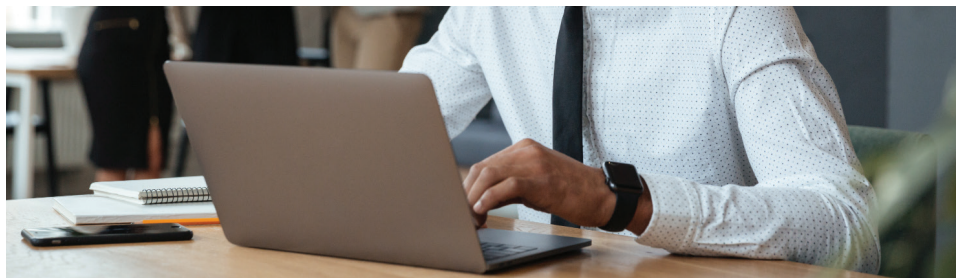


20 March 2025



Labour Laws Amended

- Maternity and paternity leave for premature birth provided
- Unpaid emergency leave addressed
- Employers' interference with ongoing labour proceedings prevented
- Compensation for unfair termination clarified
- Emergency operations agreements introduced
- Personal representative in mediation restricted
- Arbitrator's mandate to issue an award for admitted claims provided
- Arbitrator's cannot issue awards beyond 24 months remuneration

In a bid to improve labour standards, protecting worker's rights and ensuring efficient labour disputes resolution, the National Assembly, on 31 January 2025, passed the Labour Laws (Amendments) Bill. The said Bill was assented to by the President on 4 March, 2025 and gazetted on 14 March 2025, hence officially making it the Labour Laws (Amendments) Act, No. 4 of 2025 (the Amendments). These Amendments introduce various changes to the Employment and Labour Relations Act, the Labour Institutions Act and the Non-Citizens (Employment Regulation) Act.

Regarding maternity and paternity leave, the Amendments extend maternity leave for mothers of premature children until the children reach 40 weeks of gestation, which is a typical full term of pregnancy, to ensure adequate time for maternal care. Further, the Amendments extend the paternity leave for fathers of a premature children from 3 to 7 days. It is noteworthy that before the Amendments maternity leave was approximately 3 months for all mothers, regardless of whether the child was born prematurely or upon attaining a full term.

As a way of ensuring job security and safety during crises, the Amendments introduce an agreement between the employer and employee in case of an outbreak or potential outbreak of infectious disease or other emergencies which are likely to affect the safety of employees or disrupt operations and production at work place. The said agreement should consider the interests of both parties.

Insofar as unpaid leave is concerned, the Amendments now enable employers to grant an employee unpaid leave for a period not exceeding 30 days on conditions as may be stipulated in the Regulations. As per the Amendments, the duration of unpaid leave may be extended to a further period upon agreement between the employer and employee.

For further information on legal updates please contact:

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FB Attorneys is an all service law firm based out of Dar es Salaam, Tanzania.

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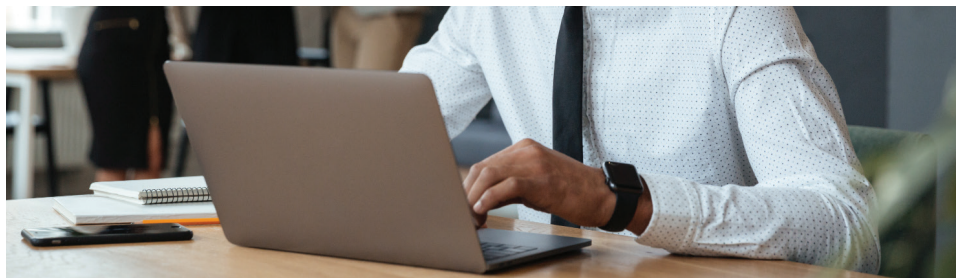
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LEGAL UPDATE

20 March 2025



Further, the Amendments introduce a new subsection under section 37 which prevents employers from initiating or continuing disciplinary proceedings against an employee where a dispute is referred to the Commission or Labour Court for determination.

Contrary to the pre-amendments period where the employer was required to pay compensation of not less than 12 months remuneration to an employee who was unfairly terminated, the Amendments provide for a breakdown of such compensation. The said breakdown, which is pegged on the procedure and/or reasons of termination, sets a maximum limit on the awarded compensation. The compensation to be paid is as per below:

| | |
|------------------------------|--|
| Unfair procedure | Remuneration of minimum 6 months, maximum 12 months |
| Unfair reason | Remuneration of minimum 12 months, maximum 18 months |
| Unfair procedure and reason | Remuneration of minimum 12 months, maximum 20 months |
| Discrimination or harassment | Remuneration of minimum 12 months, maximum 24 months |

On institutional framework, the Amendments mandate an Arbitrator or Labour Court where the employer commits a material breach of a fixed term contract to order the employer to pay compensation to the employee equal to the remuneration for the remaining term of the contract. Also, the Amendments allow the Arbitrator to issue an award where a party to a dispute admits the claims or part of the claims.

As far as the Non-Citizens Act is concerned, the Amendments require a holder of work permit class A who intends to engage with another company in which he holds shares to obtain a written authorization from the Labour Commissioner. Besides, the Amendments allow refugees who maintain refugee status to continue working regardless of the time limit of work permit.

To read the Labour Laws (Amendments) Act, 2025 [click here](#)

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