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**Emergence of Specialised Courts for Handling Labour Disputes in the new  
Democracies: Industrial Relations Court of Malawi**

**Rachel Zibelu-Banda: Chairperson, Industrial Relations Court of Malawi**

**INTRODUCTION**

Malawi is the 8<sup>th</sup> poorest of the 210 nations. Of the 13 million people 52.40% are poor<sup>1</sup>. Deep and severe poverty is more pronounced in female headed households<sup>2</sup>. Poverty may be a contributing factor to Malawi's high HIV/AIDS prevalence, ranking 9<sup>th</sup> in the world, women being the most affected<sup>3</sup>. It is the view of the International Labour Organisation (ILO) that 'the main route out of poverty is work'<sup>4</sup>. However it is not just work that will eradicate poverty; it must be 'decent' work. This is why one of ILO's current priorities is to "promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity"<sup>5</sup>. In order to realise this goal, there is need among others for duty bearers to commit themselves to implementation through promotion, protection and enforcement of the four interrelated pillars identified as being at the core of decent work.

The four pillars of ILO's Decent Work Agenda are promotion of rights at work and core international labour standards, employment creation and enterprise development, social protection, and social dialogue. The ILO recognises that different countries will experience different challenges in securing decent work for its women and men through these pillars. The ILO therefore offers support through integrated decent work country programmes<sup>6</sup>. Mainly, 'to define priorities and targets within national development frameworks and aim to tackle major decent work deficits through efficient programmes that embrace each of the strategic objectives'<sup>7</sup>. For instance, the ILO vets decent work country programmes to ensure that they include gender in their design and implementation<sup>8</sup> because gender equality is a main theme underpinning each of the four dimensions of decent work<sup>9</sup>.

Some challenges facing Malawi in realising decent work relate to rights at work and promotion of core labour standards. In particular: (1) lack of capacity by duty bearers to ensure compliance with the law (2) inadequate capacity of the labour dispute resolution system (3) rapid change in the labour market and its regulatory system and inability of

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<sup>1</sup> National Statistical Office of Malawi. Integrated Household Survey of 2004/2005. [www.nso.malawi.net](http://www.nso.malawi.net)

<sup>2</sup> National Economic Council of Malawi, 2000, The State of Malawi's Poor: Poverty Analysis of the Integrated Household Survey 1997-1998

<sup>3</sup> [National Aids Commission 2003: National HIV/AIDS Policy: A call to renewed action.

<sup>4</sup> This is especially true in the case of Malawi which is land locked, and over half of its population live in poverty and most of this population depend on wage income (Malawi Government. 1993. Situation Analysis of Poverty in Malawi)

<sup>5</sup> Juan Somavia, ILO Director General on [www.ilo.org](http://www.ilo.org)

<sup>6</sup> [www.ilo.org](http://www.ilo.org)

<sup>7</sup> [www.ilo.org](http://www.ilo.org)

<sup>8</sup> Second Supplementary Report: Stocktaking of implementation of the ILO Action Plan for Gender Equality 2008-2009. [GB 304/14/2. 304<sup>th</sup> Session]

<sup>9</sup> [www.ilo.org/wikipedia](http://www.ilo.org/wikipedia)

the law to keep pace with these changes and (4) problems of child labour<sup>10</sup>.

The Industrial Relations Court (IRC) is mandated to promote rule of law in labour matters. It is core to labour dispute resolution system in Malawi<sup>11</sup>. It has a constitutional mandate to promote, protect and enforce rights at work and to interpret and apply international labour standards in its determinations<sup>12</sup>. Malawi is a common law jurisdiction therefore court decisions form part of domestic law. Hence the IRC is key to achieving decent work for Malawi<sup>13</sup>. It encompasses all four pillars of decent work, since presence of a protective machinery of government is an essential ingredient in ensuring compliance by all duty bearers.

This paper highlights challenges threatening realisation of the Decent Work Agenda for Malawi in particular on promotion of rights at work and core international labour standards and offers suggestions that may strengthen capacity of institutions handling labour dispute resolution in order to enhance enforcement of rights at work and use of core international labour standards thereby contributing towards decent work for women and men in Malawi.

Malawi was until 6 July 1964 a British colony. It gained republican status on 6 July 1966 under the dictatorial leadership of Ngwazi Dr. Hastings Kamuzu Banda as its first president. The first Constitution was promulgated in 1966. The winds of political change in Africa in the early 1990s did not spare Malawi. In 1994 Malawi became a democracy and a new Constitution was ushered in.

## **RIGHTS AT WORK AND INSTITUTIONS OF LABOUR LAW**

Section 31 of the Constitution 1994 provides for the right to fair and safe labour practices. This right has changed the face of labour law in that employment is no longer a private matter between employer and employee but it is a constitutional and human rights issue [Dr Chilumpha 2004]. However despite the introduction of a new labour law regime<sup>14</sup> some individuals including legal practitioners and judges continue to 'tenaciously cling to the common law position' [Dr. Chilumpha 2004].

In order to fulfil the right to fair labour practices, the Constitution 1994 established the Industrial Relations Court (IRC) as a court subordinate to the High Court with original jurisdiction to hear and determine labour and employment disputes<sup>15</sup>. The IRC practice and procedure is governed by Labour Relations Act 1996 (1996 Act) and the rules made under it<sup>16</sup>. These procedures include sources and institutions of labour law<sup>17</sup>. According to the 1996 Act, labour dispute resolution system begins with the Ministry of Labour (the Ministry) for alternative dispute resolution (ADR). Where ADR fails, parties may be referred to the IRC. A party dissatisfied with a decision of the IRC may appeal only points of law and or jurisdiction to the High Court, a further appeal lies to the Malawi Supreme Court of Appeal.

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<sup>10</sup> Ministry of Labour. 2008. Malawi Decent Work Country Programme (Draft)

<sup>11</sup> Section 110(2) of the Malawi Constitution gives the IRC power to hear and determine labour and employment disputes

<sup>12</sup> Sections 11 and 211 of the Malawi Constitution and also see *Malawi Telecommunication Ltd v Makande and anor* [2008]MLLR 35

<sup>13</sup> If only its decisions were final and had binding authority

<sup>14</sup> South African Constitution which was promulgated at around the same time as the Malawi Constitution is the only other Constitution that provides for this right to fair labour practices, Section 23.

<sup>15</sup> Section 110(2) Constitution as read with section 64 of the Labour Relations Act 1996

<sup>16</sup> Industrial Relations Court (Procedure) Rules 1999

<sup>17</sup> Further reading on institutions of labour law in Malawi can be accessed from Zibelu Banda R. et al eds. 2007. Sources and Institutions of Labour in Malawi, Industrial Relations Court Series, Montfort Press, Limbe and Dr Chilumpha C 2004. Labour Law, Commercial Law Centre, Blantyre.

## Status of Industrial Relations Court

The IRC is the only new constitutional body specifically created to fulfil, promote, protect and enforce labour rights and freedoms enshrined in the Constitution 1994<sup>18</sup>. However the Constitution lowered the status of the IRC to subordinate level despite the importance of the Court to labour relations in the country, and the wide jurisdiction and functions assigned to it. [Ng'ong'ola 2002].

According to section 64 of the 1996 Act, the IRC has original jurisdiction to hear and determine **ALL** labour disputes and disputes assigned to it under the Act and any other written law<sup>19</sup>. However the High Court has unlimited original jurisdiction in all disputes including labour disputes<sup>20</sup>. The High Court therefore has original jurisdiction in labour matters<sup>21</sup>.

It is however important to reflect on the legislative intention for establishing the Industrial Relations Court in the Constitution and also for enacting legislation peculiar to the IRC. In his paper, honourable Tambala Sc. JA [Zibelu Banda et al 2007] outlined the following factors as favouring creation and acceptance of specialised tribunals: ' (a) the desire for a procedure which avoids the formality of ordinary courts; (b) the need, in implementing a new social policy, for the speedy, cheap and decentralized determination of many individual cases; (c) the need for expert and specialized knowledge on the part of the tribunal which a court with a wide general jurisdiction might not acquire; (d) the fact that without being transformed in character the courts could not cope with the case-load that is being handled by some special tribunal; and (e) the fact that the legal profession does not have monopoly of the right to represent persons who appear before the tribunals'.

In keeping with the above, legislation was enacted<sup>22</sup> to make room for a labour law that responds to social needs. Some of the legislative procedures that are unique to IRC are that, the court gives due regard to informality, economy and dispatch<sup>23</sup>. For instance, legal representation is allowed by leave of the court where both parties are represented by counsel<sup>24</sup>. This reduces technicalities and enhances accessibility to labour justice by lay persons as counsel have 'unfortunately gained the reputation for putting too much stock to technicalities, which apart from reducing the level of accessibility to the ordinary man, also wastes time,<sup>25</sup> [Zibelu-Banda et al 2007].

The requirement to obtain leave before appearing in the IRC by Counsel though frowned upon as being unconstitutional<sup>26</sup> and a hindrance to development of labour jurisprudence [Ng'ong'ola 2002] provides safeguards to lay litigants who are mostly women, young

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<sup>18</sup> Section 110(2) Constitution

<sup>19</sup> The IRC has unlimited jurisdiction to make any monetary Order and it handles both individual and collective claims and both disputes of right and disputes of interest

<sup>20</sup> Section 108(1)

<sup>21</sup> Malawi Telecommunications Ltd v Malawi Posts and Telecommunications Workers Union [Civil Cause No.2721/2001 (unreported)] HC, echoed in Manda v Sugar Corporation of Malawi [Civil Cause No.1761/2001 (unreported)]HC (judgment delivered on 14 September 2006)

<sup>22</sup> Albeit leaving some lacunas and ambiguities. The major loophole is that the Act persistently uses the term "May" instead of "shall" to regulate procedure. This has been interpreted as merely being permissive and not mandatory in considering issues of jurisdiction and limitation period, sections 35 and 62 Employment Act 2000 and also see Khawela and others v Stanbic Bank Ltd [2008]MLLR 194

<sup>23</sup> Section 71 Labour Relations Act 1996

<sup>24</sup> Section 73 (2) Labour Relations Act 1996

<sup>25</sup> Honourable Chikopa J. in Phiri v Shire Buslines [Civil Appeal No.33/2002 (unreported)]HC

<sup>26</sup> Phiri v Shire Buslines [Civil Appeal No. 33/2002 (unreported)]HC

persons and persons with disabilities who can not afford legal services.<sup>27</sup> They are able to present their claims in an informal setting without intimidation. It is 'not certain whether legal representation is a requirement of any principle of natural justice'<sup>28</sup> [Zibelu-Banda 2007].

Further the IRC is constituted by a sitting of the Chairperson or Deputy Chairperson and one member representing employers' organisation and one member representing employees' organisation (member panellists)<sup>29</sup>. By lodging a complaint in the IRC, a party is assured of a decision arrived at by a team of not less one person, a party is also assured of a well reasoned decision that is arrived at by experts in labour law unlike a decision by an ordinary court.

Decisions of the IRC are final and binding except in matters of law and or jurisdiction<sup>30</sup>. This provision recognises the expertise of the IRC and aims at ensuring that labour matters are disposed of with expedience. The practice however is that many judges do not make this preliminary finding before hearing an appeal from the IRC. In some cases issues may be grounded in both fact and law and thereby entitling a litigant to an appeal<sup>31</sup>. Effectively therefore IRC decisions are not final and binding as any party may successfully appeal against the whole judgment or may craftily draft appeal grounds where issues of fact appear as matters of evidence therefore qualifying for appeal.

The current appeal system defeats the intention of the labour dispute resolution establishment. For instance, the IRC delivers its determination within 21 days after last date of hearing<sup>32</sup> and yet when the matter goes on appeal, the law does not make any provision as to when the appeal must be heard and a decision delivered<sup>33</sup>; the High Court does not have the same expertise, training or practical experience in order to hear labour matters on appeal or as court of first instance.

Due to lack of expertise, there is no coherence in decisions from the High Court. This is compounded by the fact that Judges do not refer to earlier decisions on similar matters as such each judge develops its own law. The result is that labour jurisprudence is fragmented and the labour market disenfranchised. Litigants are left to use their imagination to pick the law that suits their immediate needs. Usually this is done to the disadvantage of vulnerable persons including women who are usually poor litigants who can not afford lawyers to represent them in court<sup>34</sup>.

Competing rather than complimenting jurisdiction between the IRC and High Court has further disintegrated the labour system in the following ways:

### **Choice of forum**

The IRC does not award costs<sup>35</sup>. This is aimed at discouraging lawyers in the proceedings of the IRC but also to reduce undue financial burden on litigants. However

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<sup>27</sup> Women, young persons and the disabled constitute the poorest groups in the Malawi society ( [www.devdata.worldbank.org](http://www.devdata.worldbank.org))

<sup>28</sup> Cement and others v Shoprite Trading (Mw) Ltd [2008]MLLR 367

<sup>29</sup> Section 67(1) Labour Relations Act

<sup>30</sup> Section 65(1) Labour Relations Act 1996

<sup>31</sup> Magalasi v National Bank of Malawi [2008]MLLR 45

<sup>32</sup> Section 67(4) Labour Relations Act 1996

<sup>33</sup> The longest pending appeal case in the High Court is Kamwendo v Portland Cement Ltd [Matter Number IRC 19/1999 (unreported)] decision of IRC was delivered on 6 June 2000

<sup>34</sup> The rich employer on the other hand takes advantage of such inconsistencies to not only shop for judges but to manipulate the law and deprive a poor employee her/his rights at work.

<sup>35</sup> Section 72(1), except where the matter is frivolous or a party fails to appear before a pre-hearing conference

some well to do litigants prefer to have labour matters heard in the High Court because of the attraction of costs awarded in that court to the disadvantage of poor litigants<sup>36</sup>.

Further, legal practitioners faced with a crash of times for hearing cases scheduled in the IRC and in the High Court, choose to attend to matters in the High Court because it has precedent over IRC. The result is that IRC matters are adjourned indefinitely usually at the expense of poor employees who are applicants.

The High Court is also preferred as court of first instance because of its delays in concluding matters due to technicalities and other reasons. Litigants sensing a bad case may choose to go to the High Court in the hope that the matter would take too long so as to frustrate the applicant or indeed in the hope that the matter or applicant would die a natural death<sup>37</sup>.

### **Weight to labour cases**

High Court handles labour cases with laissez faire attitude paying very little or no attention to implications on the labour market. Decisions are made without supporting legal authority, relevance or soundness. Further, legal firms and office of the Attorney General send their novices to attend to IRC matters while experienced Counsels attend to matters in other courts. This deprives the IRC in deserving cases the benefit of experienced Counsel who may assist in development of jurisprudence especially in technical and complex labour issues [Ng'ong'ola 2002]. It seems that this laissez faire attitude towards IRC and labour matters results from the inferior status of the IRC<sup>38</sup>.

### **Construction of the law**

The IRC emphasises on primacy of facts taking into account the nature of claims before it and the understanding of those that draft the claims, mostly illiterate or semi illiterate and laypersons [Zibelu-Banda 2005]. The superior courts not being specialised frown over such decisions and may sometimes reverse IRC decisions on grounds of draftsmanship. There is need to introduce a specialised appellate labour system in order to develop jurisprudence that is in keeping with new labour law trends<sup>39</sup>.

### **Title and status of judicial officers at the IRC**

Judicial officers at the IRC have a responsibility to promote rule of law in labour matters by enforcing industrial peace which is conducive to social justice and economic development<sup>40</sup>. This responsibility demands that office bearers are mature, responsible and highly skilled. They deserve a more respectable and coveted title of judge which is more contemporary, connotes authority and value and accurately reflects the size and importance of the role of the judicial officers at the IRC who are currently quaintly referred to as Chairpersons and are much junior to High Court judges.<sup>41</sup> This

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<sup>36</sup> Chilemba v Malawi Housing Corporation [2008] MLLR 136

<sup>37</sup> With high prevalence of HIV/AIDS incidence in Malawi among the working group [Hodges, Digest of good legislative practices relating to HIV/AIDS in selected African countries, International Labour Office, Geneva, Paper No. 12, November 2007], it is highly likely that a litigant would die before her/his case is concluded

<sup>38</sup> Some court users ignore rules of procedure in the IRC. They base their claims and motions on Rules of the Supreme Court (white book), or under the 'court's inherent jurisdiction' or under the common law

<sup>39</sup> In South Africa labour appeals go to the Labour Appeal Court, in England and Wales employment appeals go to the Employment Appeal Tribunal and in Zambia, labour appeals go to the Supreme Court of Appeal while in Denmark there is no appeal to labour decisions since the labour court is at supreme court level

<sup>40</sup> Employment Act 2000 and Labour Relations Act 1996

<sup>41</sup> For similar reasons, the Tribunals, Courts and Enforcement Act 2007 (Commencement No.1) Order 2007, created a new title of 'employment judge' for Employment Tribunals of England and Wales who were previously called chairpersons [www.opsi.gov.uk].

automatically lowers IRC standards in the estimation of court users and labour market players preferring to be judged or to accept decisions from High Court judges.

A lowly status is unlikely to attract high calibre and appropriate candidates for positions in the IRC and those who are serving the court may resign to seek better recognition for their qualifications thereby creating a brain drain in the IRC<sup>42</sup>. IRC must therefore be presided over by judges and not chairmen or chairwomen.

## **PLAYERS TO ENHANCE CAPACITY IN LABOUR DISPUTE RESOLUTION SYSTEM**

### **1. Government of Malawi**

Provisions for labour rights in the Constitution have not received much enthusiasm from the various state machineries. Every economy is as productive, efficient and developed as its workforce [Chilumpha 2007]. However economic policy in Malawi has consistently considered labour policy as an appendage<sup>43</sup>.

The Malawi Growth and Development Strategy (MGDS) aims at reducing poverty through sustainable economic growth and infrastructure development. Unlike the ILO, MGDS does not include labour and employment in its six priority areas neither in the other focus areas. It envisages development of human capital through quality education and good health care<sup>44</sup>. This is a narrow focus on labour issues and it makes labour highly dependant on education and health when the same should be interrelated.

Further there is limited participation in the cash economy by the poor, especially women. As a result poverty is deeper and more severe in female headed households accounting for 65.6%<sup>45</sup>. Yet, nothing much in terms of action plans is done to regulate the labour market by among others increasing access to justice, equality and entrenched rule of law. It is suggested that the Malawi Government should view labour as an integral component in poverty reduction in Malawi. The labour market must be prioritised by among other things putting in place mechanisms that ensure that the justice system is more responsive, efficient and has effective judicial authority that guarantees the labour force and investors' rights at work.

### **2. International Labour Organisation**

The International Labour Organisation (ILO) is playing a major role in enhancing rights at work and labour standards. It provides guidance in the content of national labour laws.<sup>46</sup> Further the ILO plays a very important monitoring and supervisory role on compliance with international standards. Recent queries from the ILO to Malawi Government on implementation of international labour standards persistently refer to submission of judgments of the IRC as proof of the government's adherence to international labour

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<sup>42</sup> In South Africa there is a proposal to merge the Labour Court with the High Court to curb brain drain in the former court whereby judges move into the High Court for greater variety for their work experience

<sup>43</sup> The current economic policy documents: the Malawi Poverty Reduction Strategy Paper (MPRSP), the Malawi Growth and Development Strategy (MGDS) and VISION 2020 lend very little weight to employment policy and the labour market

<sup>44</sup> Malawi Poverty Reduction Strategy

<sup>45</sup> National Economic Council of Malawi, 2000, The State of Malawi's Poor: Poverty Analysis of the Integrated Household Survey 1997-1998

<sup>46</sup> Initiating law reform, training and provision of technical services and financial assistance. Currently the ILO in conjunction with governments, employers' organisations and trade unions is developing country programmes that will translate work into decent work. This activity is an opportunity to reform the current status of labour dispute resolution system so that it is compatible with realisation of decent work.

standards<sup>47</sup>. This buttresses the point that the IRC plays a very important role of promoting rights at work and practical implementation of international labour standards. It is the country's yard stick on compliance with its international obligations. However with IRC's low status and the fact that its decisions are not final and binding, the ILO might want to involve government and stakeholders<sup>48</sup> in coming up with a strategy that will raise the status of the IRC in order to give binding force and authority to its decisions.

### **3. Ministry of Labour**

One of the Principles of National Policy in the Constitution is that the State shall actively promote the welfare and development of the people of Malawi by progressively adopting and implementing policies and legislation aimed at achieving peaceful settlement of disputes by adopting mechanisms by which differences are settled through negotiation, good offices, mediation, conciliation and arbitration<sup>49</sup>. The Ministry of Labour is one institution mandated to provide Alternative Dispute Resolution (ADR) services in labour disputes<sup>50</sup>. However the Ministry is not one of the core Ministries in Malawi. It is at the peripheral of development agenda in Malawi. This weakness in the Ministry has a major negative impact on labour dispute resolution in Malawi.

### **4. Law School**

The University of Malawi regards labour law as minor and peripheral to the core study of the law<sup>51</sup>. It can be surmised that this is a result of the inferior status of the IRC, since it is not a court of record. It is however high time that the University begun to consider merits of introducing labour law and industrial relations as a core subject to the study of the law. Especially considering that for the past two academic years the course has attracted 100% enrolment<sup>52</sup>.

## **CONCLUSION**

Malawi must begin to consider labour as a priority area in its development agenda and means to reduce poverty<sup>53</sup>. In order to eradicate poverty there is need for the government to support the decent work agenda. Among other issues the government must enhance capacity of duty bearers to ensure compliance with the law; must improve capacity of the labour dispute resolution system; and must monitor and respond promptly to changes in the labour market and its regulatory system. The fact that IRC is at subordinate level and that the head of IRC is called chairperson does not make it more user-friendly and accessible. Its current status is prejudicial to the labour market and the majority of court users who; by the Constitution are guaranteed rights at work through decent work<sup>54</sup>.

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<sup>47</sup> General reports from Committee of Experts on Application of Conventions and Recommendations

<sup>48</sup> It is noted that ILO concentrates on the executive (Ministry of labour) and employers' and employees' organizations more than labour courts. Funding and technical support for country programmes support this view.

<sup>49</sup> Section 13(1) Constitution

<sup>50</sup> Ministry of Labour has offices in all 28 districts in Malawi except Neno which is serviced by Mwanza.

<sup>51</sup> It was introduced in 2005 and is offered as an optional course to third year law students

<sup>52</sup> Records from the Faculty of Law. It is the only recognized institution that offers law degree in Malawi.

<sup>53</sup> Elsewhere in the developed world labour is at the helm of governance such that poor labour policies may easily throw a government.

<sup>54</sup> Malawi has established Commercial Court and Constitutional Court both of which were created after the 1994 Constitution. The establishment of these courts did not offend section 103(3) of the Constitution because they compliment the High Court as specialised divisions of the High Court. They have developed their own rules of procedure and practice in keeping with their respective mandates and clientele.

## **INSTITUTIONAL FRAMEWORK**

### **FACT SHEET: MALAWI**

#### **Background**

The inferior legal framework governing the Industrial Relations Court (IRC) has affected not only the judicial operations of the court but also its institutional framework. The IRC attracts the lowest resource allocation within the judiciary. The IRC receives the lowest government subvention in the judiciary for its operations (6%, in 2008-2009 financial year this translated to K13M. (91 000 USD)); it has the smallest and lowest ranked staff establishment; it has no government sponsored capital assets and it does not have independence to develop and maintain a policy direction since it has no power to formulate its priorities and align them to a budget without interference from the main-stream judiciary.

<b>POPULATION OF MALAWI:</b>	<b>13 Million</b>
Adult population:	6.2 million
Administrative districts:	28
Labour force:	4.5 million
Child labourers:	1.4 Million
ILO Conventions ratifications:	29
Including:	Ratification of 8 Fundamental Conventions
Gender Equality commitment:	Ratified, C81; C100; C111; C158; C159;

#### **INDUSTRIAL RELATIONS COURT**

Status:	Subordinate court
Legal jurisdiction:	All labour and employment disputes arising out of disputes of right and interest, individual and collective claimants from private and public sector (except Army, Police and Prisons), formal and informal sector
Geographical jurisdiction:	28 administrative districts (approximately 4.5 million workers)
Main registries:	2
Court circuit/Assizes registries:	17
Legal system:	English common law
Treaty law domestication:	Dualist
Bilateral donor:	ILO

#### **STAFF ESTABLISHMENT**

##### **Judicial staff**

Minimum Academic qualification:	Bachelor of Laws Degree. LLB (Hons)
Judicial officers positions:	4
Vacant judicial officers' positions:	3
Ratio of judicial officer to court users:	1:4.5 million
Judicial officers by sex segregation:	1Female: 0 male
Head of IRC title:	Chairperson, Grade P2.

##### **Administrative staff**

Registrars positions:	4
Minimum qualification:	LLB (Hons.)
Positions Filled:	3
By Sex	3 Female: 0 male

##### **Other staff**

Clerical/ Junior Positions:	28
Filled:	24
By Sex:	11 Female: 13 male

#### **INFRASTRUCTURE**

Court building, official:	0 (operates from private rented buildings)
Official motor vehicle:	1 (purchased 2002 and done 200 000kms)
Office equipment:	Computers, furniture donations from development partners (donors)
Reference materials:	Labour law library materials donations <sup>55</sup>

<sup>55</sup> Danish Institute for Human Rights (DIHR); International Labour Organisation (Geneva and Turin Centre); LexisNexis Butterworths, Durban; Employment Appeal Tribunal (EAT) and Employment Tribunal (ET) of England and Wales, Danish Industrial Relations Court; and donations from scholars like: Prof Evance Kalula; Dr Cassim Chilumpha Sc; Dr John Barker and Bruce Kaufman.