent contribution by the employer and 5 percent contribution by the employee. For example, if the gross wage is K1, 000. 00, K50. 00. is deducted from the employee and the employer adds an equivalent amount (K50. 00.) so that K100. 00. is remitted to NAPSA on behalf of the employee.

**10. WHAT IS THE MAXIMUM A MEMBER CAN CONTRIBUTE AT A GIVEN TIME?**

The monthly contribution rate for the member is subject to a ceiling amount, and is revised annually in line with National Average Earnings (NAE). For 2023, the ceiling amount stood at ZMW 1,342.00.

**11. HOW CAN A MEMBER REMIT CONTRIBUTIONS FOR NAPSA?**

Under the formal sector, member contributions are made through their employer on eNAPSA, using USSD code \*677#

**12. WHEN ARE CONTRIBUTIONS DUE FOR PAYMENT?**

Contributions are due at the month end. However, there is a grace period up to the 10<sup>th</sup> of the following month. If the 10<sup>th</sup> falls on a public holiday or weekend, then the next working day becomes the deadline.

**13. HOW OFTEN CAN A MEMBER REMIT THEIR CONTRIBUTION TO NAPSA?**

Contributions are remitted monthly. However, an employer can remit in arrears for any unpaid periods or in advance up to December of that year.

**14. ARE THERE PENALTIES FOR NONE OR LATE REMITTANCE OF CONTRIBUTIONS?**

Yes. The NPS Act was amended in December 2022 to reduce the penalty rate from 20% to 10% for each month the contribution remains unpaid.

**15. WHAT HAPPENS TO A WORKER'S UNREMITTED CONTRIBUTION ARREARS?**

Once the case is reported, the employer will be assessed by NAPSA and made to pay all the contribution arrears for the worker plus the applicable penalty. If the employer does not still make good, NAPSA is mandated by the National Pension Scheme Act No. 40 of 1996 to prosecute such an erring employer.

**16. HOW CAN A MEMBER CHECK THEIR NAPSA CONTRIBUTIONS?**

A member can check their NAPSA contribution statement through eNAPSA after successful signup, by visiting any NAPSA Office or by dialing short code \*677#, .

**17. WHAT HAPPENS TO THE CONTRIBUTIONS IF A MEMBER DIES?**

When a member dies, benefits are paid to the surviving immediate family. Two benefits; Survivors Benefit and Funeral Grant is paid to the deceased's spouse and biological or legally adopted children. If there is no spouse and children, the benefits are paid to the administrator. To qualify for Funeral Grant, the deceased member must have had a minimum of 12 months contributions in the last three years before the death of a member.

**18. IS IT POSSIBLE FOR THE EMPLOYER TO MAKE CONTRIBUTIONS IN ADVANCE ON BEHALF OF WORKER(S)?**

Yes, contributions in advance are allowed limited to the current year.

**19. DOES THE EMPLOYER WHO PAYS UPFRONT GET REIMBURSED IN THE EVENTS OF AN EMPLOYEE'S DISMISSAL?**

Yes, the reimbursement can either be outright pay back, or through the transfer of contributions to the newly hired worker on the employer's NAPSA account.

***BENEFITS UNDER THE FORMAL SECTOR*****20. WHAT IS THE BENEFIT TO THE EMPLOYER FOR REGISTERING AND CONTRIBUTING TO NAPSA?**

The benefits of contributing to NAPSA is that, it relieves employers from the financial burden of funeral costs of a worker in times of death, or injury or old age and also prevents possible litigations. Further, NAPSA compliant status gives employers an opportunity to participate in bids and tenders as NAPSA compliance is mandatory during tender processes. Further, workers whose contributions are remitted to the scheme tend to be motivated and more productive at the workplace.

**21. WHAT ARE THE BENEFITS PAID UNDER NAPSA?**

Under the formal sector, NAPSA offers three principal (long term) benefits and two short-term benefits. These are as listed below.

**LONG TERM BENEFITS**

- i. Retirement Pension is a monthly income paid to a member who reaches retirement age of 55/60 years and has made at least 180 monthly contributions.
- ii. Invalidity Pension is paid to a member who gets incapacitated and unable to engage in gainful employment due to sickness or injury.
- iii. Survivor's pension is paid on the death of a member to spouse(s) and biological or legally adopted children who are below the age of 18 and those between 18 to 25 years if they are in full time education

**SHORT TERM BENEFITS**

- i. Pre-retirement benefit is a one-off benefit paid to members before attaining retirement age. This benefit is paid at 20% of total paid contributions with interest and indexation to a member who has made at least 60 months contributions (5 years) or has attained the age of 45.
- ii. Funeral Grant is paid to the spouse/administrator when a member dies and is aimed at granting the deceased member a dignified burial.

**22. WHAT HAPPENS WHEN A MEMBER FALLS SHORT OF THE MINIMUM NUMBER OF CONTRIBUTIONS TO QUALIFY FOR A PENSION?**

If a member reached retirement age and has made less than 180 monthly contributions, they will be paid a lump sum payment.

**23. HOW MUCH IS THE FUNERAL GRANT?**

Funeral Grant is standard for every member and is also adjusted (usually increases) every year in line with the National Average Earning of that year. For example., in 2023, Funeral Grant is K13,420.00.

**24. HOW MUCH IS THE PENSION AMOUNT THAT NAPSA PAYS TO A PENSIONER?**

A Pension is calculated using a formula whose components are average indexed monthly income, accrual rate and number of months of pensionable employment. Pensioners who fail to meet the minimum set pension for a particular year are uplifted to the minimum pension amount e.g., in 2023, minimum pension is ZMW1, 340. 00 and the highest pensioner as at August 2023 stood at ZMW 8,094.33

NAPSA income replacement ratio is up-to a maximum of 40%.

**25. WHAT SHORT TERM BENEFITS DOES NAPSA PAY TO ITS MEMBERS?**

NAPSA pays out two short term benefits; The Pre-Retirement Benefit and Funeral Grant benefit when a member dies.

**26. WILL I GET MY BENEFITS IF I DON'T MEET THE 180 MINIMUM MONTHLY CONTRIBUTIONS?**

Yes, if a member does not reach 180 months of contributions which is a requirement for a pension, they will be paid a lump sum payment. A Lump sum amount is calculated based on total employer and member contributions, indexation to counter effects of inflation, and interest

**27. HOW DO I ACCESS/APPLY FOR MY BENEFITS?**

Benefits are accessible by visiting the nearest NAPSA office or through an online application for self-claims via eNAPSA platform.

**28. HOW LONG DOES IT TAKE TO RECEIVE A BENEFIT FROM NAPSA AFTER SUCCESSFULLY SUBMITTING A CLAIM?**

If all records and requirements are complete, a benefit payment is settled within 21 days of logging in a claim.

- i. For Pre-Retirement benefit, payments are made within 24 hours after successful submission of the claim online.
- ii. For Normal Retirement benefit, if all records and requirements are complete, the pensioner is added on the pension payroll within 30 days. The pension pay day is 15<sup>th</sup> of every month.
- iii. For retirement Lumpsum benefit; if all records and requirements are complete, payment is made within 14 days.
- iv. For Funeral grant, once death is verified and confirmed payment is made within 48 hours
- v. Survivors Benefit once death is verified and confirmed payment is made within 18 days

**29. WHEN A WORKER STOPS WORK, CAN THEY CLAIM THEIR NAPSA BENEFITS?**

A member can only claim their NAPSA benefits if they have reached the retirement age of 55/60 years (or Early retirement age at 50 years if they became member of the scheme before 14<sup>th</sup> August 2015 and 55 years if they became members of the scheme after 14<sup>th</sup> August 2015 when the retirement was amended), or they become invalid before their retirement age. However, with the amendment of the NPS Act, a member who has lost employment can claim their Pre-Retirement Benefit as long as they have made at least 60 months of contributions or are 45 years old and have never claimed before.

***PRE-RETIREMENT LUMP SUM BENEFITS*****30. HOW LONG IS THE WAITING PERIOD FOR THE ONE TIME PIN (OTP) AFTER SIGNING UP?**

- i. Ordinarily feedback must come within 24hrs.
- ii. When they have received a reference number, members should simply wait for further feedback from the Authority.

**31. HOW DOES A MEMBER UPDATE AND RESET EMPLOYMENT HISTORY?**

- i. After signing in on the online services platform under claim pre-retirement benefit, click employment history.
- ii. If you are updating your employment history for the first time, the names of all the employers who contributed on your account will auto-populate and only prompt you to enter the duration of your employment (i.e., start and end dates).
- iii. For those who already updated their employment history and made mistakes, you have a provision to reset your employment history and capture it correctly by going to manage account, employment history and selecting the reset option.
- iv. Once you reset, the names of all the employers who contributed on your account will auto-populate and only prompt you to enter the duration of your employment (i.e., start and end dates).

Note that this option is only available on accounts that have not yet initiated a claim

**32. WHAT MAY CAUSE A REDUCTION IN THE NUMBER OF CONTRIBUTIONS AND BENEFIT PAYOUT AS A MEMBER CLAIMS THEIR PRE-RETIREMENT LUMP SUM BENEFIT (PARTIAL WITHDRAW)?**

- i. When updating the employment history, a member may indicate that they did not work under a particular employer in a specific period when they actually worked. The system will allow members to edit their responses before they make the claim. For those who already claimed 20%, the remaining contributions including for periods mistakenly excluded by members, will go towards the final payment at retirement

- ii. The employer having only submitted returns without paying the actual contribution affects the amount payable to the member. Payment of Pre-Retirement benefit is based on the contributions sitting on the account and have been paid for.

### **33. HOW DOES THE ABILITY TO UPDATE EMPLOYMENT HISTORY HELP TO RESOLVE CONTRIBUTION-RELATED ISSUES?**

It is important for members to provide their employment history to aid in the resolution of missing month(s) or contribution(s) made in error and ensure that the correct benefit amount is paid to them. Despite receiving your contributions, the Authority may not know the exact duration of your employment and thereby enforce compliance incorrectly without the member submitting their employment history.

Members are encouraged to ensure that they enter the correct employment history and attend to all flagged issues before proceeding to initiate the pre-retirement benefit claim.

- i. **Missing Contributions:** Since the system is auto populating the employers who contributed on a member's account, it is expected that members will have an opportunity to submit the correct employer names and reduce on false missing contributions arising from capturing wrong employer names.  
Secondly, in case a member captures wrong start and end dates thus triggering erroneous missing months, they'll have an opportunity to indicate whether they worked or not in those missing periods as a mandatory feature or alternatively, reset their employment history and submit the correct employment duration.
- ii. **Stray Contributions:** Since the system is auto populating the employers who contributed on a member's account, it is expected that members will have an opportunity to submit the correct employer names and reduce on false stray contributions arising from capturing wrong employer names.  
Secondly, in case a member captures wrong start and end dates thus triggering erroneous stray months, they'll have an opportunity to indicate whether they worked or not in those stray periods as a mandatory feature or alternatively, reset their employment history and submit the correct employment duration to clear all stray contributions.
- iii. **Multiple Contributions:** Since the system is auto populating the employers who contributed on a member's account, it is expected that members will have an opportunity to submit the correct employer names and reduce on false multiple contributions arising from capturing wrong employer names. Secondly, in case a member captures wrong start and end dates thus triggering erroneous flagged multiple contribution months, they

- iv. will have an opportunity to reset their employment history and declare the correct employment duration to clear all multiple contribution flagged issues.

### **34. HOW CAN ONE RESET SECURITY QUESTIONS WHEN THEY FORGET THE ANSWERS OR MAKE A MISTAKE?**

Members can reset their security questions should they forget their answers or encounter another challenge related to security questions. This feature can be accessed under 'Manage Profile'.

### **35. WHICH BANKS ARE ON THE NAPSA e-Services PLATFORM?**

Currently the List of banks on board stands at 12

- i. ATLASMARA BANK – ATLASMARA
- ii. ABSA BANK ZAMBIA PLC – ABSA
- iii. ECOBANK ZAMBIA LIMITED – ECOBANK
- iv. FIRST CAPITAL BANK ZAMBIA – FCB
- v. FIRST NATIONAL BANK ZAMBIA LIMITED – FNB
- vi. INDO ZAMBIA BANK LIMITED – INDO
- vii. INVESTRUST BANK PLC – INVESTRUST
- viii. STANBIC BANK ZAMBIA LIMITED – STANBIC
- ix. UNITED BANK FOR AFRICA ZAMBIA LIMITED – UBA
- x. ZAMBIA INDUSTRIAL COMMERCIAL BANK PLC – ZICB
- xi. ZAMBIA NATIONAL COMMERCIAL BANK PLC – ZANACO
- xii. STANDARD CHARTERED BANK

### **36. WHAT ARE SOME OF THE SECURITY TIPS FOR MEMBERS?**

- i. Protect your NAPSA account as diligently as you would a BANK Account
- ii. Do NOT share your NAPSA log in details with anyone including NAPSA staff. Should you need assistance, visit a NAPSA office near you or contact our customer care on (provided email, phone number and website details)
- iii. Do not access your NAPSA account on public Wi-Fi -When you are on public Wi-Fi, hackers can more easily access your computer and steal personal information from it.
- iv. Avoid saving or writing down your NAPSA login information - Some websites give you the option to save your login information for future use, but if someone uses your computer or mobile device after you, they could gain access to your eNAPSA Account.
- v. Use strong passwords and change them often -Strong passwords have a mix of upper- and lowercase letters, numbers, and symbols. You should also change your password



every couple of months and use different passwords for all your online accounts so hackers will have a harder time gaining access to your information.

- vi. Do not share ANSWERS to security questions with anyone including NAPSA staff.

### **37. WHERE CAN ONE GO TO MAKE A CLAIM?**

- i. To make your claim, simply go to [www.napsa.co.zm/online-services](http://www.napsa.co.zm/online-services) and make your claim
- ii. For assistance on how to claim, visit our page <https://www.napsa.co.zm/guides/> and download a step-by-step guide on how to make your claim. You can also visit the nearest NAPSA office. This information, including videos, is also available on our various social media platforms.

### **38. HOW DO I GET TO LEARN MORE ABOUT THE NATIONAL PENSION SCHEME AUTHORITY?**

By visiting any nearest NAPSA office, logging on to our website on [www.napsa.co.zm](http://www.napsa.co.zm), or by contacting our call centre on toll free number 677 or +260 211 395677. You can also email us on [info@napsa.co.zm](mailto:info@napsa.co.zm) or follow us on twitter and like us on Facebook.

### ***CONTRIBUTIONS UNDER THE INFORMAL ECONOMY/SECTOR***

### **39. WHAT IS THE MINIMUM PENSION CONTRIBUTION RATE UNDER NAPSA INFORMAL ECONOMY?**

The minimum contribution rate for informal sector members currently stands at 5.4% of the average monthly income for self-employed in that year. For 2023, the amount stood at ZMW 54.00 (fifty-four kwacha only).

### **40. WHAT IS THE MAXIMUM AMOUNT THAT A MEMBER CAN CONTRIBUTE AT A GIVEN TIME?**

The maximum contribution rate (ceiling amount) from the member stands at ZMW 1, 342. 00 per month as at 2023 and is revised annually in line with National Average Earnings (NAE).

**41. HOW CAN A MEMBER REMIT CONTRIBUTIONS FOR NAPSA?**

A member can remit contributions through an agent, and by themselves (by dialing \*677# and choosing option 3 for self-employed, and option 3 again for make contribution).

**42. WHEN ARE CONTRIBUTIONS DUE FOR PAYMENT?**

Contributions are due at the month end, However, for informal sector members contribution payments are flexible and can be paid daily, weekly, monthly, quarterly or yearly to suit the varying income patterns.

**43. HOW OFTEN CAN A MEMBER REMIT THEIR CONTRIBUTION TO NAPSA?**

A member can make contributions daily, weekly, monthly, quarterly or yearly depending on their income pattern.

**44. ARE THERE PENALTIES FOR NON OR LATE REMITTANCE OF CONTRIBUTIONS?**

No, there are no penalties charged under the informal sector.

**45. WHAT HAPPENS TO A MEMBER'S UNREMITTED CONTRIBUTION ARREARS?**

The worker can remit contributions and recover for the months within that year.

**46. HOW CAN A MEMBER CHECK THEIR NAPSA CONTRIBUTIONS?**

By visiting any NAPSA Office or by dialing short code \*677#, via eNAPSA online platform, or by calling the NAPSA call Centre number +260 211-395 677 or toll-free number 677 on their mobile phones

**47. WHAT HAPPENS TO A MEMBER'S CONTRIBUTIONS IF THEY DIE?**

Survivors Benefit and Family Funeral Grant is paid to your spouse and children. If there is no surviving spouse or children, the benefits are paid to the administrator. To qualify for Family Funeral Grant, there must be 12 months contributions in the last three years from death of member.

***BENEFITS UNDER THE INFORMAL SECTOR***

#### **48. WHAT IS THE RANGE OF BENEFITS PROVIDED BY NAPSA UNDER THE INFORMAL SECTOR?**

Under the informal sector, NAPSA offers three principal benefits and four short-term benefits. These are as listed below.

##### **Long Term Benefits**

- i. Retirement Pension is a monthly income paid to a member who reaches retirement age of 55/60 years and has made at least 120 monthly contributions.
- ii. Invalidity Pension is paid to a member who gets incapacitated and unable to engage in gainful employment due to sickness or injury.
- iii. Survivors pension is paid to spouse(s) and children of the deceased member when the member dies.

##### **Short Term Benefits**

- i. Family Funeral Grant covers the principal member, spouse and registered children and dependents up to a maximum of six per household. The amount payable changes from year to year in line with changes in the national Average Earnings, and for 2023, Funeral Grant payable in case of death of principal member or spouse and registered child or dependent stood at K 2,684.00 and K1,342.00 respectively.
- ii. Maternity benefit paid every 24 months to a contributing female member up-to a maximum of 6 live births. The payable amount varies from year to year, and it stood at K1,730.78 in 2023.
- iii. Weather index insurance is included in the benefit package as a sweetener and is administered by a third-party insurance firm. This covers risks of floods and draughts, and the member must pay a separate premium to access this service.
- iv. Access to credit is another sweetener included in the benefit package. NAPSA, working in collaboration with Zambia Industrial Commercial Bank (ZICB) provides access to micro loans to self-employed informal sector workers that take up NAPSA membership and make a number of contributions. The loans are offered at an affordable rate of 2.5% and have a short tenure of up to 3 months.

**49. WHAT HAPPENS WHEN A MEMBER FALLS SHORT OF THE MINIMUM NUMBER OF CONTRIBUTIONS TO QUALIFY FOR A PENSION?**

If a member reached retirement age and has made less than 120 monthly contributions, they will be paid a retirement lumpsum which is a once off benefit.

**50. HOW ARE PENSION BENEFITS FOR THE INFORMAL SECTOR CALCULATED?**

A Pension is calculated using a formula whose components are average indexed monthly income, accrual rate and number of months of pensionable employment. Pensioners who fall short of the minimum pension payable tend to benefit more as they are uplifted to the minimum pension amount which NAPSA pays, and it increases every year for example in 2023, minimum pension for 2023 stood at ZMW 447.33.

**51. WHAT SHORT TERM BENEFITS DOES NAPSA PAY TO ITS INFORMAL SECTOR MEMBERS?**

- i. Maternity Benefit;
- ii. Family Funeral Benefit;
- iii. Weather Index Insurance; and,
- iv. Access to Credit

**52. HOW CAN ONE ACCESS/APPLY FOR THEIR BENEFITS?**

NAPSA Benefits under informal sector are accessible by visiting the nearest NAPSA office.

**53. HOW LONG DOES IT TAKE TO RECEIVE A BENEFIT FROM NAPSA AFTER LODGING IN A CLAIM?**

If all records and requirements are complete, benefits are settled within 21 days of logging in a claim.

**54. IF WORKERS STOP WORK, WOULD THEY CLAIM THEIR NAPSA BENEFITS?**

A member can only claim their NAPSA benefits if they have reached the retirement age of 60 years, or they become invalid before their retirement age.

**55. HOW WOULD ONE LEARN MORE ABOUT THE NATIONAL PENSION SCHEME AUTHORITY?**

By visiting any nearest NAPSA office, logging on to our website on [www.napsa.co.zm](http://www.napsa.co.zm), or by contacting our call centre on toll free number 677 or +260 211 395677. You can also email us on [info@napsa.co.zm](mailto:info@napsa.co.zm) or follow us on twitter and like us on Facebook. Contact us on: address

## **CHAPTER SIX**

### **WORKERS COMPENSATION FUND CONTROL BOARD (WCFCB)**

#### **1. WHAT IS WORKERS COMPENSATION FUND CONTROL BOARD?**

A Social Security Institution whose mandate is to compensate workers who get injured or contract diseases or die in the course of duty.

#### **2. WHO IS ELIGIBLE TO REGISTER WITH WCFCB?**

All employers and self-employed persons carrying out business activities in Zambia with the exception of the civil service, defense forces and the police service.

#### **3. IS WCFCB REGISTRATION MANDATORY?**

Yes, WCFCB registration is mandatory for all categories of employers with the exception of the civil service, defense forces and the police service.

#### **4. HOW CAN ONE BECOME A MEMBER OF WCFCB?**

By registering your establishment with WCFCB within 14 days of commencing business, this should be followed by the submission of estimates of earnings in respect of your workers through the web-portal (E-Workers Online)

#### **5. WHERE CAN ONE REGISTER WITH WCFCB?**

WCFCB has a network of twenty-two (22) branches dotted around all the 10 provinces in Zambia where information on registration and clarifications on operations of the fund can be obtained.

#### **6. WHAT ARE THE ADVANTAGES OF JOINING WCFCB?**

- i. The worker gets to be compensated for the disability suffered following the accident or contracts an occupational disease.
- ii. The employer is protected against law suits taken by injured workers provided negligence on the part of the employer is not the cause of the accident.
- iii. Registration with WCFCB will also promote your business growth by contributing to productivity of workers and reduced business costs incurred due to workers injuries and sicknesses.

- iv. The members can also benefit from rehabilitation programmes where workers are trained with the view of integrating them to work.

## **7. WHAT DOES ASSESSMENT OF DISABLEMENT MEAN?**

This is an act of determining the rate of disability an injured worker has suffered following the accident. A medical board is constituted to conduct the assessment of disablement. The disability is expressed in percentage terms and denotes the loss of function of the part of the body affected by the accident.

## **8. WHAT CASH BENEFITS ARE PAID BY WCFCB?**

The following benefits are paid to the injured worker:

- i. Lump sum payments
- ii. Periodical Payment
- iii. Survivors benefits
- iv. Children allowances
- v. Constant Attendance Allowance
- vi. 100% medical expense reimbursement
- vii. Life pension payments
- viii. Funeral grant (arising from occupational death).

## **9. WHEN CAN ONE GET THEIR BENEFIT FROM WCFCB?**

A member is eligible to get the prescribed benefits as soon as the assessment of disablement is determined. Employers and workers are required to report accidents that happen at the places of work to WCFCB, using the prescribed forms.

## **10. HOW ARE ACCIDENT VICTIMS COMPENSATED? IS IT SHORT OR LONG TERM?**

The type of compensation whether short term or long term depends on the degree of disablement suffered by the worker as a result of the accident. A degree of disablement awarded to the injured that is 10% and less attracts a one-off payment known as a Lump sum. For the degree of disablement awarded that is more than 10%, a life pension is given to the injured on a monthly basis.

## **11. CAN AN EMPLOYER REGISTER EMPLOYEE'S WHO ARE 55 YEARS OLD AND ABOVE? WHAT IS THE PACKAGE FOR THIS CATEGORY OF MEMBERS?**

Yes, and the package is the same for all age categories of workers. WCFCB, offers a uniform package across all workers.

**12. IS THERE A MINIMUM NUMBER OF CONTRIBUTIONS REQUIRED FOR ONE TO GET BENEFITS FROM WCFCB?**

There is no minimum number of contributions required for one to get benefits from WCFCB, what is key is the registration of the employer with WCFCB and declaration of earnings for assessment purposes.

**14. WHAT IS THE MINIMUM SALARY FOR ONE TO CONTRIBUTE TO WCFCB?**

Currently, there is no minimum salary for one to contribute to WCFCB. However, there is a maximum of K1,200.00 that can be declared in respect of the worker per month.

**13. CAN WORKERS WHO ARE NOT PAID ON MONTHLY BASIS BE ELIGIBLE TO REGISTER WITH WCFCB?**

Yes, they are eligible for registration. What is of paramount importance is for the employer to be registered with WCFCB and declaring of earnings for their workers regardless of the frequency of the remuneration.

**16. WHAT IS THE CONTRIBUTION/ASSESSMENT RATE?**

This is the rate that is applied on the assessable earnings for a business activity falling in a certain business class.

**17. HOW OFTEN ARE EMPLOYERS REQUIRED TO MAKE CONTRIBUTIONS TO THE WCFCB?**

Employers are assessed once a year and an annual contribution is made on behalf of the workers into WCFCB Fund.

**18. IS THERE A GRACE PERIOD FOR PAYMENT OF THE CONTRIBUTIONS FOLLOWING COMPUTATION OF THE ASSESSMENTS PAYABLE?**

The assessment is paid by the employer within 30 days following the assessment computation.



**19. HOW CAN ONE KNOW THAT THEIR CONTRIBUTIONS ARE REMITTED TO WCFCB?**

The worker does not make contributions to the WCFCB, instead the employer contributes to WCFCB based on the number of workers they have or project to have, the earnings they anticipate to pay their workers in a financial year considering the ceiling of K1200.00 per month

**20. WOULD WORKERS BE COMPENSATED WHEN AN ENTERPRISE IS NOT IN OPERATION?**

If the enterprise is not having business, then workers won't be required to report for work, so if they happen to be involved in an accident elsewhere they will not qualify for compensation under the Workers' Compensation Act.

**21. CAN WORKERS BE COMPENSATED WHEN THEY GET EMPLOYED BY ANOTHER EMPLOYER?**

Workers who get employed by another employer can still be covered by WCFCB provided the other employer is registered with WCFCB and the accident occurs whilst they are performing duties relating to the business of the other employer

**22. CAN ONE ACCESS THEIR BENEFITS IF THEY STOP CONTRIBUTING TO WCFCB?**

No, compensation is only triggered by an occupational injury, disease or death. Therefore, if the organization is not contributing on behalf of employees, the injured worker will not be covered.

**23. WHAT HAPPENS TO THE CONTRIBUTIONS WHEN A BENEFICIARY DIES?**

If the death arises out of work, then the benefits will be paid to the surviving spouse under the survivor's benefits. If the death is not related to work, then WCFCB will not pay any benefits

**24. WHAT ARE CONSEQUENCES OF CONCEALING A WORK-RELATED ACCIDENT?**

Workers have a right to compensation. Any employer who conceals a work-related accident is liable for prosecution under the WCFCB Act.

**25. DOES WCFCB HAVE ANY PREVENTION PROGRAMMES AIMED AT MINIMIZING ACCIDENTS AT PLACES OF WORK?**

Under the Department of Occupational Health and Safety, WCFCB conducts work place inspections with a view to ensuring that employers and workers adhere to the standard safety

procedures, sensitizing employers and workers on the good safety practices of work and also offering other programmes related to safety at places of work which are done free of charge at the request of the employer

**26. DOES THE EMPLOYER HAVE TO WAIT FOR PERMISSION FROM THE WORKERS COMPENSATION COMMISSIONER BEFORE TAKING AN INJURED WORKER TO THE HOSPITAL?**

No, an injury is an emergency. The employer is obliged to immediately take the injured worker to the hospital and report the incidence to the Commissioner within three days. Upon the acceptance of a claim, the Employer can seek for medical reimbursement that is perked at 100%.

**27. IN CASE THERE IS NEED FOR EVACUATING AN INJURED WORKER OUTSIDE THE COUNTRY, WHAT IS THE PROCEDURE THAT THE EMPLOYER SHOULD FOLLOW?**

The employer is required to notify the Commissioner of the WCFCB of the need and urgency of such an undertaking and an approval has to be granted to necessitate a refund.

**28. WOULD A DOMESTIC WORKER BE REGISTERED WITH WCFCB?**

Yes, domestic workers can be registered with WCFCB and they are required to pay a minimum of K10 per month and maximum of K120 per year.

**29. WHAT IS THE CONTRIBUTION/ASSESSMENT RATE?**

This is the rate that is applied on the assessable earnings for a business activity falling in a certain business class.

| <b>CURRENT ASSESSMENT RATES</b>                |                                 |   |  |
|--|---------------------------------|---|--|
| <b>Business Class Description</b>              | <b>Current Assessment Rates</b> | <b>Total Assessment Amount per month per worker</b> | <b>Total Assessment Amount payable per year per worker</b> |
| AGRICULTURE AND FORESTRY                       | 4.62%                           | 62.37   | 748.44   |
| BANKING FIANNCE AND INSURANCE                  | 2.40%                           | 32.4  | 388.8  |
| BUILDING CONSTRUCTION                          | 7.63%                           | 103.005   | 1236.06  |
| CHARITIES ,RELIGIOUS , POLITICAL               | 2.82%                           | 38.07   | 456.84   |
| CHEMICAL INDUSTRIES                            | 7.22%                           | 97.47   | 1169.64  |
| EDUCATIONAL SERVICES                           | 3.76%                           | 50.76   | 609.12   |
| ENTERTAINMENT                                  | 3.53%                           | 47.655  | 571.86   |
| FOOD, DRINK & TOBACCO                          | 5.93%                           | 80.055  | 960.66   |
| GLASS, BRICK SITE & ASBESTOS                   | 4.04%                           | 54.54   | 654.48   |
| IRON ,STEEL INDUSTRIES , ETC                   | 4.88%                           | 65.88   | 790.56   |
| LEATHER INDUSTIES , ETC                        | 5.63%                           | 76.005  | 912.06   |
| LOCAL AUTHORITIES                              | 5.53%                           | 74.655  | 895.86   |
| MEDICAL SERVICES                               | 3.34%                           | 45.09   | 541.08   |
| MINING (COAL AND METALS) SCHEDULED MINE        | 14.47%                          | 195.345   | 2344.14  |
| MINING ,QUARRYING INDUSTRIES                   | 14.47%                          | 195.345   | 2344.14  |
| PERSONAL SERVICES , HOTELS , ETC               | 3.72%                           | 50.22   | 602.64   |
| PUBLISHING , PRINTING PAPER                    | 5.69%                           | 76.815  | 921.78   |
| PROFESSIONAL SERVICES, ETC                     | 4.22%                           | 56.97   | 683.64   |
| TEXTILE INDUSTRIES                             | 6.03%                           | 81.405  | 976.86   |
| TRADE & COMMERCE , ETC                         | 3.37%                           | 45.495  | 545.94   |
| TRANSPORT, ETC                                 | 8.90%                           | 120.15  | 1441.8   |
| WOOD, FURNITURE INDUSTRIES                     | 7.63%                           | 103.005   | 1236.06  |
| <b>SOURCE : GAZETTE NOTICE No. 349 OF 2020</b> |                                 |   |  |

**30. HOW CAN ONE LEARN MORE ABOUT WCFCB OTHER THAN VISITING THE HEAD OFFICE OR BRANCH?****HEAD OFFICE**

Corner Broadway / Moffat Rd P.O Box 71534, NDOLA –ZAMBIA,

Tel: +260 212 61048/8

Fax: +260 212 612072,

Email: [compensation@workers.co.zm](mailto:compensation@workers.co.zm)

**NORTHERN REGION**

**CHINGOLA**, P.O Box 10698, Tel: +260 212 31151/313543

**KASAMA**, P.O Box 410167, Tel: +260 212 221427/8

**LUANSHYA**, P.O Box, 90597, Tel: +260 212 510071/ 511368

**MANSA**, P.O Box, 710268, Tel + 260 212 821535/821788

**MKUSHI**, P.O Box, 840016, Tel +260 215 362339/362267

**MPIKA**, P.O Box, 450133, Tel: +260 214 370092

**MUFULIRA**, P.O Box 40681, Tel +260 212 412542/412665

**NDOLA**, P.O Box 71672, Tel: +260 212 612453

**SOLWEZI**, P.O Box 110 128, Tel: +260 212 821283

**OCCUPATIONAL HEALTH & SAFETY**

P.O. Box 20205 Tel: +260 212 232105/ 222133, Kitwe- Zambia

**SOUTHERN REGION**

**CHIPATA**, P.O Box, 510385, Tel: +260 216 222060/222093

**CHOMA**, P.O Box 630268, Tel: + 260 213 220674/220120

**KABWE**, P.O Box 80113, Tel: +260 215 223729/223919

**KAFUE**, P.O Box 36011, Tel: +260 211 311764/360111

**LIVINGSTONE**: P.O Box 60299, Tel: +260 213 321166/ 321686

**LUSAKA**: P.O Box 31185, Tel: +260 211 228765/6 227473/227374

**MAZABUKA**, P.O Box 670234, Tel: +260 213 230467/230478

**MONGU**, P.O Box 910171, Tel +260 217 221451

**MONZE**, P.O Box 660260, Tel +260 213 250586.

## CHAPTER SEVEN

# NATIONAL HEALTH INSURANCE SCHEME

The National Health Insurance (NHI) is a National Health Insurance Scheme and was established by the enactment of NHI Act No.2 of 2018 and supported by SI 63 of 2019, which led to the establishment of the National Health Insurance scheme (NHIS) under the Management of the National Health Insurance Management Authority (NHIMA).

The compulsory National Health Insurance scheme seeks to provide for a sound and reliable healthcare financing for Zambian households and the entire health sector.

The board of the National Health Insurance Management Authority was inaugurated on 15th March 2019 in accordance with the NHI act and it is under the Ministry of Labour and Social security. NHI is a risk mitigation mechanism by which the insured is protected against financial catastrophe resulting from medical expenses.

### 1. WHAT ARE THE OBJECTIVES OF NHIS?

The objectives of the National Health Insurance Management Authority (NHIMA) are as follows:

- i. To protect families from the financial hardship of huge medical bills.
- ii. ensure that every Zambian has access to good health care services
- iii. To limit the rise in the cost of health care services.
- iv. To ensure equitable distribution of health care costs among different income groups.
- v. To maintain high standards of health care delivery services within the Scheme.
- vi. To ensure efficiency in health care services.
- vii. To improve and harness private sector participation in the provision of health care services.
- viii. To ensure equitable distribution of health facilities between rural and urban communities.
- ix. To ensure appropriate patronage of all levels of health care.
- x. To ensure the availability of funds to the health sector for improved services.

### 2. WHAT ARE THE AIMS OF NHIS?

According to the Strategic plan NHIMA aims at complementing efforts towards Universal Health Coverage. The specific aims of NHIMA include the following:

- i. Introducing innovative financing solutions for health care,

- ii. Providing quality affordable and sustainable health care,
- iii. Expanding provision of insured health services to all citizens and established residents,
- iv. Reduction of catastrophic and impoverishing health expenditure.

### **3. WHAT ARE THE KEY PRINCIPLES OF NHI SCHEME?**

- i. Compulsory contributions at a household level,
- ii. Pooling of risk, both good and bad, to protect all who are in the pool at their point of need thereby promoting equity,
- iii. Contributions are pooled, financial protection is not equal to the contributions.

### **4. WHAT IS THE MANDATE OF NHIMA?**

- i. Register members – This relates to registration of Employers, Employees and Beneficiaries,
- ii. Contributions – This relates to collection of contributions from the Employers, Employees and the Self Employed,
- iii. Benefit Package - design, pricing of tariffs, provider payment models and benefits & claim rules.
- iv. Accreditation of facilities - This relates to the engagement and contracting of health care providers based on established standards.
- v. Operational Information System - Procurement, set up and launch of NHI Management System,
- vi. Communication - Roll out of robust communication messages on NHI,
- vii. Implementation Structures - This defines the Governance, staffing, operation and funding model.

### **5. IS MEMBERSHIP TO NHIMA COMPULSORY?**

Yes, all Zambians and established residents above the age of 18 with an income is required to register with NHIMA.

### **6. HOW ARE MEMBERS REGISTERED?**

Members can be registered in the following ways:

- i. If a member is in employment, registration is done by the employer within 30 days from the commencement date of the contract of employment,
- ii. Informal sector – registration is done online through [www.enhima.co.zm](http://www.enhima.co.zm) or by visiting any nearest NHIMA offices,

- iii. Senior citizens aged 65 and above - Registration is done online through [www.enhima.co.zm](http://www.enhima.co.zm) or by visiting a nearest NHIMA office without any contribution.
- iv. Retirees – registration is by their Pension Managers
- v. The poor and vulnerable are identified and registered through the Ministry Community Development and Social welfare.
- vi. Domestic workers – they register in their own right as principal members.

## **7. HOW MANY BENEFICIARIES ARE ELIGIBLE FOR REGISTRATION?**

Six (6) beneficiaries can be registered by the principal member i.e., spouse and 5 children or dependents below the age of 18.

## **8. WHAT ARE REQUIREMENTS FOR MEMBER REGISTRATION?**

Members will need the following for registration:

- i. Copy of the NRC
- ii. Contact number
- iii. Email address (optional)
- iv. Physical address

## **9. WHAT IS THE PROCESS FOR BENEFICIARY REGISTRATION?**

Members can be registered in any of the following ways:

- i. Registration can be done online through [enhima.nhima.co.zm](http://enhima.nhima.co.zm) if the member has login credentials. However, members without login credentials may contact our toll-free call centre line of 8000 or,
- ii. Pass through the Nhima offices or facilities.

## **10. WHAT DOCUMENTS DO MEMBERS REQUIRE TO REGISTER THEIR DEPENDANTS?**

The following documents are required:

- i. Spouse –marriage certificate or attestation letter in the absence of the marriage certificate,
- ii. Copy of the National ID for the spouse,
- iii. Other dependants below the age of 18 – Birth certificate or attestation letter in the absence of birth certificate, and
- iv. Copy of National ID for children between 16 and 18.

**11. CAN MEMBERS REGISTER DEPENDENTS OTHER THAN BIOLOGICAL CHILDREN?**

Yes, members can register dependents other than non-biological children if the member has proof of relationship or attestation form.

**12. HOW CAN MEMBERS GET NHIMA MEMBERSHIP NUMBERS?**

Once a member is registered with NHIMA, the Membership ID and login credentials will be sent to their mobile number provided. However, if the member does not receive the credentials, details may be obtained through our call centre on the toll-free line 8000 or write to [info@nhima.co.zm](mailto:info@nhima.co.zm)

**13. CAN A MEMBER REGISTER A NEWLY BORN BABY?**

Yes, a member can register a newly born baby if the member has proof birth with full names of the baby indicated and relationship or attestation form.

**14. WHAT IS THE WAITING PERIOD AFTER REGISTRATION OF A PRINCIPAL MEMBER?**

The waiting period after registration is four (4) months. Fully paid members can only access NHIMA services 4 months after registration. However, there is no waiting period for members aged 65 and retirees.

**15. CAN A MEMBER CONTINUE TO USE THE SAME NHIMA NUMBER UPON CHANGE OF EMPLOYMENT?**

Yes, Members will continue with the same NHIMA number.

**16. WHEN SHOULD EMPLOYEES BE REGISTERED BY AN EMPLOYER?**

Under section 13 of the NHI Act 2018, an employer shall register an employee with the Authority within thirty days of the commencement date of the contract of employment.

**17. WHAT HAPPENS IF THE DEPENDANT ATTAINS THE AGE OF 18?**

The member must be registered as a principal and make contributions separately as a principal member.

**18. WHAT HAPPENS TO A MEMBER UPON CHANGE OF EMPLOYMENT?**

Members shall maintain their NHIS number and the account can be moved to the new employer.

**19. WHAT HAPPENS WHEN THE PRINCIPAL MEMBER PASSES ON?**

Membership of the deceased member to the Scheme shall cease on the death of a member. However, registered family members are entitled to continued benefits for a period of four (4) months following the death of the member.

**18. WHAT SERVICES ARE COVERED BY THE SCHEME?**

Below are the services covered under scheme:

- i. Medical Care
- ii. Major and Minor Surgery
- iii. Pediatric Maternity and Neonatal
- iv. Eye Care Services
- v. Oral health
- vi. Selected Services cancer services
- vii. Pharmaceutical Drugs and Supplies Orthopedic Implants
- viii. Investigations including labs and Radiology
- ix. Physiotherapy Mental Health services.

**19. IS THE HOSPITAL BYPASS FEE COVERED BY THE SCHEME?**

Bypass fee is not covered as it is a Ministry of Health (MoH) Penalty surcharged when one doesn't follow the referral system. It's a once off payment made to MoH facilities and subsequent visits do not pay as they have a file number at that facility from initial visit. Facilities waiver by pass fee in cases of emergency and for those 65yrs and above (elderly) Members are encouraged to adhere to the referral system.

**20. DO MEMBERS RECEIVE PREFERENTIAL SERVICES?**

Yes, members are entitled to receive preferential services.

**21. CAN A MEMBER HAVE ACCESS TO HEALTH CARE SERVICES ANYWHERE IN THE COUNTRY?**

NHIMA has accredited more than 350 private and public facilities throughout the country.



**22. ARE MEMBERS DEEMED REGISTERED WHEN THE EMPLOYER DEDUCTS CONTRIBUTIONS FROM EMPLOYEES?**

No, If the employer does not remit premiums to NHIMA formally, then members are considered not registered.

**23. IS THERE A PENALTY FEE FOR NON-REMITTANCE PREMIUMS?**

Yes, Penalties will be levied at 10% of outstanding monthly TOTAL contribution subject to the maximum amount of K60, 000.00, to compensate against lost investment gains, inflation, and breach of compliance penalty charge.

**24. WHEN ARE MONTHLY RETURNS DUE?**

Premiums are due for remittance by the 10th of each month.

**25. HOW ARE PREMIUMS CALCULATED?**

- i. Formal sector - 1% of declared income from the employee and 1% employer contribution of the basic salary.
- ii. Informal sector - As per eNHIMA income assessment tool

**26. HOW CAN EMPLOYER'S FILE IN RETURNS?**

Returns should be filed in through the e-payments portal [enhima.nhima.co.zm](http://enhima.nhima.co.zm).

**27. WHAT HAPPENS IF THE MEMBER HAS MISSING CONTRIBUTIONS?**

Member must pay contributions for the missing months.

**28. SHOULD A MEMBER CONTINUE CONTRIBUTING THE SAME AMOUNT AFTER EMPLOYMENT?**

The account should first be moved to the informal sector and will be required to perform the income assessment for computation of premiums

**29. CAN A MEMBER BE REFUNDED IF THE HOSPITAL HAS NO DRUGS?**

No, NHIMA does not refund members for any drugs not provided by the hospital. Members given prescriptions must collect their drugs at the nearest accredited pharmacy.

### 30. WHAT SHOULD A MEMBER DO IF THE FACILITY HAS NO DRUGS AND IS GIVEN A PRESCRIPTION?

If the prescribed drug is covered under NHIMA, a member can collect the prescribed drugs from any of NHIMA accredited facility. The prescription must be stamped and claim number indicated.

### 31. CAN A MEMBER ACCESS NHIMA SERVICES WITHOUT THE NHIMA CARD?

In the absence of medical cards, members can present their National registration Cards or passports at any of NHIMA accredited facilities.

### 32. WHERE CAN ONE GET THEIR NHIMA MEDICAL CARD?

Members can visit any of our provincial offices for biometrics harvesting for the member cards between 08:00 hrs. to 17:00hrs

## NHIMA Branches Nationwide

#### Kitwe Regional Office

Location: Sanlam Building, off Ndola, Kitwe Road.

#### Central Province Office

Location: 1st Floor, Room 117, Mukuni House, Kabwe.

#### Copperbelt Province Office

Location: 1st Floor Collate House, Butoko Avenue, Ndola.

#### Southern Province Office

Location: 1st Floor, Room 108, Butala House, off Livingstone Road, Choma.

#### Livingstone District Office

Location: 1st Floor, room 208, Liso House, Mosi-o-tunya Road.

#### Luapula Province Office

Location: Mansa Post office

#### North Western Province Office

Location: Solwezi Post office.

#### Eastern Province Office

Location: Chipata Post Office.

#### Western Province Office

Location: Mongu Post Office.

#### Muchinga Province Office

Location: Chinsall Post Office.

#### Northern Province Office

Location: Kasama Post Office.



## **CHAPTER EIGHT**

### **NATIONAL PRODUCTIVITY DEVELOPMENT**

The National Productivity Development Department was a result of a merger between the National Productivity Department which was created in 1993 and the Education and Occupational Assessment Services (EOAS) department which had been in existence since 1968. The Department's role is to translate the productivity theme into terms that are relevant and consistent with the national socio-economic context, development needs, economic structures and development strategies.

#### **1. WHAT SERVICES ARE OFFERED BY THE NATIONAL PRODUCTIVITY DEVELOPMENT DEPARTMENT?**

The following services are offered by NPDD:

##### **A. Productivity Research and Monitoring;**

- i. National Productivity Monitoring
- ii. Enterprise Productivity Assessment
- iii. Enterprise Productivity Monitoring
- iv. Productivity Research

##### **B. Productivity Promotion;**

- i. Enterprise Productivity Support (Strategy alignment, capacity building, design and installation of productivity techniques, business turnaround solutions).
- ii. Support to Small and Medium Enterprises (Capacity building, systems development, linking to other service providers)
- iii. Liaison services (linking those in need of productivity support to the service providers).
- iv. Sensitization/Dissemination of Productivity information.
- v. Productivity advisory services

##### **C. Occupational Assessment**

- i. Administration of Psychometric (Aptitude tests)
- ii. Career Guidance and Counselling
- iii. Test Development and Research

## 2. WHAT IS PRODUCTIVITY

Productivity can be defined in three ways:

### i. Qualitative definition of productivity

Productivity refers to converting resources (inputs) into products and services (outputs) efficiently, effectively, and with optimum utilization of human and other resources for the benefit of an organisation, society, the economy and the environment.

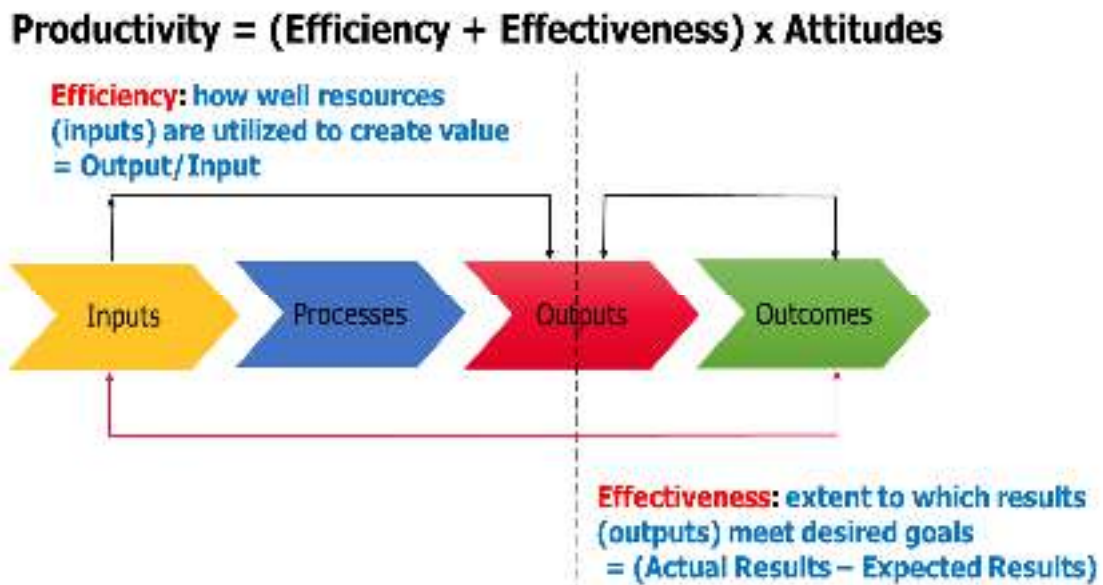
### ii. Productivity as a state of mind

Productivity is also a state of mind, that is, the determination to improve on yesterday's performance and to do even better tomorrow.

### iii. Quantitative definition of Productivity

Productivity can also be expressed as a ratio of inputs over output (Productivity = Output/Input). (Source; *National Productivity Policy 2020*).

The three definitions above, can best be illustrated by the diagram below:



### 3. WHAT IS THE IMPORTANCE OF PRODUCTIVITY?

- i. **Economic growth:** Productivity is a key driver of economic growth, as it allows individuals and organizations to create more goods and services with the same. This leads to higher levels of outputs, income, and standard of living
- ii. **Efficiency:** Productivity is a measure of efficiency, which is the ability to accomplish goals with minimal waste or resources
- iii. **Competitiveness:** Nations, organisations and individuals that are productive maintain competitiveness in the global market place as they produce goods and services more efficiently and effectively.
- iv. **Job satisfactions:** Productivity is an enhances individual to accomplish their work more satisfactorily
- v. **Innovation:** Organisation and individuals create more time and resources to devote to research and development which leads to new products, services and technology

### 4. WHY SHOULD CITIZENS BE CONCERNED ABOUT PRODUCTIVITY?

- i. At enterprise level, productivity reduces waste, reduces the cost of doing business, increases profits
- ii. For the workers' productivity improvement leads to increased wages and better and safe working conditions.
- iii. For society, productivity means improved quality of goods and services at competitive prices, improved livelihood for the citizens, reduced poverty and vulnerability, and improved overall standard of living.
- iv. For the country, increased productivity means improved revenues for distribution to social services, job creation, enhanced competitiveness and accelerated socio-economic development.

### 5. HOW IS PRODUCTIVITY MEASURED?

- i. To measure productivity, both quantitative and qualitative methods. Using these two methods, productivity is measured at enterprise, industry and national level.
- ii. At enterprise level, productivity is measured for purposes of determining areas of improvement and for monitoring progress against set targets.
- iii. At Industry and National level, productivity is an aggregate measure for determining trends and making comparisons.
- iv. Quantitatively, Productivity is the ratio of output to input. Thus, the generic formula for measuring productivity is:

$$\text{Productivity} = \frac{\text{OUTPUT}}{\text{INPUT}}$$

## **6. IS THERE A POLICY FOR COORDINATING PRODUCTIVITY IN ZAMBIA?**

Yes, Cabinet adopted the National Productivity Policy in 2020. The Policy was launched on 4th March, 2021.

## **7. WHAT ARE THE AIMS OF THE NATIONAL PRODUCTIVITY POLICY?**

- i. Provide a mechanism for facilitating consensus on the interpretation and the need for increased productivity in all sectors of the economy;
- ii. Serve as a means for building the productive capacities of individuals and organizations;
- iii. Acts as a catalyst for motivating individuals and organizations in all sectors of the economy to work in a concerted manner in efforts aimed at raising national productivity levels; and
- iv. Provide a comprehensive coordinating mechanism for stakeholders working in the area of productivity.

## **8. WHAT ARE THE OBJECTIVES OF THE NATIONAL PRODUCTIVITY POLICY?**

The National Productivity Policy outlines the objectives to provide a comprehensive mechanism to enhance productivity in the country in order to raise competitiveness, promote decent employment and accelerate inclusive economic growth. The Objectives are outlined as follows;

- i. To improve the level of productivity in all sectors of the economy.
- ii. To promote decent work for productivity improvement.
- iii. To strengthen Institution coordination framework on productivity.
- iv. To enhance human capital development.
- v. To promote environmentally, sustainable, resilient and innovative production methods.
- vi. Enhance adoption and use of productivity measurement systems.

## **9. WHAT IS A PSYCHOMETRIC TEST?**

- i. A psychometric test is used to assess a candidate's cognitive ability and their personality. From a candidate's response psychometric testing can predict valuable insights such as job performance, competence, and motivations.
- ii. There are two general types of psychometric tests: ability tests and personality tests.

- iii. Ability tests will be able to identify a candidate's level of cognitive ability. It can assess, to name a few, their numerical, verbal, logical, critical thinking skills.
- iv. Personality tests are focused on understanding the candidate's behaviours and motivations.
- v. When recruiting new employees, psychometric tests provide a good insight into a candidate's potential, providing a meaningful and highly valid prediction of that candidates' knowledge and skills.
- vi. Psychometric tests hold no bias and are effective at testing candidates from all job levels from entry level to executives.

## 10. WHAT ARE THE DIFFERENT TYPES OF PSYCHOMETRIC TESTS?

The three types of psychometric assessments are personality tests, situational judgment tests (SJTs), and aptitude tests.

- i. **Personality tests:** These assessments measure an individual's personality traits and characteristics, such as their emotional stability, openness, agreeableness, conscientiousness, and extraversion.
- ii. **Situational judgment tests (SJTs):** SJTs assess an individual's ability to respond to hypothetical scenarios or situations that they may encounter in the workplace. These tests measure a candidate's decision-making skills, problem-solving ability, and their capacity to prioritize tasks and handle conflicts effectively.
- iii. **Aptitude tests:** Aptitude tests evaluate an individual's cognitive abilities, such as their verbal and numerical reasoning, memory, and spatial awareness. These tests are designed to measure an individual's potential to learn and perform well in a particular job or educational setting.

## 11. WHAT ARE THE BENEFITS OF PSYCHOMETRIC TESTS?

- i. **Job performance:** Psychometric tests are the most powerful and valid predictors of job performance.
- ii. **Organisational performance:** The use of psychometric tests in the workplace has been found to lead to the following workplace outcomes: increased organisational performance, increased employee retention, reduced cost per hire, decreased employee turnover, decreased absenteeism and higher levels of employee engagement/motivation. Selecting top performing candidates and ensuring a high-

quality workforce is imperative for any organisation and psychometric testing is the ideal mechanism for ensuring this.

- iv. **Objectivity:** Selecting employees using well-researched psychometric tests increases the fairness and objectivity of a selection process. This means that employees can be selected on merit using fair and standardised tests, rather than subjective (or biased) selection methods.

Further, Psychometric tests, can:

- i. Help an individual to identify vocational strengths and weaknesses in specific areas of a job or career.
- ii. Guide employers in identification of candidates for further training and promotion.
- iii. Help employers in development of training needs assessments, skilling, reskilling or upskilling.

## **12. HOW DO YOU DETERMINE THE TESTS TO USE WHEN UNDERTAKING APTITUDE TESTS?**

The Job Description/ Specification for the candidates is sought and analysed in order to determine the type of Aptitude Test to be administered.

## **13. CAREER GUIDANCE AND COUNSELLING**

The basic purpose of career guidance is to familiarize individuals with their occupational choices.

- i. It is a process that involves matching the work demand and potential of the individual.
- ii. To achieve this the department administers a self-reporting instrument that measures career interests.

Sticking to a fixed pathway through career guidance should be on your priority list as it saves time and money.



## **CHAPTER NINE**

### **KAIZEN INTITUTE OF ZAMBIA**

Kaizen Institute of Zambia limited (KIZ) is a public institution registered under Cap 388 of the laws of Zambia as a company limited by guarantee under the aegis of Ministry of Labor and Social Security. KAIZEN is a Japanese word often translated as ongoing, Continuous improvement. It is a strategy for making continuous improvements in all functions of an organization. It focuses on improving the process and systems thereby translating into improvement of quality and productivity. Employees at all levels are encouraged to come up with transformative ideas, from top management down to the shop floor.

The KAIZEN approach to quality and productivity is based on data measurements, analysis and generation of problem solutions within a given time. KAIZEN leverages on teamwork through Quality Control Circles (QCC) where team members participate to improve their work thereby tapping into creativity of each member while at the same time developing the capabilities of the team member.

The focus of KAIZEN is transforming the following: Quality Cost Delivery (QCD), Resource management and overall enterprise efficiency.

#### **1.WHAT IS THE MANDATE OF KAIZEN INSTITUTE OF ZAMBIA LIMITED (KIZ)?**

The mandate of the institute is to promote quality and productivity improvements in both private and public organisations using KAIZEN Philosophy and methodology for business excellence

#### **2.WHAT SERVICES ARE OFFERED BY KAIZEN INSTITUTE OF ZAMBIA LIMITED (KIZ)?**

##### **i. KAIZEN Consultancy**

The consultancy service is dedicated to helping enterprises achieve excellence through the implementation of continuous improvement practices. With our expertise and proven methodology, we empower enterprises to optimize their operations, enhance productivity, and drive sustainable growth. Our customized KAIZEN solutions can transform enterprises, simplify process and nurture a culture of continuous improvement.

##### **ii. KAIZEN Training and Certification**

The training is designed to equip individuals and enterprises with the methodology and principles of KAIZEN and how these can effectively be implemented in their workplace and personal lives.

### iii. KAIZEN Awareness Creation

KAIZEN awareness is about sensitizing enterprises and the general public about the KAIZEN philosophy and methodology, and its benefits. This is done to help people recognize the importance of continuously seeking ways to improve and contribute to the success of their enterprises and the nation at large.

### 3. WHAT IS THE TARGET MARKET OF THE KAIZEN INSTITUTE OF ZAMBIA LIMITED (KIZ)??

Individuals & Enterprises both in public and Private Sector.

### 4. DOES KAIZEN INSTITUTE OF ZAMBIA LIMITED (KIZ) PROVIDE FINANCIAL ASSISTANCE INCLUDING LOANS?

No. The Institute does not provide any form of loan services

### 5. DO THE SERVICES PROVIDED BY KAIZEN INSTITUTE OF ZAMBIA LIMITED (KIZ) ATTRACT A COST??

Yes. The services provided by KAIZEN Institute of Zambia Limited (KIZ) have different categories which have the following fee structure.

#### a) Consultation Services Fees.

| Sector  | Size                                   | Fees (ZMW) |
|---------|--|------------|
| Private | Large                                  | 390        |
|         | Medium                                 | 325        |
|         | Small                                  | 195        |
|         | Micro                                  | 130        |
| Public  | State Owned Enterprises                | 260        |
|         | Statutory Bodies that generate Revenue | 195        |
|         | Grant Aided Statutory Bodies           | 130        |
|         | Government Ministries and Departments  | 130        |

**b) KAIZEN Training and Level Certification**

| <b>KAIZEN TRAINING AND CERTIFICATION</b> |                   |
|--|-------------------|
| <b>KAIZEN Consultant Training</b>        |                   |
| <b>Course Level</b>                      | <b>Fees</b>       |
| Introductory                             | K750              |
| Intermediate                             | k1000             |
| Advanced                                 | K1500             |
| <b>KAIZEN Practitioner Training</b>      |                   |
| <b>Enterprise Size</b>                   | <b>Fees/ hour</b> |
| Small                                    | 130               |
| medium                                   | 290               |
| large                                    | 390               |
| State owned                              | 130               |

**c) Short courses**

| <b>SHORT COURSES</b> |                                |             |
|----------------------|--------------------------------|-------------|
| <b>S/N</b>           | <b>COURSE</b>                  | <b>FEES</b> |
| 1                    | Basic KAIZEN                   | 450         |
| 2                    | Basic Business Skills          | 1400        |
| 3                    | Waste Elimination              | 890         |
| 4                    | Inventory Contro               | 720         |
| 5                    | Statistical Quality Control    | 1700        |
| 6                    | Standardization                | 670         |
| 7                    | 5S                             | 720         |
| 8                    | KY Safety Training             | 1400        |
| 9                    | Work Study                     | 1800        |
| 10                   | New 7 QC Tools                 | 1450        |
| 11                   | Basic Total Quality Management | 1250        |
| 12                   | Team Improvement Program       | 1400        |
| 13                   | Root Cause Analysis            | 720         |
| 14                   | Business Planning and Design   | 720         |
| 15                   | Value Stream Mapping           | 720         |

## 6. HOW CAN WE ACCESS YOUR SERVICES?

By contacting us via Email: [info@kiz.org.zm](mailto:info@kiz.org.zm)

Phone: +260 211235492

Website: <https://www.kiz.org.zm/>

Facebook: Kaizen Institute of Zambia Limited

Physical Address: First Floor, Kwacha House Annex, Cairo Road.

PO. Box 37067, LusakaPhysical Address: First Floor, Kwacha House Annex, Cairo Road.

PO. Box 37067, Lusaka

## **CHAPTER TEN**

### **ZAMBIA INSTITUTE OF HUMAN RESOURCE MANAGEMENT (ZIHRM)**

The Zambia Institute of Human Resource Management (ZIHRM), is a professional body mandated by Parliament through Act No. 3 of 2022 to promote and regulate the practice of Human Resource Management in Zambia. In 1997 it was transformed and became established under an Act of Parliament, the Zambia Institute of Human Resource Management (ZIHRM), is a professional body that was established to regulate, promote and develop the science and practice of Human Resource Management (HRM) in Zambia.

#### **1. WHAT ARE THE FUNCTIONS OF THE INSTITUTE?**

The functions of ZIHRM include:

- i. Advance the human resource management profession and promote its interest;
- ii. Register and regulate practitioners;
- iii. Issue practicing certificates to eligible members;
- iv. Register students of human resource management;
- v. Set and enforce professional standards of human resource management practice;
- vi. Develop, promote and enforce internationally comparable human resource management practice standards in the republic;
- vii. Conduct learning programs accredited by the higher education authority in human resource management;
- viii. Provide continuous professional development by practitioners;
- ix. Encourage and promote research into a matter affecting the human resource management profession;
- x. Investigate cases of professional misconduct under this act;
- xi. Publish a journal of the institute, and collect, collate and publish other information of service and interest to the institute;
- xii. Promote public awareness in matters relating to the human resource management profession; continuation and renaming of Zambia Institute Of Human Resources Management functions of institute Zambia Institute Of Human Resource Management Act no. 3 of 2022]
- xiii. Promote awareness among practitioners in matters relating to human resource management education, practice and regulation;
- xiv. Enforce continuing professional development requirements for practitioners; and

- xv. Collaborate with higher education institutions, government departments and other institutions to improve the quality of the human resource management profession

## **2. HOW DOES ONE APPLY FOR ZIHRM MEMBERSHIP ?**

- i. To Apply for ZIHRM Membership visit our website on [www.zihrm.org.zm](http://www.zihrm.org.zm)
- ii. Click the Membership tab
- iii. On the Membership tab, click the Affiliate First Applicant tab as a first entrant in to the Institute
- iv. The Application fee payable for Membership Application is K100.00
- v. Make your Deposit to the ZIHRM Account:  
1087360300101  
Lusaka Centre Branch  
ZANACO  
ZNCOZMLU  
ZIHRM
- vi. Ensure to attach the deposit slip to the online application
- vii. Ensure to follow all system requirements for your application such as copies of certified qualification, NRC, Recent Passport photo and Curriculum Vitae and anything else required.

## **3. HOW DOES ONE APPLY FOR AN UPGRADE IN MY MEMBERSHIP?**

- i. To qualify for an Upgrade on Membership, ensure that you are a paid up member of the Institute for 3 or consecutive years
- ii. To apply visit the Membership Tab on the zihrm website [www.zihrm.org.zm](http://www.zihrm.org.zm) and select the Membership category in which you desire to Upgrade.
- iii. Ensure to attach the deposit slip to the online application
- iv. Ensure to follow all system requirements for your application such as copies of certified qualification, NRC, Recent Passport photo and Curriculum Vitae and anything else required.

## **4. WHAT IS THE CONTINUOUS PROFESSIONAL DEVELOPMENT (CPD) PROGRAM?**

- i. These are compulsory courses which are intended to broaden and update the Human Resource practitioner's professional management abilities, skills and knowledge in the organization and development of human capital.

- ii. This program is divided in four levels to cater for the professional development of Human Resource practitioners across the board. Also note that with this global competition, the CPD courses are very important because they enable professionals acquire new knowledge in response to the new challenges that organizations face today. This training is however in compliance with the Act and is divided in to 4 levels as illustrated.

| Continuous Professional Development Program (CPD) Level 1 to 4  |  |  |   |
|---|--|--|---|
| LEVEL 1 (CERTIFICATE)   | LEVEL 2 (ADVANCED CERT.)   | LEVEL 3 (ADVANCED CERT.)   | LEVEL 4 (ADV. PROF DIPLOMA)   |
| 1. Human Resource Management and its transition to Human Capital Management<br>2. Employment Law and processes.<br>3. Human Resource Development and Human Resource | <ul style="list-style-type: none"> <li>• Employee motivation, productivity &amp; Reward Management</li> <li>• Business Planning Process Overview</li> <li>• Human Resource effectiveness</li> <li>• Ethics Training and Culture</li> </ul> | <ul style="list-style-type: none"> <li>• Leadership &amp; Management development <i>PART 1.</i></li> </ul> | <ul style="list-style-type: none"> <li>• Leadership and Management development <i>PART 2</i></li> </ul> |

## 5.WHAT IS THE PROCEDURE TO APPLY FOR THE CONTINUOUS PROFESSIONAL DEVELOPMENT (CPD) PROGRAM ?

- i. To apply for the Continuous Professional Development Program, visit the website on [www.zihrm.org.zm](http://www.zihrm.org.zm)
- ii. Visit the programs tab and select CPD Programs
- iii. Ensure to attach the deposit slip to the online application (50% down payment of K2,250.00 FROM K4500.00)
  - **Note: CPD has four (4) Levels which seperately cost K4,500.00**
- iv. Ensure to follow all system requiremnts for your application such as copies of certified qualification, NRC, Recent Passport photo and Curriculum Vitae aand anything else required and declaration for part payment if partial payments shall be made

**6. HOW MANY TIMES IS CPD CONDUCTED IN A YEAR?**

- i. The Continuous Professional Development program is conducted every quarter (every 3 months)
- ii. The program can also be tailored to your organisational requirements.

**7. WHAT ARE THE DEADLINES ON ZIHRM MEMBERSHIP APPLICATION ?**

- i. There are no deadlines to first application on membership, however, it is best that first time applications on membership are made at the beginning of the year as the financial year runs from January to December of every year. This therefore means that Membership duration before shall not be treated on Pro-rata basis.
- ii. For example, if the applicant applies for membership in January, their membership will expire on 31<sup>st</sup> December of that given year. Even though the Applicant applies on 1<sup>st</sup> September, the membership will still expire by 31<sup>st</sup> December of that given year.

**8. WHAT ARE THE DEADLINES ON ZIHRM MEMBERSHIP RENEWAL ?**

All Membership subscription renewals shall be settled by 31<sup>st</sup> March of every given year.

**9. WHAT ARE THE QUALIFICATIONS FOR ONE TO BE A MEMBER OF ZIHRM?**

To be a Member of ZIHRM, one must possess the Human Resource Management Qualification or its equivalent such as Business Administration, Organisational Psychology, Public Administration, or any social science equivalent to Human Resource Management

**10. DOES ZIHRM ISSUE MEMBERSHIP CERTIFICATES UPON PAYMENT ?**

Yes. ZIHRM gives a Membership Certificate once payment is made. The Membership Certificate is prepared within 8 working days after your membership application has been approved



## 11. WHAT ARE THE ZIHRM MEMBERSHIP CATEGORIES AND RATES?

| MEMBERSHIP CATEGORY             | SUBSCRIPTION FEE |
|---------------------------------|------------------|
| Student                         | K200.00          |
| Affiliate (First Applicant)     | K1,410.00        |
| Affiliate (Renewal)             | K1,310.00        |
| Associate Renewal /Upgrade      | K1540.00         |
| Full Member Renewal / Upgrade   | K2,050.00        |
| Fellow Renewal                  | K2860.00         |
| Institutional Renewal           | K4,500.00        |
| Institutional First Application | K4,700.00        |

## 12. WHAT ARE THE BENEFITS OF ZIHRM MEMBERSHIP ?

The benefits of being ZIHRM membership include:

- i. Professional Affiliation
- ii. ZIHRM offers you net-working opportunities with different stakeholders and players in the HR fraternity
- iii. You stand a better chance of getting employed because it is illegal for an employer to engage an HR practitioner without ZIHRM Membership and a practicing certificate.
- iv. Easy access to the Zambian Labor Laws and amendments as the Institute enjoys close relations with the Ministry of Labor and Social Security.
- v. Personal development through Continuous Professional Development (CPD).
- vi. ZIHRM offers a series of workshops, seminars and conferences that are designed to ensure that members are kept abreast with latest happenings in the business world.
- vii. Broadened interaction and networking opportunities with fellow Human Resource Management Practitioners and business persons at ZIHRM events.
- viii. You can use the designated letters after your name e.g. FZIHRM (for Fellows), and AZIHRM (for Associates).
- ix. ZIHRM members have access to the Institute's technical support on various issues.
- x. ZIHRM gives you a platform and an opportunity to contribute to the economic development of the nation by getting involved in matters of national development.

## 13. CAN SOMEONE WHO IS NOT REGISTERED PRACTICE HR?

No. It is illegal to practice Human Resource Management in Zambia Without a valid practicing License obtained from the Zambia Institute of Human Resource Management. A person shall not be employed or practice as a practitioner unless that person is registered as a practitioner in accordance with this Act.

**14. WHAT IS THE PENALTY FOR ILLEGAL PRACTITIONERS?**

Any person who practices HRM illegally commits an offence and is liable, on conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not exceeding five years, or to both. On the other hand, any person who intends to be employed or to practice as a practitioner in the Republic shall apply to the Institute for registration in the prescribed manner and form on payment of a prescribed fee as applicable.

## ANNEX 1. THE COMMITTEE INVOLVED IN THE DEVELOPMENT OF THE HANDBOOK

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| <b>No.</b> | <b>Name:</b>        | <b>Position</b>            | <b>Department/Institution</b> |
|------------|---------------------|----------------------------|-------------------------------|
| 1.         | Zechariah Luhanga   | Acting Permanent Secretary | Administration                |
| 2.         | Moffat Bili         | Director                   | Planning & Research           |
| 3.         | Collins Kaputo      | Chief Planner              | Planning & Research           |
| 4.         | Auxilia Kambani     | Principal Planner          | Planning & Research           |
| 5.         | Evita Jere          | Senior ICT Officer         | Planning & Research           |
| 6.         | Daniel Makomeno     | Senior Planner             | Planning & Research           |
| 7.         | Chipo Banda         | Planner                    | Planning & Research           |
| 8.         | Lasty Mwiinga       | Planner                    | Planning & Research           |
| 9.         | Naphtali Muyunda    | Intern                     | Planning & Research           |
| 10.        | Victor Chikalanga   | Assistant Director         | Social Security               |
| 11.        | Gershom Mulenga     | Principal SS Officer       | Social Security               |
| 12.        | Tamara Lungu        | Senior SS Officer          | Social Security               |
| 13.        | Godfrida P.C.Chanda | Public Relations Officer   | HRA                           |
| 14.        | Muyunda Lungwangwa  | Labour Officer             | Labour                        |
| 15.        | Mutimwa Lisulo      | Labour Officer             | Labour                        |
| 16.        | Tandy Kuda Lungu    | Labour Officer             | Labour                        |
| 17.        | Mubanga Mutale      | Labour Intern              | Labour                        |
| 18.        | Patricia Muchenje   | PMO                        | NPDD                          |
| 19.        | Douglas Hakayobe    | Senior Internal Audit      | Internal Audit                |
| 18.        | Christopher Kasoka  | PPSO                       | PSU                           |
| 20.        | Shirley M.Mapara    | Senior Accountant          | Finance                       |

|     |                       |                          |                  |
|-----|-----------------------|--------------------------|------------------|
| 21. | Eng. Chalamwe Manza   | Senior Inspector Factory | OSH              |
| 22. | Chanda Zimba          | Senior Inspector Factory | OSH              |
| 23. | Eng. Kennedy Sita     | Senior Inspector Factory | OSH              |
| 24. | Eng. Brighton Mtonga  | Inspector                | OSH              |
| 25. | Christopher Kasoka    | SPSO                     | PSU              |
| 26. | Moses Sefu            | PSO                      | PSU              |
| 27. | Ian Mbewe             | Inspector-ECIS           | NAPSA            |
| 28. | Mumbika Mweemba       | Inspector-ECIS           | NAPSA            |
| 29. | John Bwalya           | Regional Manager         | WCFCB            |
| 30. | Juliet. M Sampa       | Customer care Manager    | NHIMA            |
| 31. | King Syacika          | Head Public Relations    | NHIMA            |
| 32. | Joseph Kayamba        | IST officer              | Kaizen Institute |
| 33. | Sikatumba O. Chilala  | CEO/Registrar            | ZIHRM            |
| 34. | Buumba Mudenda -Mwila | RTEO                     | ZIHRM            |