



# THE ENFORCEMENT OF LABOUR LAW AND WORKING CONDITIONS OF WOMEN IN RWANDAN HORTICULTURE SECTOR

## Consultant

Adv. Niyibizi Tite, LL.B, LL.M, PGD, PhD Candidate

April –August 2018

## Contents

|  |           |
|--|-----------|
| 0.INTRODUCTION AND BACKGROUND .....  | 5         |
| I.THE BACKGROUND OF HORTICULTURE IN RWANDA.....                                      | 8         |
| <b>I.1. The importance of horticulture in Rwanda .....</b>                           | <b>9</b>  |
| <b>I.2. Women working in Horticulture Organisations.....</b>                         | <b>10</b> |
| II. THE LABOUR RIGHTS AND WORKING CONDITIONS OF WOMEN IN HORTICULTURE<br>SECTOR..... | 11        |
| <b>II.1. Worker’s Rights and working conditions under Rwandan law .....</b>          | <b>13</b> |
| <b>II.1.1. Rights concerning all workers both male and female .....</b>              | <b>13</b> |
| II.1.1.1. Employment Contract.....   | 13        |
| II.1.1.2. Minimum Wage .....   | 14        |
| II.1.1.3. Working Hours and overtime .....   | 14        |
| II.1.1.4. Rest and Holiday .....   | 15        |
| II.1.1.5. Trade Union Rights .....   | 16        |
| <b>II.1.2. Rights and working conditions specifically for women .....</b>            | <b>16</b> |
| II.1.2.1. Non-discrimination .....   | 16        |
| II.1.2.2. Nature of the works prohibited to pregnant and breastfeeding women .....   | 18        |
| II.1.2.3. Breastfeeding period .....   | 18        |
| II.1.2.4. Maternity Leave.....   | 19        |
| II.1.2.5. Non-Harassment, or Abuse.....  | 20        |
| <b>II.1.3. Working conditions and Social Security protection.....</b>                | <b>21</b> |
| II.1.3.1. Workplace welfare, health, and safety .....                                | 21        |
| II.1.3.2. Social Security protection .....   | 23        |
| III. METHODOLOGY .....   | 24        |
| IV. INTERPRETATION OF DATA .....   | 25        |

|  |    |
|--|----|
| <b>IV.1. Analysis of enforcement of women workers rights in Rwandan horticulture sector</b>  | 26 |
| <b>IV.1.1. Ignorance of women workers' rights</b>  | 26 |
| IV.1.1.1. Employers' ignorance of workers' rights  | 26 |
| IV.1.1.2. Employees' ignorance of their labour rights  | 27 |
| <b>IV.1.2. Enforcement of women worker's labour rights</b>                                   | 27 |
| IV.1.2.1. Employment contract, wage, benefits and Working hours                              | 27 |
| IV.1.2.2. Lack of Rest and Holiday   | 28 |
| IV.1.2.3. Non-discrimination and Prohibition of Gender-based violence                        | 29 |
| IV.1.2.4. Nature of the works prohibited to pregnant and breastfeeding women                 | 30 |
| IV.1.2.5. Breastfeeding period and Maternity leave   | 30 |
| IV.1.2.6. Trade union rights   | 31 |
| <b>IV.1.3. Enforcement of health and safety of women in the horticulture sector</b>          | 32 |
| IV.1.3.1. Personal Protective Equipment  | 32 |
| IV.1.3.2. An adequate supply of drinking water and appropriate washrooms                     | 33 |
| IV.1.3.3. Horticulture firm health clinics   | 34 |
| IV.1.3.4. Protection of children with their working mothers in the horticulture sector       | 35 |
| <b>IV.1.4. Enforcement of norms on social security</b>                                       | 36 |
| IV.1.4.1. Access to the health insurance   | 36 |
| IV.1.4.2. Access to the pension  | 36 |
| <b>IV.2. Analysis &amp; Discussion regarding policymakers in the horticulture sector</b>     | 36 |
| <b>IV.2.1. Most of women worker's in horticulture sector are casual workers</b>              | 37 |
| <b>IV.2.2. Ignorance of women worker's labour rights</b>                                     | 37 |
| <b>IV.2.3. Lack of support for those who start their business in the horticulture sector</b> | 38 |

|   |           |
|---|-----------|
| <b>IV.2.4. Lack of monitoring of enforcement of women worker rights and punishing those who fail to enforce them.....</b> | <b>38</b> |
| V.1. RECOMMENDATIONS.....   | 40        |
| V.1.1. HORTICULTURE FIRMS.....  | 40        |
| V.1.2. HAGURUKA and other Civil Society Organisations .....   | 40        |
| V.1.3. CESTRAR .....  | 41        |
| V.1.4. MIFOTRA .....  | 41        |
| V.1.5. MINAGRI AND NAEB .....   | 42        |
| V.1.6. MIGEPROF .....   | 42        |
| V.1.7. PSF AND RHIO .....   | 43        |
| References .....  | 44        |
| Appendix 1. The numbers of staff of questioned firms.....   | 47        |
| Appendix 2. Interview guide .....   | 48        |
| Appendix 3. Questionnaires for women working in horticulture firm .....   | 49        |
| Appendix 4. Questionnaires for director general of horticulture firm .....  | 55        |

## 0.INTRODUCTION AND BACKGROUND

[1]. This study resulted from HAGURUKA NGO in partnership with the HIVOS Foundation which is a global partnership of actors aiming to improve labour practices for women working in the horticulture sector in implementing a project entitled “State Accountability for Corporate Violations”. This project aims to contribute towards building decent workplaces by ensuring sustainable improvement in working conditions for women workers in the horticulture sector in Rwanda. Women workers will directly benefit from improvements in wage, hourly earnings, working hours and overtime, access to social protection, access to maternity rights and improved women’s leadership.

[2]. The National Horticulture Policy specifies that horticulture accounted for an estimated 3.2 percent of 2013 national GDP and 9.7 percent of agricultural GDP. In that policy, 'horticulture' is defined as covering (a) fruits, including fruit bananas but excluding all other bananas, (b) vegetables, excluding Irish potatoes, (c) cut flowers (both summer flowers and exotic flowers including roses), (d) plants grown for the extraction of essential oils, other than pyrethrum, and (e) macadamia nuts.<sup>1</sup>

[3]. The recent Baseline Report on the Rwanda Horticulture Organisations Survey shows that women in horticulture outnumber men by a significant margin, accounting for 56.5% of the total membership compared to men at 44.5%. While that pattern holds across all types of organisations, women’s membership (as a percentage of total membership) is the highest in registered organisations (65.0%) and the lowest in cooperative organisations at 54.5%.<sup>2</sup> That survey shows that women play a vital role in Rwandan horticulture sector and their contribution is nothing short of their male counterparts.

---

<sup>1</sup> NAEB, National Horticulture Policy and Strategic Implementation Plan, Draft 19 September 2014, available at [http://www.naeb.gov.rw/fileadmin/documents/National\\_Horticulture\\_Policy\\_and\\_Strategic\\_Plan.pdf](http://www.naeb.gov.rw/fileadmin/documents/National_Horticulture_Policy_and_Strategic_Plan.pdf), accessed on 12/04/2018.

<sup>2</sup> European Union’s External Cooperation Programme for Rwanda, *Baseline Report on the Rwanda Horticulture Organisations Survey, Final Report*, March 2014, p.14.

[4]. To this end, HAGURUKA NGO in partnership with the HIVOS Foundation conducted this research on the enforcement of labour law and working conditions of women in Rwandan horticulture sector.

[5]. The overall objective of this study was to investigate, document and highlight to what extent the rights established under Rwandan labour law and working conditions of women in Rwandan horticulture sector are enforced. The study sought to answer the following research questions:

1. What are the labour rights and working conditions of women workers in the horticulture sector?
2. How the labour rights and working conditions are enforced to the women working in horticulture in Rwanda?
3. What are problems experienced by women' workers in the horticulture sector?

[6]. It is expected that a qualitative and quantitative description and analysis of the current problems in the enforcement of labour law and working conditions of women in Rwandan horticulture sector will lead to the following concrete results within the horticulture sector:

- To track the problems encountered by women workers in Rwandan horticulture sector;
- To identify gaps in the enforcement of labour rights and working conditions in Rwanda horticulture sector ;
- To find out the attitude of their employers toward the enforcement of labour rights and working conditions in Rwanda horticulture sector;
- To find out possible solutions and recommendations to overcome these challenges.

[7]. The first step is exploring the background of horticulture in Rwanda. The background is intended to help to understand where the horticulture sector is coming from, where it is today and where it is heading to.

[8]. The second step is exploring the women labour rights and working conditions as elaborated in Rwandan domestic law and the ratified international instruments.

[9]. The third step is the assessment of the compliance of horticulture firms on the standard set in domestic law and ratified instruments on the labour rights and working conditions for women workers in horticulture. Here an emphasis was on the gaps in enforcement of these rights and conditions and practical problems faces by Rwandan horticulture firms.

[10]. The fourth step, these weakness and practical problems were analysed by making a comparison of the Rwandan horticulture sector with standards set by international labour Organisations for the protection of women workers in horticulture. From this analysis, recommendations for improvement of the women labour rights and working conditions in the horticulture sector were presented for the short and long term. At the end of the research, a draft final report that indicates final findings was presented.

[11]. In recent decades global food trade expanded considerably, with the largest growth in food exports from low-and-middle income countries to high-income countries. This trade is subject to public food quality and safety regulations as well as a large variety of, mostly voluntary, private standards.<sup>3</sup> These private food standards started to emerge at the end of the 1990s, mainly in response to consumer concerns in high-income countries about food safety and quality, and later expanded to address environmental and ethical concerns.<sup>4</sup> This includes labour standards, which emerged relatively recently and aim at ensuring dignified work and decent employment conditions. They are based on several resolutions of the ILO Declaration on Fundamental Principles of Rights at Work. Labour standards typically set out provisions on child labour, forced labour, discrimination and gender inequality, collective bargaining, a healthy and safe working environment, working hours and a decent remuneration. They provide guidelines on implementing and auditing

---

<sup>3</sup> Henson, S. & Humphrey, J. (2010). Understanding the Complexities of Private Standards in Global Agri-Food Chains as They Impact Developing Countries. *Journal of Development Studies*. 46(9), 1628-46

<sup>4</sup> Disdier, A. & Marette, S. (2012). How do consumers in developed countries value the environment and workers' social rights in developing countries? *Food Policy*. 37(1), 1-11.

labour protections. Private labour standards can be controlled and enforced through third-party certification or through a system of corporate codes of conduct.<sup>5</sup>

[12]. These private standards are diverse and include pre-farm gate or production standards as well as post-farm-gate or processing standards. Basic standards focus on quality and safety issues while more specific standards focus on environmental and social issues related to the production, processing, and distribution of food. Companies in the sector are often certified to multiple standards, first adopting more basic production and processing standards and later more specific standards related to environmental and labour issues. Specific labour standards started to emerge in the sector towards the end of the 2000s, mainly due to increasing pressure by international buyers to access information on the employment conditions in the companies of origin.

[13]. This study informs the stakeholders on the current status on the enforcement of labours law in Rwandan horticulture sector. It helps horticulture firms to assess themselves whether they fulfil are the requirement for Private standards and whether the qualified for certification in the Rwandan horticulture export sector. It informs also the horticulture sector stakeholder on whether there is a need for worker and horticulture firm empowerment through the private standards on labour law.

## **I.THE BACKGROUND OF HORTICULTURE IN RWANDA**

[14]. Collective production of horticulture crops in Rwanda dates back to the 1960s for some of the more established cooperatives and associations. The 2013 Baseline Survey of Horticultural Cooperatives and other Producer Organisations and Groups in Rwanda, (hereafter referred to as the Rwanda Horticulture Organisations Survey, or RHOS), shows the progressive growth of horticulture organisations in since these early times. What is

---

<sup>5</sup> Monica SCHUSTER and Miet MAERTENS, *Do labor standards benefit workers in horticultural export chains in Peru?*, *Bioeconomics Working Paper Series Working Paper 2014/10*, p.2.



especially illuminating in that survey is that over half of the organisations in existence today have been established since 2010, and over 90% have formed since the year 2000. This development is a tribute to Rwanda's emphasis on horticulture as a cornerstone in the strategy to commercialise and modernise the country's agricultural economy. Clearly, efforts to promote the horticulture sector have paid off in terms of the sheer numbers of organisations and their members.<sup>6</sup>

## **I.1. The importance of horticulture in Rwanda**

[15]. In 2013 agriculture accounted for approximately one-third of Rwanda's GDP.<sup>7</sup> The majority of the country's labour force is engaged mainly in subsistence agriculture. Small-scale farming remains the main source of livelihood for most households.<sup>8</sup> Horticulture accounted for an estimated 3.2 percent of 2013 national GDP and 9.7 percent of agricultural GDP. This is despite the fact that the production of fruits and vegetables occupied only an estimated 6.4 percent of the country's cultivated land. It is thought that up to one million rural households grow horticultural commodities, principally for home use and sale. For most rural households, home-produced fruits and vegetables provide an important source of the micronutrients necessary for a healthy balanced diet. More than half of households (58%) have a vegetable garden. These households show significantly better food consumption patterns than those who do not, with only 18% of them having unacceptable food consumption compared with 25% of the households who

---

<sup>6</sup> The 2013 Baseline Survey of Horticultural Cooperatives and Other Producer Organisations and Groups in Rwanda, (hereafter referred to as the Rwanda Horticulture Organisations Survey, or RHOS), p.11.

<sup>7</sup> National Institute of Statistics of Rwanda (NISR), Statistical Yearbook 2013. This shows estimated 2012 GDP to be Frw 4,363 billion to which agriculture contributed Frw 1,438 billion (33%). Some 88% of agriculture's contribution comprised crops (Frw 1,260 billion).

<sup>8</sup> National horticulture policy and strategic implementation plan, available at [http://www.naeb.gov.rw/fileadmin/documents/national\\_horticulture\\_policy\\_and\\_strategic\\_plan.pdf](http://www.naeb.gov.rw/fileadmin/documents/national_horticulture_policy_and_strategic_plan.pdf), accessed on 05/06/2018.

do not own a vegetable garden.<sup>9</sup> An occasional sale of surplus fruits and vegetables provides rural households with a valuable source of cash income.

## I.2. Women working in Horticulture Organisations

[16]. Women in horticulture outnumber men by a significant margin, accounting for 56.5% of the total membership compared to men at 44.5%. While that pattern holds across all types of organisations, women's membership (as a percentage of total membership) is the highest in registered organisations (65.0%) and the lowest in cooperative organisations at 54.5%.<sup>10</sup>

| Male and Female Membership by Organisation Type<br>(Cooperatives and Associations) |                 |        |                   |        |                  |        |                |
|--|-----------------|--------|-------------------|--------|------------------|--------|----------------|
| Organisation Type  | Male Membership |        | Female Membership |        | Total Membership |        | Percent Female |
|  | N               | %      | N                 | %      | N                | %      |                |
| Cooperative reg  | 18,497          | 70.1%  | 22,196            | 64.8%  | 40,693           | 67.1%  | 54.5%          |
| Association reg  | 3,752           | 14.2%  | 6,966             | 20.3%  | 10,718           | 17.7%  | 65.0%          |
| Association not reg  | 4,148           | 15.7%  | 5,098             | 14.9%  | 9,246            | 15.2%  | 55.1%          |
| Total  | 26,397          | 100.0% | 34,260            | 100.0% | 60,657           | 100.0% | 56.5%          |

Table 4 in the Rwanda Horticulture Organisations Survey 2013.

<sup>9</sup> The proportion in early 2012 was estimated to be 58%. See MINAGRI/NISR/WFP, (2012) Comprehensive Food Security and Vulnerability Analysis & Nutrition Survey 2012 (CFSVA and Nutrition Survey 2012), p. 57.

<sup>10</sup> The 2013 Baseline Survey of Horticultural Cooperatives and Other Producer Organisations and Groups in Rwanda, (hereafter referred to as the Rwanda Horticulture Organisations Survey, or RHOS), p.14.

[17]. Women outnumber men by a significant margin in their membership in horticultural organisations, 56.5% to 44.5%, reaffirming their role in the success of these organisations. Most horticulture groups in Rwanda have mixed membership, with only 1.4% being all male and 5.6 % being all female.

## **II. THE LABOUR RIGHTS AND WORKING CONDITIONS OF WOMEN IN HORTICULTURE SECTOR**

[18]. Horticulture labour rights and working conditions are mainly determined by Law n°13/2009 of 27/5/2009 regulating labour in Rwanda.<sup>11</sup> These rights and working conditions can be divided into two categories. First the rights and working conditions concerning all workers both male and female (employment contract, minimum wage; safety and hygiene; rest and holiday, trade union rights; norms on social security; etc.), and those specifically concerning women (non-discrimination; nature of the works prohibited to pregnant and breastfeeding women, breastfeeding period, maternity leave;...).

[19]. Furthermore, according to Article 168 of the Rwandan Constitution, international and regional instruments ratified by Rwanda have the force of law and supersede ordinary laws. Rwanda has ratified international and regional instruments that provide for the labour rights and working conditions for women workers. For example, International Covenant on Economic, Social and Cultural Rights of 19 December 1966<sup>12</sup>; the Convention on the Elimination of all Forms of Discrimination against Women of 18 December 1979<sup>13</sup>; the African Charter on the Rights and Welfare of the Child of 11 July 1990<sup>14</sup>; the Convention of December 18, 1979 on the Elimination of All Forms of Discrimination against Women; the International Labour Convention n° 100 of June 29,

---

<sup>11</sup> in O.G. n° 5 of 27/5/2009.

<sup>12</sup> Ratified by Decree-Law n° 8/75 of 12/02/1975.

<sup>13</sup> Ratified by the Presidential Order n° 431/16 of 10 November 1980.

<sup>14</sup> Ratified by the Presidential Order n° 11/01 of 30 May 2001.

1951 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work adopted in 1998 covers four 'universal rights' at work: freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labour, the abolition of child labour and the elimination of discrimination in respect of employment and occupation.

[20]. Horticulture organisations in Rwanda can be defined and categorized in many different ways. One of the more important groupings often used for legal and administrative purposes is whether and how organisations are registered, either locally or nationally. The major types of registration are registered cooperatives, registered associations, and private sector companies. There are also a sizable number of associations that are unregistered.<sup>15</sup> Most horticulture organisations in Rwanda are officially registered, with over half (52.6%) of the horticulture organisations in Rwanda being registered cooperatives and another 16.7% being registered as associations. The smallest group of registered organisations is the 38 private sector companies (3.3% of organisations). There are 313 (27.1%) organisations that are not registered.<sup>16</sup>

[21]. In reviewing labour legislation, as it applies to women workers in the horticulture sector; it must be remembered that in Rwanda these rules are not applied to a large sector of the economy, the informal sector. According to Article 3 of labour law (...) "The person dealing with family agricultural, breeding, commercial or industrial activities shall not be subjected to the provisions of this law, except for provisions relating to health and safety at the workplace as well as to prohibitions for child labour and for pregnant or breastfeeding women. The informal sector worker is not subjected to provisions of this law, except for issues relating to health and safety social security, the trade union

---

<sup>15</sup> The 2013 Baseline Survey of Horticultural Cooperatives and Other Producer Organisations and Groups in Rwanda, (hereafter referred to as the Rwanda Horticulture Organisations Survey, or RHOS), p.11.

<sup>16</sup> The 2013 Baseline Survey of Horticultural Cooperatives and Other Producer Organisations and Groups in Rwanda, (hereafter referred to as the Rwanda Horticulture Organisations Survey, or RHOS), p.12.

organizations and those relating to health and safety at the workplace". In the same line, Article 1, 38° of labour law defines informal sector worker as a worker who performs informal activities and who works for a company or an individual that is not registered as an employer in the commercial register or with authorities. In this regard, this study assesses the enforcement of labour law and working conditions of women in the horticulture registered farms in Rwanda.

## **II.1. Worker's Rights and working conditions under Rwandan law**

This subsection examines the worker's rights under Rwandan law.

### **II.1.1. Rights concerning all workers both male and female**

#### **II.1.1.1. Employment Contract**

[22].The right to employment is protected by Rwandan law and international instruments. The legal capacity of married women to sign an employment contract is granted in the Rwandan constitution that provides equals rights to both women and men.<sup>17</sup> Article 15 and 16 of Law n° 13/2009 of 27/05/2009 regulating labour in Rwanda provides that the contract of employment can be oral or written. All the means available may be invoked in its proving. That provision specifies that employment contract can be a fixed term contract an open-ended contract or for a well-defined work. In all cases, the contract of employment between the worker and various employers if they are not compromising one another are accepted. Article 17 of labour law states that a contract concluded for a continuous period superior or equal to six(6) consecutive months must be concluded in a written form.

[23].The termination of an employment relationship is likely to be a traumatic experience for a worker and the loss of income has a direct impact on her or his family's well-being. As more countries seek employment flexibility and globalization destabilizes traditional employment patterns, more workers are likely to face involuntary termination of

---

<sup>17</sup> Article 15 of the Rwandan constitution.

employment at some point in their professional lifetime. At the same time, the flexibility to reduce staff and to dismiss unsatisfactory workers is a necessary measure for employers to keep enterprises productive. Rwandan labour specifies that an open-ended contract may always be terminated by the will of either of the parties but for legitimate motives. This termination is subject to a prior notice given by the party that takes the initiative of termination. Any unlawful termination of contract may result in damages. Damages paid to the unlawfully dismissed worker cannot go below his/her three months' salary but they cannot exceed the six (6) - month salary.<sup>18</sup> The women worker's in horticulture sector have a right to employment contract.

#### **II.1.1.2. Minimum Wage**

[24].Article 76 of Rwandan labour law states that the minimum guaranteed wage (MGW) per categories of work shall be determined by an Order of the Minister in charge of labour after collective consultations with the concerned organs. Unfortunately, that order has never been enacted. There is no minimum wage fixed for workers in Rwandan horticulture sector. Worker's salaries are determined based on the price paid to their casual employer in the same region. The minimum salary varied between eight hundred to one thousand and five hundred Rwandan francs.

#### **II.1.1.3. Working Hours and overtime**

[25].The regulation of working time is one of the oldest concerns of labour legislation. Already in the early 19<sup>th</sup> century, it was recognized that working excessive hours posed a danger to workers' health and to their families. The very first ILO Convention, adopted in 1919, limited hours of work and provided for adequate rest periods for workers. Today, ILO standards on working time provide the framework for regulated hours of work, daily and weekly rest periods, and annual holidays. These instruments ensure high productivity

---

<sup>18</sup> Article 33 of Law n°13/2009 of 27/5/2009 regulating labour in Rwanda.

while safeguarding workers' physical and mental health. Standards on part-time work have become increasingly important instruments for addressing such issues as job creation and promoting equality between men and women. Article 49 of Rwanda labour law limits the legal employment's duration to forty-five (45) hours per week. However, due to the specific nature of the work the weekly working hours shall be based upon the agreement between the two parties.<sup>19</sup> Most of the women working in the horticulture sector work almost 8 hours per day from 6:00 am up to 2:00 pm. The employment duration per week in the horticulture sector is almost forty (40) hours.

#### **II.1.1.4. Rest and Holiday**

[26].The right to rest and holiday is also secured by Rwandan law. Article 53 of Rwandan labour law states that except for more favorable provisions from collective conventions between employer and worker or individual employment contract, every worker shall be entitled to a paid leave at the employer's expenses, on the basis of one and a half working days per month of effective continued work. Official holidays shall not be considered as part of the annual paid leave. The worker shall benefit from one working day per year of annual paid leave for every three years of experience in the same institution. However, annual paid leave, in any case, cannot exceed twenty-one (21) working days. If the worker works less than forty-five (45) hours per week, his/her leave is counted to the pro rata of the hours she/he worked for. A less than eighteen (18) years old worker is entitled to a two (2) working days leave per month of continued work. Article 57 states that the leave is granted to the worker for the purpose of allowing him/her to rest; the grant of a compensatory allowance in replacement of a leave is formally prohibited in all other cases. However, in case of contract termination or expiry before the worker has benefited from his/her leave, a compensation indemnity is paid in lieu of the leave he/she was entitled to and which calculated is as provided for in Article 53 of this law.

---

<sup>19</sup> Article 49 of Law n°13/2009 of 27/5/2009 regulating labour in Rwanda.

[27].Additionally, Article 61 of the Rwandan labor law states that for the worker to benefit from the sick leave, he/she shall forward to the employer a written certificate signed by a recognized medical doctor justifying the worker's inability to work. Where the sick leave goes beyond fifteen (15) days, the employer may require the worker to bring him/her a certificate signed by three recognized medical doctors. The worker has the right to his/her salaries for the three (3) first months. Article 62 of the same law indicates that the employer shall not pay back to the worker who has been absent for more than two (2) days due to illness without handing in a certificate signed by a recognized medical doctor. The worker who has been on a payable sick leave for three (3) months shall have the right to a non-payable work suspension for three (3) months. Article 63 of the same law specifies that the worker has the right to an incidental leave in case of good or unfortunate events which may occur in his/her family. Incidental leaves shall be determined by an order of the Minister in charge of Labour.

#### **II.1.1.5. Trade Union Rights**

[28].The right to form trade unions for the defence and promotion of legitimate professional interests is recognized under Article 31 of the Constitution of the Republic of Rwanda of 2003 revised in 2015. Every worker may defend his or her rights through a trade union in accordance with the law.

#### **II.1.2. Rights and working conditions specifically for women**

[29].Next to rights and working conditions concerning all workers both male and female, Rwanda labor law recognises women worker's Rights that also applied to the women working in the horticulture sector.

##### **II.1.2.1. Non-discrimination**

[30].Discrimination (Employment and Occupation) Convention, 1958 (No. 111) defines discrimination as any distinction, exclusion or preference made on the basis of race,



colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. It requires ratifying states to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in these fields. This includes discrimination in relation to access to vocational training, access to employment and to particular occupations, and terms and conditions of employment. Workers with Family Responsibilities Convention, 1981 (No. 156) With the aim of creating effective equality of opportunity and treatment for men and women workers, the convention requires ratifying states to make it a goal of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities. The convention also requires governments to take account of the needs of workers with family responsibilities in community planning and to develop or promote community services, public or private, such as childcare and family services and facilities. In addition to these standards, numerous other ILO standards include provisions on equality in relation to the specific topic they cover.

[31].Article 16 of the Rwandan constitution provides the guarantees against the discrimination based on various factors includes sex. Article 12 of Rwandan labour law states that It shall be forbidden to directly or indirectly make any discrimination aiming at denying the worker the right to equal opportunity or to the salary especially when the discrimination is based upon the following: (...) sex, marital status or family responsibilities; (...) previous, current or future pregnancy. Besides prohibiting discrimination, the Rwandan constitution also provides for affirmative action with regard to quota for women in decision making positions. Article 10 of Rwandan constitution states that the State of Rwanda commits itself to upholding the following fundamental principles and ensuring their respect(...)building a State governed by the rule of law, a pluralistic democratic Government, equality of all Rwandans and between men and

women which is affirmed by women occupying at least thirty percent (30%) of positions in decision-making organs.

#### **II.1.2.2. Nature of the works prohibited to pregnant and breastfeeding women**

[32].Article 74 of Rwandan labour law states that pregnant or breastfeeding woman shall not be employed in activities which may be harmful to their lives or to those of their babies. An order of the Minister in charge of Labour shall determine the nature of those works prohibited to pregnant or breastfeeding women. Article 51 Ministerial Order N°02 of 17/05/2012 that determines conditions for occupational health and safety at workplace specifies that upon presentation of a medical certificate from a reorganized medical doctor, the employed pregnant woman shall not be employed for work which might pose a threat to her health and that of her pregnancy. Article 52 of the above ministerial order specifies that upon presentation of a medical certificate from a recognized practitioner to the employer, the employed breastfeeding woman shall not be employed for work which might pose a threat to her health and her pregnancy. Women also have the right to enjoy special protection during pregnancy and paid maternity leave, and the right not to be dismissed on grounds of pregnancy or maternity leave.<sup>20</sup>

#### **II.1.2.3. Breastfeeding period**

[33].Article 65 of Rwandan labour law provides for the breastfeeding period for a twelve months period starting from the day on which an infant is born, every employed woman is entitled to a rest period of one (1) hour per day, to allow her to breastfeed the child. However, a mother who resumes service for the last six (6) weeks of her maternity leave shall have the right to a rest period of two (2) hours per day until the time which is specified in the first paragraph of Article 64, is expired. The legal rest granted to mothers who breastfeed shall be deducted from the work time and shall be paid.

---

<sup>20</sup> CEDAW, art. 11(2).

#### **II.1.2.4. Maternity Leave**

[34].Article 64 of Rwandan labor law specifies that every employed woman has the right to a maternity leave of twelve (12) consecutive weeks. This woman may decide to start benefiting from this leave two (2) weeks before the tentative date of delivery. [...]. Article 66 of Rwandan labour law states that the mother with no maternity insurance coverage shall, during the first six (6) weeks of her maternity leave, have the right to her entire salary. During the last six (6) weeks of her maternity leave, this mother may either resume service and receive her full salary or else, have the right to twenty percent (20%) of her salary. She shall also keep enjoying the right to other types of benefits. Article 67 of Rwandan labour law states that the employer shall not give to an employed woman a notice of contract termination which is included in her maternity leave. At the end of maternity leave, the woman shall resume her work or be given another post with the same position and salary as she used to have before she was on maternity leave. Article 69 of Rwandan labour law states that should there be any complications due to delivery and which are ascertained by a recognized doctor, the employer shall grant to the woman a paid prolonged maternity leave in addition up to a maximum of one month in accordance with the provisions of Article 66 of this Law. Likewise, in case of complications bound to delivery or congenital state and which are certified by a recognized doctor, the employer allows the woman to take a paid prolonged maternity leave of one month maximum, in order to protect the child's health in conformity with Article 66 of this Law.

[35].According to provisions of the Law N°. 003/2016 establishing and governing maternity leave benefits scheme, "the employer declares and remits collected contribution to the Social Security Administration not later than fifteenth (15) days of every month following the month of contribution" implying that the deadline for paying contributions by employees for the month of November will be 15<sup>th</sup> December 2016.

[36].With the new maternity leave benefits regime, mothers will no longer face the hard choice of either completing two weeks of leave and lose 80% of their family's income or

return to work after 6 weeks to keep their income, as was the case before. This is a new social security scheme, whose establishment was part of Government of Rwanda's commitment towards empowering women to physically recover, care for the newborn and avoid maternity to become a barrier to their contribution to the national development. Maternity benefits are one of the nine minimum standards contained in the ILO Convention No. 102 (1952) on social security (minimum standards), others being medical care, sickness, unemployment, old age, employment injury, family, invalidity and survivors benefits. Convention No. 183 (2000) on maternity protection, requires that cash benefits to be paid to the woman on maternity leave shall be at a level which ensures that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living. According to the law, monthly contributions to the scheme managed by RSSB shall be 0.6% of the employee's gross salary, both the employer (public and private) and the employee shall contribute to a tune of 0.35%.<sup>21</sup>

#### **II.1.2.5. Non-Harassment, or Abuse**

[37]. Women workers are protected against sexual harassment. Article 203 of Rwandan penal code indicates that an employer or any other person who sexually harasses his/her subordinate by way of orders, threats or terror for the purposes of his/her sexual pleasure shall be liable to a term of imprisonment of six (6) months to two (2) years and a fine of one hundred thousand (100,000) to two hundred thousand (200,000) Rwandan francs.<sup>22</sup>

---

<sup>21</sup> The International Labour Organization (ILO), Rwanda: ILO welcomes the launch of a new maternity leave benefits scheme, available at [http://www.ilo.org/addisababa/media-centre/pr/WCMS\\_536225/lang-en/index.htm](http://www.ilo.org/addisababa/media-centre/pr/WCMS_536225/lang-en/index.htm), accessed 17/07/2018.

<sup>22</sup> Organic Law n° 01/2012/OL of 02/05/2012 instituting the penal code, *Official Gazette n° Special of 14 June 2012*.

### **II.1.3. Working conditions and Social Security protection**

#### **II.1.3.1. Workplace welfare, health, and safety**

[38].The ILO Constitution sets forth the principle that workers should be protected from sickness, disease, and injury arising from their employment. Occupational Safety and Health Convention, 1981 (No. 155) and its Protocol of 2002 provides for the adoption of a coherent national occupational safety and health policy, as well as action to be taken by governments and within enterprises to promote occupational safety and health and to improve working conditions. This policy shall be developed by taking into consideration national conditions and practice. The Protocol calls for the establishment and the periodic review of requirements and procedures for the recording and notification of occupational accidents and diseases, and for the publication of related annual statistics.

[39].Article 90 of the Rwandan labour law states that Working premises shall be kept clean and equipped with health safety and protection facilities. Article 91 of Rwandan labour law states that the employer shall put at the worker's disposal all necessary and appropriate protective equipment and look after their correct use. He/she must know ways and means to protect against hazards and train workers on such ways and means. Article 95 of the same law indicates that the employer must create a health and safety committee in his/her institution as well as modalities for their functioning. Article 96 specifies that the employer must put at the disposal of workers, at his/her own cost, an emergency box of first aid needed in case of an accident. In case of a work accident, the employer must evacuate the injured and the patients to the nearest health centre.

[40].With regards, to conditions for occupational health and safety, there is a Ministerial Order n°02 of 17/05/2012 that determines conditions for occupational health and safety at the workplace.<sup>23</sup> According to Article 41 of that ministerial order, every employer shall provide and maintain an adequate supply of drinking water conveniently accessible to all

---

<sup>23</sup> Official Gazette n° Special of 25/05/2012.

persons employed, and free of charge. The water shall be contained in suitable and clean vessels and be protected from contamination.

[41].Moreover, the Article 43 of that ministerial order specifies that every employer shall provide persons employed adequate and suitable washrooms which must be kept in a clean and orderly condition. Article 44 of the same ministerial order provides that the employer shall provide workers with change rooms separated by sex and equipped with a sufficient number of seats and individual lockable or padlock able wardrobes for keeping the clothes that are not worn during working hours.

[42].Furthermore, the Article 46 that ministerial order states that depending on the nature of work, the basic safety protective clothing and appliances of employed person shall consist of: 1° a helmet and welding glasses that protect eyes from damage; 2° appropriate respirators to protect against dust, gases, vapors or other noxious fumes; 3° sunglasses to protect the worker against annoying lights, all kinds of radiation harmful to eyesight and all solid, liquid or gaseous emissions likely to cause injury; lead-coated blouses and/or other appropriate devices for protection against radiation harmful to the health of the exposed individual; 5° effective noise control devices to decrease the intensity of noise such that it does not go beyond eighty-five (85) decibels; 6° gloves that are best suited to the type of work to be done, sleeves, knee pads and headgear; 7° special shoes to protect workers against sliding, splashing, fumes and dangerous contacts; 8° protective clothing such as fastened collar and long sleeves and tight cuffs, jacket and long pants; 9° high visibility vest; 10° equipment to protect against heat or cold and the risk of fire; 11° equipment to protect risk of injury; 12° water proof gowns and clothes; 13° harness and lifeline for protection against falls from height; 14° any other equipment, devices or accessories recognized to provide effective protection.

### II.1.3.2. Social Security protection

[43].Every woman, as well as every man, has a right to social security in cases of retirement, unemployment, sickness, invalidity and old age.<sup>24</sup> A society that provides security for its citizens protects them not only from war and disease but also from the insecurities related to making a living through work. Social security systems provide for basic income in cases of unemployment, illness and injury, old age and retirement, invalidity family responsibilities such as pregnancy and childcare, and loss of the family breadwinner. Such benefits are important not only for individual workers and their families but also for their communities as a whole. By providing health care, income security, and social services, social security enhances productivity and contributes to the dignity and full realization of the individual. Social security systems also promote gender equality through the adoption of measures to ensure that women who have children enjoy equal opportunities in the labour market. For employers and enterprises, social security helps maintain a stable workforce adaptable to change. Finally, by providing a safety net in case of economic crisis, social security serves as a fundamental element of social cohesion, thereby helping to ensure social peace and a positive engagement with globalization and economic development.

[44].Articles 4 of the law on pension specifies that persons subject to mandatory pension scheme are the following: 1° all employees governed by the Law regulating labour in Rwanda regardless of nationality, type of contract, duration of the contract or the amount of wages;<sup>25</sup> as indicated the employees in the informal sector are not protected under existing labour law. It is worth mentioning although the informal sector workers are not subjected to provisions of labour law. With issues relating to social security, the trade union organizations and those relating to health and safety at the workplace are subjected to the labour law.

---

<sup>24</sup> UDHR, art. 22, ICESCR, art. 9 and CEDAW, arts. 11(1)(e) and 14(2)(c)).

<sup>25</sup> Law n° 05/2015 of 30/03/2015 governing the organization of pension schemes, *Official Gazette n° 20 of 18/05/2015*.

### III. METHODOLOGY

[45]. To achieve the expected results as above mentioned this research have used both qualitative and quantitative approaches.

[46]. The qualitative approach consisted of a national desktop research that focused on the analysis of the existing literature and reports of the current status of horticulture sector in Rwanda. The first step of studying the working conditions of women in horticulture sector in Rwanda and the enforcement of labour law was to know how many women employed in that sector. To assess the status of their employment in assessing who occupies the managerial position, the permanent staff, and temporary jobs or daily jobs. These data were collected through the currently available statistics in Rwanda and questionnaires given to the head of horticulture firms.

[47]. Moreover, it was necessary to consider working conditions for women workers in the horticulture sector in Rwanda by analysing the employment contract, women average wage, hourly earnings, working hours and overtime, access to social protection, access to maternity right and improved women's leadership. The working condition of women in the horticulture sector in Rwanda was confronted with the analysis of the law n° 13/2009 of 27/05/2009 regulating labour in Rwanda together with ratified international instruments and regulations related to labour law.

[48]. The use of qualitative research methods such as semi-structured, in-depth interviewing enabled researchers to explore the research field as there was no prior literature from which to draw their leads. Depth interviews with four government and two non-government organisations that have the enforcement of labour law in the horticulture sector into their attributions were conducted.

[49]. As for quantitative research, this consist of collecting primary data through questionnaires. Questionnaires were designed and distributed to both women and



horticulture firm managers using random sampling techniques. The questionnaire was developed basing on the rights and working conditions as established by the labour law especially focused mainly on the employment contract, women average wage, hourly earnings, working hours and overtime, access to social protection, access to maternity right and improved women's leadership. Questionnaires were delivered to horticulture farm managers and Women working in horticulture sector at their working place. Questions were distributed and collected by research assistants. The information collected was analysed in the form of tables by use of appropriate software.

[50]. Eleven managers of horticulture farms and seventy-seven women working in their respective firms responded to these questionnaires. Criteria for identification of these farms was based on two non-cumulative conditions. First, horticulture farms that have been trained by HAGURUKA on rights of employees. Second, horticulture firm members of Rwanda Horticulture Interprofessional Organisation (RHIO). These firms have been chosen randomly in the support and guidance of the coordinator of RHIO.

#### **IV. INTERPRETATION OF DATA**

[51]. Although there are various laws that were put in place for the protection of women workers even at their workplace, there are still some challenges in the proper implementation of these protection mechanisms in Rwandan horticulture. Those laws have not been quite effective in the protection of rights of women workers in the horticulture sector and undesirable working conditions at the workplace. Also, there are still several issues and problems that women workers in horticulture sector face today, especially the lack of employment contract, lack of protection against the works prohibited to pregnant and breastfeeding women, lack of maternity leave and breastfeeding period. Sometimes, their working conditions that related to health and safety as provided for in Rwandan labour code are not respected.

[52]. Besides, it has been noted that policies and legal mechanisms alone cannot help in curbing the problems faced by women working in horticulture sector - the overall attitude and acceptance level of the people need to change. Letting women work outside their homes do not mean that they're treated equally as men in the society. The issues and problems that women face in their workplaces should be put to an end and then only it can be said that men and women have equal status.

#### **IV.1. Analysis of enforcement of women workers rights in Rwandan horticulture sector**

[53]. Laws protecting women's labour rights are not often implemented. Women workers in horticulture are often unaware of their labour rights. In addition, women make a considerable portion of the horticulture labour force employed in the informal sector, where labour legislation is not applied.

##### **IV.1.1. Ignorance of women workers' rights**

[54]. This research found that there is an ignorance of women workers' rights among the horticulture employers and employees.

##### **IV.1.1.1. Employers' ignorance of workers' rights**

[55]. Upon the starting of the horticulture firm, the employer has a business-oriented spirit and are not aware and not informed on their employees' rights before starting their business and this ignorance continues. Employers in horticulture 81.8% who answered the question stated that they had not aware of the rights of women workers in the horticulture firm. Conversely, 75 % of employers respondents said that they had been given no training on the employees' rights. It would seem that those interviewed, for the most part, did not consider themselves to have been concerned by the employees' rights.

They thought that employees working in the horticulture sector belong to an informal sector that is not covered by labour law.

#### **IV.1.1.2. Employees' ignorance of their labour rights**

[56]. There is evidence of ignorance of rights concerning women workers in the horticulture sector. Of all those questioned in the horticulture firm. 75,9 % don't know their rights as women workers. This ignorance resulted in their level of education, all those questioned in the horticulture firm 74% don't have a secondary school education. Moreover, most of them have never been informed of their rights.

[57]. 75,9 % of women workers respondents said that they had not been told by their employers or another person of their right as women workers. The employers stated that they don't think it's their responsibilities to provide such information and said that this would be the tasks of government officials.<sup>26</sup>

#### **IV.1.2. Enforcement of women worker's labour rights**

[58]. 54% of women workers respondents said that they have been victims of labours rights violation. Most of the respondents stated that the rights related to the employment contract and the right to pension have violated.

##### **IV.1.2.1. Employment contract, wage, benefits and Working hours**

[59]. 87% of those questioned stated that their rights to employment contract have been violated by their employers as they do not have a fixed term employment contract or open-ended contract instead they are considered as a casual worker. There was evidence that 87% of those questioned don't have a written employment contract. The lack of employment contract is explained by the fact that most of the employees in horticulture

---

<sup>26</sup> Interview with Cancilde Kazimoto 5/07/2018.

are considered as seasonal workers.<sup>27</sup> Most of the workers are hired for a short period of time especially in harvest time to accomplish routine tasks during a productive period.

[60]. Due to lack of fixed minimum wage in Rwandan labour law, management at all sites was unwavering that workers were paid the agreed salary depending on the district. The daily salary changed between pay 800 per day up to 2000 per day.

[61]. With regards to the working hours per day, it is worth indicating that the Hours of Work (Industry) Convention, 1919 (Nº.1) and Hours of Work (Commerce and Offices) Convention, 1930 (Nº. 30) set the general standard at 48 regular hours of work per week, with a maximum of 8 hours per day. In Rwandan, the legal employment's duration is forty-five (45) hours per week. However, due to the specific nature of the work, the weekly Working hours shall be based upon the agreement between the two parties. In each institution, after consultation with staff representatives, every employer shall draw a timetable complying with the forty-five (45) working hours, indicating hours at which the working period commences and ends. The timetable shall be drawn by the employer and shall be written in Kinyarwanda and in one of the other official languages. The employer shall date, sign and display the timetable on the staff notice board.<sup>28</sup> It has been found that most of the employees in the horticulture sector work at least 8 hours per day, forty hours per week.

#### **IV.1.2.2. Lack of Rest and Holiday**

[62]. Although the right to rest and holiday is also secured by Rwandan law. It has been found that 52% women working in horticulture do not get a paid leave at the employer's expenses, on the basis of one and a half working days per month of effective continued

---

<sup>27</sup> Interview with UFITENEMA Chantal, works as Horticulture production support officer in charge of vegetables at National Agriculture Export Board (NAEB), 20/08/2018.

<sup>28</sup> Article 3 Ministerial order N° 04/19.19 of 17/09/2009 determining the modalities for application of the weekly working hours in the private sector, Official Gazette n° 30 of 26/07/2010.

work. The women working in the horticulture sector do not benefit from one working day per year of annual paid leave for every three years of experience in the same institution.

[63]. Additionally, it has been found that the workers in horticulture firm do not benefit from the sick leave. In case of illness, the employer recruits another person to replace that person with the illness. It has been found that in case of in case of good or unfortunate events which may occur in employee family, the employer may grant to the employees an incidental leave without pay.

#### **IV.1.2.3. Non-discrimination and Prohibition of Gender-based violence**



**Photo was taken while visiting the Garden Fresh Farm**

[64]. 100 % respondents stated that in general, the employers in the horticulture sector do not discriminate against women in their firms. It has been found that most of the employees working in horticulture are women. This fact is explained by the nature of work

in horticulture that is fit for women. Customary law also affects the labour rights of agricultural women workers. Generally speaking, there is a gender division of labour, whereby men mainly cultivate cash crops, while women cultivate food crops or locally traded crops. Depending on the nature of work likes digging and harvest the women are discriminated.

With regard to the prohibition of Gender-Based Violence, 100% respondents indicated that they have never been a victim of Gender-Based Violence and sexual harassment. This no violence is explained by fact that most employer and employees are women.

#### **IV.1.2.4. Nature of the works prohibited to pregnant and breastfeeding women**

[65]. It has been found that that Pregnant or breastfeeding woman is employed in activities which may be harmful to their lives or to those of their babies. It has been found that most women pregnant or breastfeeding women employed are not protected against the pesticide used in the horticulture firm. It has been confirmed that most of the women are not informed about the negative effect of pesticide on their pregnancy and babies. In case the pregnancy put the women working in a condition that cannot be performed his work as expected by the employer, she is dismissed and replaced by another worker.

#### **IV.1.2.5. Breastfeeding period and Maternity leave**

[66]. 80 % of respondents stated that when women give birth instead of giving her the maternity leave, they terminate her contract and look for another person who can replace her. This is a clear breach of Article 64 of Rwandan labour law that provides that every employed woman has the right to a maternity leave of twelve (12) consecutive weeks. With the lack of maternity leave, the women working in the horticulture sector preferred to return at the work with their babies as soon as possible.

[67]. It has been found that the women working in the horticulture sector do not have an official time for breastfeeding, the place to keep their small kids and person to look after

their kids. As confirmed by 70% having a little a kid is discouraging fact for employers to the employee the women with little kids. The employer considered them as not productive equal to the employer without little kids as those with little kids take time to breastfeed and look after their babies.

#### **IV.1.2.6. Trade union rights**

[68]. Although the right to form trade unions for the defence and promotion of legitimate professional interests is a constitutional right, it has been found the employees working do not belong to any trade union.<sup>29</sup> The lack of affiliation to the trade union is explained by the fact that this horticulture is a new sector in Rwanda. Most employees working in that sector do not have an employment contract and are seasonal workers. Moreover, contrary to the employers who have established in 2015 the Rwanda horticulture interprofessional organisation (RHIO),<sup>30</sup> there is no trade union that coordinates the employees working in the horticulture sector. The lack of employees trade union impact on the advocacy of their rights.

---

<sup>29</sup> Interview with Jean De Dieu, CESTRAR, 12 July 2018.

<sup>30</sup> Official Gazette n°49 of 07/12/2015.

### **IV.1.3. Enforcement of health and safety of women in the horticulture sector**



#### **IV.1.3.1. Personal Protective Equipment**

[69]. While the Rwanda law specifies that depending on the nature of work, the basic safety protective clothing and appliances of employed person shall consist of: 1° a helmet and welding glasses that protect eyes from damage; 2° appropriate respirators to protect against dust, gases, vapors or other noxious fumes; 3° sunglasses to protect the worker against annoying lights, all kinds of radiation harmful to eyesight and all solid, liquid or gaseous emissions likely to cause injury; lead-coated blouses and/or other appropriate devices for protection against radiation harmful to the health of the exposed individual; 5° effective noise control devices to decrease the intensity of noise such that it does not go beyond eighty-five (85) decibels; 6° gloves that are best suited to the type of work to be done, sleeves, knee pads and headgear; 7° special shoes to protect workers against sliding, splashing, fumes and dangerous contacts; 8° protective clothing such as fastened



collar and long sleeves and tight cuffs, jacket and long pants; 9° high visibility vest; 10° equipment to protect against heat or cold and the risk of fire; 11° equipment to protect risk of injury; 12° water proof gowns and clothes; 13° harness and lifeline for protection against falls from height; 14° any other equipment, devices or accessories recognized to provide effective protection, it has been the 83 % of visited sites do not meet these conditions.

[70]. Chemicals such as fertilizers, detergents, oils, disinfectants and plant protection products can play an important role in everyday life on the farm. However, if these chemicals are not used safely, then employees could be at risk. Chemical exposure can result in health effects such as cancers, birth defects, burns, skin rashes, and lung, liver or kidney disease. When using chemicals on the farm, it has been found that most employees do not know how dangerous they are and they do not have the necessary controls in place to keep them, their family and the environment safe.

#### **IV.1.3.2. An adequate supply of drinking water and appropriate washrooms**

[71]. Although Rwanda law provides every employer shall provide and maintain an adequate supply of drinking water conveniently accessible to all persons employed, and free of charge. The water shall be contained in suitable and clean vessels and be protected from contamination. It has been found that 90% of visited working sites, employers do not have access to clean water.

[72]. Moreover, it has been found that most employers do not provide persons employed adequate and suitable washrooms which must be kept in a clean and orderly condition. Except for Bella Flowers that has a well equipped changing room separated by sex, other horticulture firms do not provide workers with changing rooms separated by sex and equipped with a sufficient number of seats and individual lockable or padlock able wardrobes for keeping the clothes that are not worn during working hours.

#### IV.1.3.3. Horticulture firm health clinics



Picture was taken while visiting Bella flowers

[73]. Except for Bella flowers that has health care clinic within the firm, that help workers especially women workers; It has been found that most of horticulture firms do not have health care clinics and first aid kits that may assist the women in case of emergency or accident at work. In case the accident or emergency the workers are recommended to go to the nearest centre de santé or post de santé.

#### **IV.1.3.4. Protection of children with their working mothers in the horticulture sector**



Picture was taken while visiting Proxifresh Rwanda Ltd

[74]. Parental care for children consumes a significant proportion of women's time. Lack of adequate child care represents one of the principal barriers to women's employment and may be a principal reason for the larger proportion of women in agricultural activities. This larger proportion is explained by the facts that women work while taking a care for her little children. It has been found that workers women brought their little kids to the workplace especially those who are breastfeeding them. However, most of the horticulture firm sites do not have an appropriate place to look after those little kids who came with their mothers.

#### **IV.1.4. Enforcement of norms on social security**

##### **IV.1.4.1. Access to the health insurance**

[75]. It should also be observed that those 100% women working in horticulture do have access to the health insurance through Community Based Health Insurance (Mutuelle de santé). Community-Based Health Insurance (Mutuelle de santé) available is contributed only by employees. Contrary to other employees working in the formal sector who have access to mandatory health insurance and who benefits from the Rwanda Health Insurance Fund. That fund obtains its contribution from both employer and employees.

##### **IV.1.4.2. Access to the pension**

[76]. There is a distinct lack of access to the pension for those women working in the horticulture sector. Of all those questioned women working in the horticulture sector, only 10% have an access to the pension. This lack of access to the pension is explained by the fact of considering women working as workers in the informal sector.

#### **IV.2. Analysis & Discussion regarding policymakers in the horticulture sector**

[77]. Four main policymakers on the protection of women 'rights in horticulture sector and the two non-government organizations that related to horticulture sector were approached for interview in order to acquire their views on the existing protection of women working in the horticulture sector. It has been found that most employees in horticulture firms are considered casual workers. This situation has a big implication on the enforcement of labour law. Most of the employees do not have an employment contract, they are paid on daily basis upon their performance and fixed daily salary in their district as a salary for a casual employee. Besides, most employees working in the horticulture sector do not have access to other benefits for employees working in the formal sector.

#### **IV.2.1. Most of women worker's in horticulture sector are casual workers**

[78]. It is acknowledged by the ministry of labour that the most of the women worker's in Rwandan horticulture sector are considered as casual workers that belong into the informal sector.<sup>31</sup> This fact has been also confirmed by 86% of respondents employer stated that the majority of their employees are casual workers. This consideration affects the most of women rights working in horticulture sectors, most of them do not have an employment contract, they do not have a right to maternity leave or to breastfeeding period. They do not have health insurance and pension as it is organised in the formal sector. The lack of employment contract is explained by the fact that most of the visited firm depends on the weather. Therefore, giving the employment contract to those seasonal workers may bind the employers to keep the same employees and continue to pay them for their annual leave or other circumstance leave. Most women do not have access to protective equipment while at work place and clean water. Most women do not have where to place their little kids.<sup>32</sup>

[79]. It worth indicating that although those women are in the informal sector, they are protected by the labour law especially on the issues relating to health and safety social security, the trade union organizations and those relating to health and safety at the workplace". This research revealed that women working in the horticulture sector do not have a trade union that can plead their rights vis a vis to employers organisations working in horticulture sector( RHIO).<sup>33</sup>

#### **IV.2.2. Ignorance of women worker's labour rights**

[80]. Although the Rwandan law provides for a number of rights for women working in the horticulture sector, these rights are not enforced due to ignorance of women working in

---

<sup>31</sup> Interview with inspector Nkundabakura Karima Javan, 11/07/2018

<sup>32</sup> Interview with Cancilde Kazimoto 5/07/2018.

<sup>33</sup> Interview with Jean De Dieu, CESTRAR, 12 July 2018.

that sector.<sup>34</sup> It has been acknowledged by the coordinator of the employer's organisations working in horticulture sector that most employers are not aware of the rights of women working in the horticulture sector.<sup>35</sup> 75% of employers respondent stated that they have not been trained in the labour rights.

#### **IV.2.3. Lack of support for those who start their business in the horticulture sector**

[81]. In order to fulfil all the requirement regarding the health and safety at the workplace require much investment which is not a disposal for the small and starting horticulture firm. In the beginning, the employer is straggling to set up his firm and fighting to get the benefit. Most of the employers with a small firm, they stated that the rights of workers came at the second level.<sup>36</sup> 50% of employers respondent said that the no compliance of labour law and working conditions is due to lack of resources.

#### **IV.2.4. Lack of monitoring of enforcement of women worker rights and punishing those who fail to enforce them**

[82]. Although Rwanda has a good law that protected women workers, it has been found that there is no monitoring of how these rights have been enforced in various sector especially in the horticulture sector. The existing inspector at the district level receive the labor disputes. With their limited number and responsibilities, they have not yet started to go to an individual firm to check the enforcement of labour right.<sup>37</sup> The employers did not receive a training on the rights of women 'workers and the importance of enforcing these rights.

---

<sup>34</sup> Interview with MURANGIRA Jean Bosco-Director of Women Economic Empowerment, MIGEPROF, 14/08/2018.

<sup>35</sup> Interview with Cancilde Kazimoto 5/07/2018.

<sup>36</sup> Interview with Cancilde Kazimoto 5/07/2018.

<sup>37</sup> Interview with labour inspector Nkundabakura Karima Javan, 11/07/2018.

[83]. Besides, there is no punishment for those who do not fulfill the working conditions in the horticulture firm and there is no firm closed so far due to the violations of women workers rights.

[84]. As their employees also do not know their rights, in case of violations of their rights, they do not claim. 76% of women workers respondents said that in case of violation of their labour rights, they keep silent in order to protect their dairy jobs.

## **V. CONCLUSION AND RECOMMENDATIONS**

[85]. The *de jure* position in Rwanda is crystal clear and in the regional context, Rwanda is to be congratulated on the laws which, in principle, govern the rights of women workers and their working conditions. Unfortunately, there is overwhelming evidence that the horticulture sector which is a new sector *de facto* is a cause for concern. It should be pointed out that the problems appear to stem from the starting of the booming of horticulture sector failures in the protection of women working in the horticulture sector. With regards to the rights and working conditions concerning all workers both male and female, it has been found that there is a violation of the right to the employment contract. There is no minimum wage yet set. The conditions of health and safety in the workplace are not fulfilled. The employees in the horticulture sector do not belong to the trade union and they do not have an access to health insurance and pension compare to other employees working in the formal sector.

[86]. With regards to the enforcement of labour rights especially those concerning women, it has been found that although the discrimination is prohibited, most of the women are discriminated due to their physical conditions, while being pregnant or breastfeeding. It has been found also that most of the women working in the horticulture sector do not obtain the paid maternity leave and breastfeeding period. It has been noted that except

for Bella flowers that meet the private standards, other horticulture firms have a long way to go.

## **V.1. RECOMMENDATIONS**

### **V.1.1. HORTICULTURE FIRMS**

1. Comply with labor law and private standards especially those protecting women right working in their firms.
2. Equip their staff with all the necessary equipment for their protection while working in the firm.
3. Provide the clean water to the site for their staffs.
4. Train the staffs on their behaviours vis a vis to chemicals and pesticides used in the horticulture firm.
5. Build the horticulture firm clinic and provide the Emergency First Aid Kits that will help their staffs in case of accident and emergency in the firm.
6. Build the toilettes for those firm that don't have and changing room for workers separated by sex.
7. Establish posters that contain all Warning to workers especially those related to their protection against the chemical and pesticides.

### **V.1.2. HAGURUKA and other Civil Society Organisations**

1. Raise public awareness regarding the rights of women' workers in the horticulture sector.
2. Train horticulture employers and employees to enhance their knowledge and skills on the rights of women workers.
3. Simply the labors law that provides the rights of women working in the horticulture sector and distribute these simplified booklets to both employers and employees working in the horticulture sector.



4. Disseminate the finding of this study through a simple booklet in Kinyarwanda and distributed them to both employers and employees working in the horticulture sector.
5. Support the horticulture firms to establish and run the gender committee, health and safety, and welfare committee.
6. Support the horticulture firms in establishing the horticulture health clinic and enable those firm to be equipped with the Emergency First Aid Kits.
7. Organise the study trips for the employers of horticulture firms who did not fulfill all the requirement of health and safety requirement in order to learn from those who are advanced such as Bella flowers.
8. Raise public awareness on the availability of legal aid provided by Haguruka and other Civil Society Organisations available for women victims of domestic violence or sexual harassment.

### **V.1.3. CESTRAR**

1. Help workers working in the horticulture sector to form their independent union representation of all workers working in horticulture sector (permanent, temporary and seasonal), and social dialogue between employer and unions.
2. Help and make an advocacy in order to enable the employees working in the horticulture sector to have a worker delegate who has been trained in labour law who will enlighten his or her colleagues on daily basis on their respective rights.

### **V.1.4. MIFOTRA**

1. Review of the existing labour law to extend important protective elements secured by formal workers to informal workers. It should contains special provisions relating to temporary or casual workers that allow them to benefit from the provisions of collective agreements, such as equal pay for work of equal value, access to the same medical provisions available to permanent workers, full minimum wage for

all days in attendance, annual paid leave and paid maternity leave and public holidays.

2. Inspect the horticulture firm sites and check the enforcement of labour law in those firms.
3. Setting minimum wages for different job categories of those persons working in the horticulture sector.

#### **V.1.5. MINAGRI AND NAEB**

1. MINAGRI and NAEB need to engage with worker organizations about conditions of work, worker grievances in a more consistent and structured way and Considering the enforcement laws in awarding the licence of working for those firms that respect the women rights.
2. Set up a minimum requirement for investors in the horticulture sector to start operating the horticulture firm especially those related to health and safety and protective equipment in Rwanda.
3. Inform the head of horticulture firm all the requirement especially private standards in order to get an international certificate for access to the international market.
4. In addition to the quality control, NAEB should also audit the compliance of labor law of these horticulture workers working in the horticulture sector.

#### **V.1.6. MIGEPROF**

1. Enforcing gender equity more rigorously in the horticulture sector and sensitizing men to be involved in domestic works as well as women.
2. MIGEPROF with others stakeholders should invest in the construction and running of Early Childhood Development (ECD) centers for children from areas where seasonal workers are sourced especially near horticulture firms.

#### **V.1.7. PSF AND RHIO**

1. Provide the segregated data of women working in the horticulture sector through the various chain of production and selling and decision making organs.
2. Conduct a financial analysis of profitability of horticulture firms and assess the possibilities of seeking partners to provide subsidies to employers working in horticulture sector in order to help them to fulfill all the working conditions on the sites as required by the law. That subsidy will help in finding appropriate equipment for protecting employees in the firm and set up all necessary equipment for health and safety.

## References

### I. Laws

1. Organic Law n° 01/2012/OL of 02/05/2012 instituting the penal code, *Official Gazette n° Special of 14 June 2012*.
2. Law n° 05/2015 of 30/03/2015 governing the organization of pension schemes, *Official Gazette n° 20 of 18/05/2015*.
3. Law n°13/2009 of 27/5/2009 regulating labour in Rwanda. in O.G. n° 5 of 27/5/2009
4. Ministerial order n° 04/19.19 of 17/09/2009 determining the modalities for application of the weekly working hours in the private sector, *Official Gazette n° 30 of 26/07/2010*.

### II. Report and books

1. NAEB, National Horticulture Policy and Strategic Implementation Plan, Draft 19 September 2014, available at [http://www.naeb.gov.rw/fileadmin/documents/National\\_Horticulture\\_Policy\\_and\\_Strategic\\_Plan.pdf](http://www.naeb.gov.rw/fileadmin/documents/National_Horticulture_Policy_and_Strategic_Plan.pdf), accessed on 12/04/2018.
2. European Union's External Cooperation Programme for Rwanda, *Baseline Report on the Rwanda Horticulture Organisations Survey, Final Report*, March 2014.
3. Henson, S. & Humphrey, J. (2010). Understanding the Complexities of Private Standards in Global Agri-Food Chains as They Impact Developing Countries. *Journal of Development Studies*.
4. Disdier, A. & Marette, S. (2012). How do consumers in developed countries value the environment and workers' social rights in developing countries? *Food Policy*.
5. Monica SCHUSTER and Miet MAERTENS, Do labor standards benefit workers in horticultural export chains in Peru?, Bioeconomics Working Paper Series Working Paper 2014/10.

6. National Institute of Statistics of Rwanda (NISR), Statistical Yearbook 2013
7. MINAGRI/NISR/WFP, (2012) Comprehensive Food Security and Vulnerability Analysis & Nutrition Survey 2012 (CFSVA and Nutrition Survey 2012).

### **III. Interview**

1. Interview with Jean De Dieu, CESTRAR, 12 July 2018.
2. Interview with labour inspector Nkundabakura Karima Javan, MIFOTRA, 11/07/2018.
3. Interview with Cancilde Kazimoto, RHIO, 5/07/2018.
4. interview with in charge of gender in Agriculture, Kayilisa Caritas, MINAGRI, 11/07/2018.
5. Interview with MURANGIRA Jean Bosco, Director of Women Economic Empowerment, MIGEPROF, 14/08/2018.
6. Interview with UFITENEMA Chantal, works as Horticulture production support officer in charge of vegetables at National Agriculture Export Board (NAEB), 20/08/2018.

### **IV. Lists of the visited horticulture firms**

| <b>Company name</b>             | <b>Lacation</b> | <b>Manager's name</b> | <b>Contact</b> |
|---------------------------------|-----------------|-----------------------|----------------|
| Bella Flowers                   | Rwamagana       | Gopal PATIL           | 0788302583     |
| Garden Fresh ltd                | Nyagatare       | Isugi Marie Chantal   | 0782424639     |
| Proxifresh Rwanda ltd           | Nyagatare       | Jean Bosco            | 0783726600     |
| Global farmers ltd              | Nyagatare       | Marie Claire          | 0788456529     |
| Akanyenyeri Genuine Innovations | Gatsibo         | Habimana Dominique    | 0785564992     |
| Rwanda Green Best ltd           | Gatsibo         | Celine                | 0788522728     |

|                                 |           |                           |            |
|---------------------------------|-----------|---------------------------|------------|
| Constance/ Rwamagana            | Rwamagana | Constance<br>Mukamwiza    | 0788686885 |
| Kazihort Ltd                    | Kicukiro  | Kazimoto Cassilde         | 0788424371 |
| Kirehe Umunezero<br>Company Ltd | Kamonyi   | Rwabizankwaya<br>Anastase | 0788782667 |
| BN Producers                    | Gasabo    | Niyibaho Berthilde        | 0788479053 |
| Greefex                         | Gasabo    | Cornelie                  | 0788838437 |
| BABCO                           | Bugesera  | Ntagengerwa<br>Eugene     | 0788536360 |

## Appendix 1. The numbers of staff of questioned firms

| Company name          | District  | DG <sup>38</sup> |   | Employees |    | All staff |     | Parmanent |     | Casual |     | Total/<br>Employees |
|-----------------------|-----------|------------------|---|-----------|----|-----------|-----|-----------|-----|--------|-----|---------------------|
|                       |           | M                | F | M         | F  | M         | F   | M         | F   | M      | F   |                     |
| Garden Fresh ltd      | Nyagatare | 1                | 0 | 0         | 10 | 56        | 244 | 36        | 70  | 20     | 80  | 300                 |
| Bella Flower          | Rwamagana | 1                | 0 | 0         | 10 | 326       | 163 | 326       | 163 | 0      | 0   | 489                 |
| Proxifresh Rwanda Ltd | Nyagatare | 1                | 0 | 0         | 10 | 30        | 120 | 7         | 3   | 50     | 90  | 150                 |
| Global farmers ltd    | Nyagatare | 0                | 1 | 0         | 4  | 12        | 18  | 6         | 4   | 6      | 14  | 30                  |
| Akanyenyeri ltd       | Gatsibo   | 1                | 0 | 0         | 7  | 8         | 7   | 0         | 0   | 8      | 7   | 15                  |
| Rwanda Green Best ltd | Gatsibo   | 0                | 1 | 0         | 13 | 10        | 15  | 0         | 0   | 10     | 15  | 25                  |
| Constance Mukamwiza   | Rwamagana | 0                | 1 | 0         | 5  | 1         | 11  | 0         | 0   | 1      | 11  | 12                  |
| Kazihort ltd          | Kicukiro  | 0                | 1 | 0         | 7  | 6         | 10  | 2         | 1   | 4      | 9   | 16                  |
| Kirehe Umunezero ltd  | Kamonyi   | 1                | 0 | 0         | 9  | 5         | 10  | 2         | 1   | 2      | 10  | 15                  |
| BN Producers          | Gasabo    | 0                | 1 | 0         | 5  | 7         | 13  | 3         | 3   | 4      | 10  | 20                  |
| Greefex               | Gasabo    | 0                | 1 | 0         | 0  | 4         | 12  | 0         | 0   | 4      | 12  | 16                  |
| BABCO                 | Bugesera  | 1                | 0 | 0         | 7  | 6         | 19  | 2         | 0   | 4      | 19  | 25                  |
| Total                 |           | 6                | 6 | 0         | 87 | 471       | 642 | 384       | 245 | 113    | 277 | 1113                |

<sup>38</sup> **Acronyms** : DG : Director Generals ( Managers); M: Male; F: Female; I .E.: Interviewed Emploess.

## Appendix 2. Interview guide

1. Ese mubona gute iyubahirizwa ry'amategeko agenga abakozi cyane cyane agenga abagore bakora muri horticulture sector ?
2. Ese mubona hari uburenganzira bw'umugore w'umukozi ukora muri horticulture sector butubahirizwa ?
3. Ese mubona ariye mpamvu uburenganzira bw'umugore w'umukozi ukora muri horticulture sector butubahirizwa ?
4. Ese mubona hari imbogamizi ituma horticulture firms zitubahiriza uburenganzira bw'abakozi cyane cyane abagore ?
5. Ubona se hakorwa iki kugira ngo uburenganzira bw'umugore ukora muri horticulture firm burusheho kubahirizwa ?
6. Niki urwego muhagarariye rubona nk'umuti urabye kugira ngo uburenganzira bw'umugore ukora muri horticulture firm burusheho kubahirizwa?

Murakoze.



### Appendix 3. Questionnaires for women working in horticulture firm

#### A. AMABWIRIZA AJYANYE NO GUSUBIZA IBIBAZO:

- (i) Andika ibisubizo mu mwanya wabugenewe.
- (ii) Subiza ibibazo byose.
- (iii) Shyira akamenyetso ka (v) imbere y'igisubizo wumva gihuye n'ikibazo.
- (iv) Si ngombwa kwandika izina ryawe kuri uru rupapuro rw'ibibazo.

#### B. UMWIRONDORO W'UBAZWA

##### 1. Igitsina

- (i) Gabo ☐
- (ii) Gore ☐

##### 2. Imyaka y'amavuko

- (i) Hagati ya 21-35 ☐
- (ii) Hagati ya 36-65 ☐

##### 3. Amashuri yize ☐

- (i) Abanza ☐
- (ii) Ayisumbuye ☐
- (iii) Kaminuza ☐

##### 4. Imyaka y'uburambe mukazi

- (i) hagati ya 1-5 ☐
- (ii) hagati ya 6 -10 ☐
- (iii) hagati ya 11-15 ☐
- (iv) hejuru ya 16 ☐

### C. IBIBAZO

1. Mu kazi kawewe mwaba muzi cyangwa mwarahuguwe ku mategeko agenga abakozi cyane cyane agenga abakozi babagore ?

(i) Yego ☐

(i) Oya ☐

2. Niba igisubizo ari yego ni ubuhe burenganzira mwibuka ?

| UBURENGANZIRE   | YEGO | OYA |
|---|------|-----|
| Uburenganzira ku masezerano yakazi  |      |     |
| Uburenganzira ku mushahara  |      |     |
| Uburenganzira ku kiruhuko cy'umwaka   |      |     |
| Uburenganzira ku kiruhuko cyo kubyara   |      |     |
| Uburenganzira ku kiruhuko cyo konsa   |      |     |
| Uburenganzira bwerekeranye no gukora kazi katabangamiye ubusima bw'umukozi  |      |     |
| Uburenganzira kubwishingizi bw'indwara  |      |     |
| Uburenganzira ku bwishingizi bw'izabukuru   |      |     |
| Uburenganzira Kubyerekeye ubuzima n'umutekano ku kazi ndetse n'imirimo ibujijwe abana n'abagore batwite cyangwa abonsa. |      |     |

3. Ese mubona ubwo burenganzira bwubahirizwa ku kihe kigero mu kigo cyanyu?

| <b>Uburenganzira</b> \ <b>Ikigero</b>   | <b>Ntabwo</b> | <b>Ni gake cyane</b> | <b>Buri gihe</b> | <b>Nibwo burenganzira bwonyine</b> |
|---|---------------|----------------------|------------------|------------------------------------|
| Uburenganzira ku masezerano yakazi  |               |                      |                  |                                    |
| Uburenganzira ku mushahara  |               |                      |                  |                                    |
| Uburenganzira ku kiruhuko cy'umwaka   |               |                      |                  |                                    |
| Uburenganzira ku kiruhuko cyo kubyara   |               |                      |                  |                                    |
| Uburenganzira ku kiruhuko cyo konsa   |               |                      |                  |                                    |
| Uburenganzira bwerekeranye no gukora akazi katabangamiye ubusima bw'umukozi   |               |                      |                  |                                    |
| Uburenganzira kubwishingizi bw'indwara  |               |                      |                  |                                    |
| Uburenganzira ku bwishingizi bw'izabukuru   |               |                      |                  |                                    |
| Uburenganzira Kubyerekereye ubuzima n'umutekano ku kazi ndetse n'imirimo ibujijwe abana n'abagore batwite cyangwa abonsa. |               |                      |                  |                                    |

4. Niba bumwe muri ubwo burenganzira butubahirizwa nizihe mpogamizi muhura nazo?

(i) Ndi umukozi wa nyakabyis ☐

☐

- (ii) Ubushobozi buke bw'ikigo
- (iii) Byatera igihombo ku kigo ☐
- (iv) Ntacyo bintwaye ☐
- (v) Kutamenya ubwo burenganzira ☐
- (vi) Iyindi. Niba ihari yivuge .....

5. Ese kuba ubwo burenganzira butubahirizwa mu kazi kanyu mubona biterwa niki?.

.....

.....

.....

6. Ese hari ubwo warabangamiwe mu burenganzira bwawe nk'umukozi w'umugore n'umukoresheya wawe ?

Yego ☐ OYA ☐

6. Niba igisubizo ari yego,

a. Ni ubuhe burenganzira bwaba bwabangamiwe

| <b>UBURENGANZIRE</b>  | <b>YEGO</b> <input type="checkbox"/> |
|---|--------------------------------------|
| Uburenganzira ku masezerano yakazi                                    |                                      |
| Uburenganzira ku mushahara  |                                      |
| Uburenganzira ku kiruhuko cy'umwaka                                   |                                      |
| Uburenganzira ku kiruhuko cyo kubyara                                 |                                      |
| Uburenganzira ku kiruhuko cyo konsa                                   |                                      |
| Uburenganzira bwerekeranye no gukora katabangamiye ubusima bw'umukozi |                                      |
| Uburenganzira kubwishingizi bw'indwara                                |                                      |
| Uburenganzira ku bwishingizi bw'izabukuru                             |                                      |
| Nakorewe ihohoterwa rishingiye ku gitsina                             |                                      |

|   |  |
|---|--|
| Nakorewe ivangura rishyingiye ku gitsina  |  |
| Mbura aho nsiga abana bato banjye   |  |
| Uburenganzira Kubyerekereye ubuzima n'umutekano ku kazi ndetse n'imirimo ibujijwe abana n'abagore batwite cyangwa abonsa. |  |

b. Nbyagenze gute ngo usubizwe uburenganzira bwawe.

(i) Natakambiye umuyobozi wikigo arabikemura

(ii) Natakambiye umugenzuzu w'umurimo

(iii) Natakambiye izindi nzego.

(iv) Niba zihari zivuge? .....

7. Niba igisubizo ari Oya. Nizihe mpavu zituma abakozi badasaba ko uburenganzira bwabo bwubahirizwa ?

i. Ni uko banyuzwe nuko bafashwe muri iki kigo ☐

ii. Ni uko ubwo burenganzira bwabo ntabwo bazi ☐

iii. Ni uko ntayandimahitamo bafite ☐

iv. Izindi. Niba zihari zivuge .....

8. Ni izihe ngamba wumva ubuyobozi bw'ikigo zakoresheye kugirango uburenganzira bw'abakozi babagore bakora muri kigo cyanyu bwubahirizwe?

(i) guha abakozi amasezerano y'umurimo ☐

(ii) gushiraho irerero ryabana bato hafi y'akazi ☐

(iii) gushirwa mu bwiteganyirizwe bw'indwara n'ikiruhuko cy'izabukuru ☐

(iv) guhabwa ikiruhuko cy'umwaka ndetse n'ikiruhuko cyo kuja konsa ☐

(v) Izindi. ☐

(vi) Niba zihari zivuge .....

9. Ni izihe ngamba wumva ubuyobozi bw'igihugu bwakoreshwa kugirango uburenganzira bw'abakozi babagore bakora mu kiciro cy'ubuhinzi bw'imbuto, imboga n'indabo mu kigo mukoramo bwubahirizwe?

(i) Amahugurwa ku mategeko agenga umurimo kubayobozi na ba nyiri ibigo bihinga kandi bigacuruza imbuto, imboga n'indabo ☐

(ii) Kugenera inkunga ibigo bikora ubuhinzi bw'imbuto, imboga n'indabo ☐

(iii) Guhugura abakozi babagore kuburenganzira bwabo ☐

(iv) Kugira umukozi uhagarariye abandi wahuguwe mu burenganzira bw'abakozi ☐

(v) Gushyiraho uburyo bwo gutuma abakozi basaba ko uburenganzira bwabo bwubahiriza bitabagizeho ingaruka ☐

(vi) Kubonekera igihe kw'abagenzuzi b'umurimo ☐

(vii) Gushyiraho uburyo bw'itumanano bwa koroshya gutungira agatoki umuyobzi ndetse numugenzuzi w'umurimo ibitagenda mu kigo bw'iyubahirizwa ☐  
ry'amategeko yaumurimo

(viii) Gufatira ibihano bikaze ibigo bitubahiriza uburenganzira bw'abakozi babagore mu byo bahoreza mu mahanga ☐

(ix) Izindi ngamba ☐

(x) Niba zihari zivuge . ☐

Murakoze!

## Appendix 4. Questionnaires for director general of horticulture firm

### AMABWIRIZA AJYANYE NO GUSUBIZA IBIBAZO:

- (v) Andika ibisubizo mu mwanya wabugenewe.
- (vi) Subiza ibibazo byose.
- (vii) Shyira akamenyetso ka (v) imbere y'igisubizo wumva gihuye n'ikibazo.
- (viii) Si ngombwa kwandika izina ryawe kuri uru rupapuro rw'ibibazo.

### C. UMWIRONDORO W'UBAZWA

#### 1. Igitsina

- (i) Gabo ☐
- (ii) Gore ☐

#### 2. Imyaka y'amavuko

- (i) Hagati ya 21-35 ☐
- (ii) Hagati ya 36-65 ☐

#### 3. Amashuri yize

- (iv) Kaminuza ☐
- (v) Hejuru ya Kaminuza (PGD, Masters & Ph.D) ☐

#### 4. Imyaka y'uburambe mukazi k'ubuyobozi bw'ikigo

- (i) hagari ya 1-5 ☐
- (ii) hagati ya 6 -10 ☐
- (iii) hagati ya 11-15 ☐
- (iv) hejuru ya 16 ☐

## C. IBIBAZO

1. Mwatubwira umubare w'abakozi mukoresha hano mu kigo cyanyu ?

|                   |  |
|-------------------|--|
| Umubare mbumbe    |  |
| Umubare w'abagabo |  |
| Umubare w'abagore |  |
|                   |  |

2. Mwatubwira imibare y'ibyiciro cy'abakozi mufite ?

|                           |  |                   |  |
|---------------------------|--|-------------------|--|
| Abakozi bahoraho          |  | Umubare w'abagabo |  |
|                           |  | Umubare w'abagore |  |
| Abakozi ba nyakabyizi     |  | Umubare w'abagabo |  |
|                           |  | Umubare w'abagore |  |
| Abakozi b'ibihe by'umwaka |  | Umubare w'abagore |  |
|                           |  | Umubare w'abagabo |  |

3. Mu kazi kawo nk'umuyobozi mwaba muzi cyangwa mwarahuguwe ku mategeko agenga abakozi cyane cyane arengera abakozi babagore ?

(i) Yego ☐

(i) Oya ☐



4. Niba igisubizo ari yego ni ubuhe burenganzira mwibuka ?

| <b>UBURENGANZIRE</b>  | <b>YEGO</b> | <b>OYA</b> |
|---|-------------|------------|
| Uburenganzira ku masezerano y'akazi   |             |            |
| Uburenganzira ku mushahara  |             |            |
| Uburenganzira ku kiruhuko cy'umwaka   |             |            |
| Uburenganzira ku kiruhuko cyo kubyara   |             |            |
| Uburenganzira ku kiruhuko cyo konsa   |             |            |
| Uburenganzira bwerekeranye no gukora katabangamiye ubusima bw'umukozi   |             |            |
| Uburenganzira kubwishingizi bw'indwara  |             |            |
| Uburenganzira ku bwishingizi bw'izabukuru   |             |            |
| Uburenganzira Kubyerekeye ubuzima n'umutekano ku kazi ndetse n'imirimo ibujijwe abana n'abagore batwite cyangwa abonsa. |             |            |

2. Ese mubona ubwo burenganzira bwubahirizwa ku kihe kigero muri firm yanyu ?

| <div> <div></div> <div>Ikigero<br/>Uburenganzira</div> </div> | Ntabwo<br>bwubahirizwa | Ni gake<br>cyane | Buri<br>gihe | Nibwo<br>burenganzira<br>bwonyine |
|---|------------------------|------------------|--------------|-----------------------------------|
| Uburenganzira ku masezerano yakazi                            |                        |                  |              |                                   |

|   |  |  |  |  |
|---|--|--|--|--|
| Uburenganzira ku mushahara  |  |  |  |  |
| Uburenganzira ku kiruhuko cy'umwaka   |  |  |  |  |
| Uburenganzira ku kiruhuko cyo kubyara   |  |  |  |  |
| Uburenganzira ku kiruhuko cyo konsa   |  |  |  |  |
| Uburenganzira bwerekeranye no gukora katabangamiye ubusima bw'umukozi   |  |  |  |  |
| Uburenganzira kubwishingizi bw'indwara  |  |  |  |  |
| Uburenganzira ku bwishingizi bw'izabukuru   |  |  |  |  |
| Uburenganzira bwo kujya mu mpuzamasendika y'abakozi   |  |  |  |  |
| Uburenganzira Kubwerekeye ubuzima n'umutekano ku kazi ndetse n'imirimo ibujijwe abana n'abagore batwite cyangwa abonsa. |  |  |  |  |

3. Niba bumwe muri ubwo burenganzira butubahirizwa nizihe mpogamizi muhura nazo?

- i. Ubushobozi buke ☐
- ii. Byatera igihombo kigo ☐
- iii. Abakozi banyakabyizi nibo nkoreshya kenshi ☐
- iv. Kutamenya ubwo burenganzira ☐
- v. Iyindi. Niba ihari yivuge .....

4. Ese hari ubwo mwaba mwarakiriye ubutakambe bw'abakozi bakubwira ko uburenganzira bwabo butubahirizwa

Yego ☐ OYA ☐

5. Niba igisubizo ari yego, Nibihe byemezo ufata nk'umukoresha iyo abakozi bagutakambiye bakubwira kuburenganzira bwabo butubahirizwa ?

i. Ndabumva ibiri mubushobozi bwanjye nkabikemura ☐

ii. Mbabwira ko niba batishimye bashakira akazi ahandi ☐

iii. Mbagira inama yo kugana izindi nzego ☐

iv. Ibindi. Niba bihari bivuge .....

6. Niba igisubizo ari oya. Nizihe mpavu zituma abakozi badasaba ko uburenganzira bwabo bwubahirizwa ?

v. Ni uko banyuzwe nuko bafashwe muri iki kigo ☐

vi. Ni uko ubwo burenganzira bwabo ntabwo bazi ☐

vii. Ni uko ntayandimahitamo bafite ☐

viii. Izindi. Niba zihari zivuge .....

7. Ese hari ibibazo byihariye abagore bahura nabyo mukazi mikigo ayobora?

yego oya

1. Biba igisubizo ari yego bivige

.....  
.....  
.....  
.....  
.....

2. Garagaza uburwo ukoreshya ubikemura

.....  
.....  
.....

.....  
.....  
.....  
.....

8. Ni izihe ngamba wumva zakoresheba kugirango uburenganzira bw'abakozi babagore bakora muri iki kigo cyanyu bwubahirizwe?

(vii) Amahurwa ku mategeko agenga umurimo kubayobozi nabanyiri horticulture firm ☐

(viii) Kugera inkunga horticulture firm ☐

(ix) Guhugura abakozi babagore kuburenganzira bwabo ☐

(x) Kugira umukozi uhagarariye abandi wahuguwe mu burenganzira bwabakozi muri ☐ firm

(xi) Gushyiraho uburyo bwo gutuma abakozi basaba ko uburenganzira bwabo bwubahiriza bitanagizeho ingaruka ☐

(xii) Kubonekera igihe kw'abagenzuzi b'umurimo ☐

(xiii) Gushyiraho uburyo bw'itumanano bwa koroshya gutungira agatoki umuyobzi ndeste numugenzuzi wumurimo ibitagenda muri firm bw'iyubahirizwa ryamategeko y'umurimo muri firm ☐

(xiv) Gufatira ibihano bikaze ku bigo bitubahiriza uburenganzira bw'abakozi b'abagore mu byo bahoreza mu mahanga ☐

(xv) Izindi ngamba ☐

(xvi) Niba zi hari zivuge ☐

9. Ese niyihe mpamvu ituma ibigo bikoro mu by'indabo n'imbuto byoherezwa mu mahanga bigomba kubahiriza amategeko agenga umurimo cyane cyane agenda uburenganzira bw'abakoire ba'abakozi ?

(i) Kugirango nuzuze ibisabwe mbone uburenganzira bwo kohereza ibicuruzwa mu mahanga ☐

(ii) kuberako aringobwa ☐

(iii) kuberako amategeko yo murwanda abidusaba ☐

(iv) Izindi mpamvu ☐

(v) Niba zihari zivuge ☐

Murakoze !