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ANNUAL REPORT OF REWU TRADE UNION 2018

Elaborated in March, 2019
REWU’s ANNUAL REPORT: 2018

0: REWU IN SHORT

Briefly REWU is a Rwanda Extractive Industry Workers Union created in 2014 in his first congress which took place on September 21st, 2014. Given that mining sector is ranked to boost Rwandan economy, in 2014 and after a deep assessment of mining and quarries employee’s problems, and given that we are backbone of mining companies’ growth through advocacy for workers rights and solidarity, we decided to gather ourselves and put in place a special union for this sector. REWU was published in Rwanda Official Gazette No. 49 Bis of 08/12/2014.

0.1: SUMMARY OF ACHIEVEMENTS

- A part from mobilization activities and organizing trainings and dialogues during this year, REWU also intensified its activities in Eastern Province (Kayonza, Nyagatare and Bugeesera Districts) and Southern Provinces (Muhanga and Kamonyi District), In North (Rulindo, Gakenke and Burera Districts).

The activities carried out in those provinces mainly focused on issuing contracts to both miners and permanent companies’ employees, motivating them to be paid through the bank/Saccos on monthly basis, and registering them in E-REWU system.

E-REWU system, is a new online system under construction which will register all employees in mining and quarry sector, their knowledge, their performance, their level of study, affiliation to the social security, gender, safety and health issues, payment of workers, movement’s record of miners from one company to another, daily production, etc… This system will help all key stakeholders operating in mining and quarry industry.

A part from the above mentioned key activities, REWU also held meetings on new labor and mining laws, fighting against worst form of child labor, fighting against illegal mining, solve problems occurring between employees and employers as well as mediating both sides.

REWU participated in various meetings, conferences and workshops organized by its partners whether inside the country or outside the country.

Finally REWU came up with keeping cooperating with various industries to provide their products to mining and quarry sector employees by loan to be paid in installments.
0.1.1.: Field work

0.1.1.1: Eastern Provinces

The field work done in this province was carried out in the following companies:

A) *Wolfram Mineral Processing (WMP) on 18/08/2019*

The discussion held during this meeting mainly focused on the following points:

- Labor and Mining laws
- Illegal mining prohibition
- Child labor
- Safety and Health
- AOB

As an outcome from that meeting, the participants understood the importance of the contracts that are to be signed between sub contractors and employees earning by what they produce (miners); the employees and subcontractors accepted to work under the written contract. This had to go with paying RSSB on behalf of the employees.

The employees also accepted to be paid through the Bank and on monthly basis rather than being paid in hands and on weekly basis as it was before.

They also committed themselves to strongly fight against illegal mining in collaboration with the government institutions and other key stakeholders.

They finally committed to fight any form of child labor

**Questions raised**

The participants suggested that they should get a daily remuneration given that they spend the whole day working in the concession of the employer. This should be done without necessarily taking into account whether they have got minerals or not.
Below is the picture showing the participants

Two months later, during the implementation of what was agreed in as far as signing the contracts and being paid on monthly basis was concerned, the reaction on behalf of employees led REWU to hold another meeting on 8th November 2018 with the sub contractors and one employee representatives from each sub contractors side.

This was to see toghether how to set a better way given that it was not easy to change their mindset in a shorter time as it was expected. We convened toghether how this issue would be clearly addressed to people and how it could be implimented in a way it could promote their regular stability and increment of production as well.
Below is the picture of that meeting

Secretary General of REWU, addressing to the participants. On his left there are the Coordinator of RWINKWAVU WMP, Mr. Joseph Balinda, the President of REWU in WMP RWINKWAVU, Mr. RUTABOBA Damien

As results from that meeting, it was convened that starting January 2019 all will have been cleared to the extent that staff will work under the signed contract and being paid through the Bank/Sacco and on a monthly basis; and their contribution of RSSB will continue to be paid.

B) BUGAMBIRA MINES Ltd

In BUGAMBIRA REWU kept sensitizing the employees and sub contractors on the role of the contract in as far as protecting both sides is concerned.
On the above picture, the employees were contributing on how the extractive industry sector can be more sustainable.

c) COPABAMANYA: Bugesera

On 11.10.2018 REWU held a visit in COPAMANYA, BUGESERA District. The aim of that visit was to continue the mobilization on new labor and mining laws, union recruitment as well as OCDE Due Diligence Guide implementation. As REWU is member of national platform of COSOC-GL, and his Secretary General is awarded as expert in mineral monitoring, the national platform of COSOC-GL went with REWU to visit that cooperative and it was impressed by the achievement on the ground, and conveyed it’s thanks to that Cooperative.

Bellow is the picture whereby the officials were demonstrating to the Secretary General of REWU, Eng. Andre MUTSINDASHYAKA, how safe was the tunnel
On the same date, 11th/10/2019, both organizations visited Hard metal Company. The aim of that visit was to continue the mobilization on new labor and mining laws, union recruitment as well as OCDE Due Diligence Guide implementation. As REWU is member of national platform of COSOC-GL, and his Secretary General is awarded as expert in mineral monitoring, the national platform of COSOC-GL went with REWU to visit that company and it was impressed by the achievement on the ground, and conveyed its thanks to that company.

Below is a picture whereby the officials of Hard Metal were showing the team how they were working.

0.1.2: South Province

A) MUHANGA District

A. I REWU VISITS AT DABA MINING on 04.01.2018

Deputy Secretary General of REWU, Mr Jean Marie Vianney BWANAKWERI, addressing to the employees of DABA on the importance of joining the union as employees, the
importance of safety and healthy and the role of the union in as far as advocating on this issue is concerned.

It was also an opportunity for REWU, to introduce briefly about the labor and mining laws and the role of the union in increasing the productivity and keep employees from moving anyhow from one site to another. They appreciated, welcomed and joined REWU.

A.2) REWU visit at AFRICOM on 30th October, 2018

As REWU is an affiliate at Mining International Trade unions, and having been aware of the achievement of REWU, the Danish Trade Union Development Council sent Mr. Morten Bonde Pedersen, a Journalist by professional, to come and see how REWU is growing and its remarkable achievements; then back home he would share experience on REWU’s success Story with other Trade Unions. This council was established by LO and FTF which are the two umbrellas organizations.

Bellow is the Secretary General of REWU addressing to the employees on the issue of new labor and mining laws, having a written contract, being paid through the bank/sacco, fighting against illegal mining and worst form child labor. He then introduced to them that Journalist who appreciated the way they looked like in terms of Personal Protection Equipment, freedom of workers to join union, and how government of Rwanda set up the good laws to secure its people in extractive industry sector.
The picture below shows the journalist Mr. Morten Bonde Pedersen addressing to the miners

0.1.3 North Province

A. Burera District

A.1: WMP GIFURWE on 6th Nov, 2018

On 6th Nov.2018 REWU held a visit at GIFURWE WMP Ltd. The aim of that visit was to inform the workers about the new labor law especially on the side of signing contracts with their employers. They appreciated the importance of having contract as it benefits both employer and employee.

With the picture above, the Secretary General of REWU with the coordinator of GIFURWE WMP, Mr.MINANI Noel, are addressing to the employees.
B. Rulindo District

B.1: ETI Nyakabingo

On 21st December REWU Trade Union held a meeting at ETI Nyakabingo. Together with ETI Manager, Mr. Peet Muller, the aim of that meeting was for REWU to inform to the workers how far it had gone with negotiating the salary increment. The employees appreciated the provisional stage that REWU had attained as the final results were to be provided on 15th January 2019.

With the pictures above, the Secretary General of REWU is addressing to the employees. He is with Mine Manager Mr. Peet Muller, in between, and the operation Manager of ETI Ltd.
0.2: TRAININGS / WORKSHOPS

0.2.1: Trainings organized by REWU itself

0.2.1.1 NATIONAL WORKSHOP AT MUHANGA on 14\textsuperscript{th} up to 17\textsuperscript{th} December 2018

REWU organized an annual workshop on a favor of the Presidents of committees representing REWU in various companies across the country.

The aim of that workshop was mainly to evaluate their achievement across the year 2018 in their respective work place, to update them on the activity plan of REWU for the coming year, train them on the new labor and mining laws, in social dialogues as well as their role as trade union’s representatives to implement those activities in their companies.

It was also planned to evaluate the challenges faced and setting up the way forward.

The pictures below show clearly how was the attendance of the employees.

\textit{Bellow, the chief Labor Inspector in MIFOTRA, Mr. Hobes NKUNDIMANA presenting the various changes occurring in the new labor law.}
Secretary General of REWU addressing to the audience and encouraging union leaders to work hard especially in solving themselves the problems faced by the union members without necessarily waiting for the leaders of REWU at National level to come to solve them.
0.2.1.1: Trainings/Workshops organized by REWU jointly with other stakeholders

A.1) Training organized by SDMR jointly with REWU in favor of COMIKAGI members on 3rd October 2018

Below, Mrs Aline NKUNDIBIZA, from Sustainable Development Mining in Rwanda (SDMR), training on the Gender policy in Mining Sector

By the picture below on 4th October 2018, in COMICAGI, Deputy Secretary General of REWU is training on the new labor and mining laws
0.2.1.2: Organizing meetings with management of the companies

MEETING AT East African Granite Industry (EAGI) on 18.05.2018

On the date mentioned above, REWU held a meeting with EAGI Nyagatare Managing Director with other managing team members. The aim of that meeting was for REWU to update the Managing Director on the achievements of the Union as well as the future perspectives.

With the picture below, Secretary General of REWU with MD of EAGI, Mr. Didace MUGISHA and management team are discussing on the issues related to the EAGI employees, and solutions were found.
0.3 Attending Training, conferences and workshop organized by other stakeholders

0.3.1: At Regional level

0.3.1.1: Attending a workshop organized by COSOC GL AT GOMA on 24th November 2018

Secretary General of REWU is holding a certificate awarded to him as an expert in mineral monitoring. The certificate is given by the Chairman KANYENGUSHO K. Fabien and Secretary General of COSOC GL, Mr. Cyprien BIRIRINGIRWA.

REWU AT PANEL IN ARTISANAL SMALL SCALE MINING (ASM 18) INTERNATIONAL CONFERENCE HELD AT ZAMBIA 11-13.09.2018

Secretary General of REWU, the third from the right side, is on a panel addressing the challenges faced by the employees in mining and quarry sector.
The picture below shows the entire participants in the conference. The second from the right is the Secretary General of REWU

0.3.2: AT INTERNATIONAL LEVEL

REWU participated in 12th forum on Responsible Mineral and Supply Chain organized by OECD, held at Paris from 19-23 April 2018.

During this forum, REWU got the opportunity to share its experience on promoting decent work in mining sector, and learn more from other mining stakeholders are working worldwide.
0.3.2: Attending events

A. on 17th June, 2018 REWU joined RUTONGO Mines Ltd on the commemoration of Genocide perpetrated against TUTSI in 1994.

The picture above shows the Secretary General sitting at the beginning and Rutongo, CNLG Staff Claver GATABAZI, and Rutongo Mines Manager, Mr. Kevin BUYSKES in third place during this activity organized by Rutongo Mines Ltd.
0.5: Changing the lifestyle of employees by giving them the products to be paid in installments

Having noticed that the employees in mining are almost looked as poor people not because they do not have money but simply because they do not get time to think on improving their lives, REWU initiated the cooperation with industries from which the products are needed by majority and are basic ones to change their life. It is in this framework that REWU engaged a partnership with the following industries:

RWANDAFOAM (for mattress), AQUASAN (for water tanks), MOBISOL (for energy solar), etc…

Those industries accepted to give the products by loan to be paid in instalment depending on the contract convened between the employer and the industries.

Below is a picture illustrating how the employees from EAGI Nyagatare were receiving the mattress to be paid in four installments

Deputy Secretary General of REWU, in between, is showing to the employees various types of mattress brought to them as requested
0.6: Solved issues

During this year, the Union received various claims to which it had to treat, follow up, solve or engage negotiation with the concerned employers in case this was the last option. Some of those issues are the following:

a) Working entire week without any day off as provided by labor law.

Actually some companies opted for employing people in a nonstop system so as to increase productivity. Employees repeatedly claimed to the union, REWU, which contacted their employers to discuss on that issue reminding them that employees should have their one day off as provided by the law. Finally we ended up having that day off and the public holidays on which the employees used to work previously. This considerably contributed to the increment of production on the side of the companies, and contributed also to the big number of membership of members on the side of REWU

b) Increasing the price paid on Kg.

As per our negotiation, we based on the fact that the international price increased and negotiated ETI NYAKABINGO Ltd to increase by adding some amount on kg. It took longtime to but finally we came up with securing increment on percentage depending on the number of kg produced. The average according to the rate of production by the time was 10-30 % for all employees. This also went to increase the earning of Sub contractor by kg.

c) Advocating for reinstating the illegally dismissed, treated or damaged staff according to the provisions of labor code.

Various cases in this situation were treated by REWU and are categorized as follow:

1) Issue of insurance.

There are cases of people who, after being injured and dismissed because of the incapacity to fulfill their duties, go to insurance company and found that their employees did not issue all required document and it was always not easy for the employees to get them which results to lateness to get their compensation. REWU assisted them and those cases were handled.

2) The sick workers who are dismissed due to lack of evidences.

There are some workers who normally fall sick and go to health centers and come back after some days. When they reach work place, the company dismiss them under pretext that the patient has no “Repos medical” provided by Doctor while the patient went to local health center or health post and after being given the medicines he went back home and slept during some three or four days without repos medical issued by a doctor, because in many health centers/post the doctors are not there.

So the company dismisses him alleging that he should have reported to work before two days otherwise extra day is to be allowed by a Doctor (and in many health centers there no doctors). This case is frequent and is always handled by REWU by negotiating with responsible of health
centers who sometimes accept to provide a document justifying how hard was that sickness and how he could not come to work while taking the strong drags. And this leads the company to reinstate some of them at work.

4) Illegally dismissed employees.

It used to happen to some companies to illegally dismiss some employees. So REWU held various negotiations with the employers and came up with reinstating back those innocent workers. And in case this process failed the case was taken to the competent court.

0.7. Other activities

- Mobilisation and recruitment of union members is on ongoing, membership of REWU is so far 13,000 and is increasing by 31st December 2018;
- REWU held various meeting with its partners in order to explain to them what is doing while he is organizing workers;
- REWU signed Collaboration agreement on salary increment with ETI Ltd
- REWU signed a memorandum of understanding with Sustainable Developing Mining in Rwanda (SDMR)
- REWU kept sensitizing its members to eradicate the bad habit of theft observed to the materials used in mining as well as to the minerals. He tells them once caught and dismissed the union can never treat this case as well as to approach the employer for that issue
- REWU kept mobilizing their members to form the cooperatives in their respective companies in order to increase their economy as well as to value their job of extracting minerals;
- REWU trained the union representatives from the companies on their responsibilities as union duties;
- REWU represented the workers in differences instances with the purpose of advocating on workers rights and their benefits;

0.8: REWU KEY PARTNERS

The partners of Rwanda Extractive industry Workers Union (REWU) are:

- MIFOTRA (Ministry of Public Service and Labor)
- CESTRAR (Rwandan confederation of workers trade unions)
- MINALOC (Ministry of Local Government)
• RMB (Rwanda Mining, Petroleum and Gas Board)
• REMA (Rwanda Environment Management Authority)
• NCHR (National Commission of Human Rights)
• RMA (Rwanda Mining Association), professional organization of employers in mining sector
• MOBISOL (solar energy company)
• INDUSTRIALL GLOBAL UNION
• Building and Wood Workers International union (BWI);
• Haut Commissariat du Canada au Rwanda
• SDMR (Sustainable Development Mining in Rwanda)
• COSOC - GL : Coalition de la Société Civile luttant contre l’exploitation illégale des ressources naturelles dans la Région des grands lacs
• RWANDAFOAM Factory
• AQUASAN Factory

0.9: GENERAL CHALLENGES FACED BY WORKERS IN MINING SECTOR

• Miners don’t have any salary when they don’t get minerals into the tunnel
• Poor skills of workers in mining sector;
• Few geologists at working place in many companies;
• Occupation Safety and health not appropriate in some companies;
• Many miners are checked off from their salaries the cost of personal protection equipments instead of being paid by their employers;
• Many of the Sub contractors in mining sector do not master the labor regulation, and cause many dispute of labor regulations;
• Many miners don’t have the contract with their employers, and this cause a disorder movement of workers in the companies and affect the production increment as well as their families;
Many miners are not covered by social security;

Low price per kilo paid to the miners comparatively to the income generated by them and comparatively to the cost of life;

Many workers request that the pension should start in mining sector at 50 ages old because of the nature of their had jobs;

Poor social dialogue between employers and their employees, because of lack of the skills in negotiation matters;

Payment of salary in hand instead of through the Bank / Sacco;

Women in extractive sector paid on what they produce are not paid when they are in maternity leave. As consequence they can’t feed themselves and it affects their babies in one way or another as well as their families.

RECOMMENDATIONS

We strongly recommend to the Ministry of Labor and Public services (MIFOTRA), Rwanda Mines, Petroleum and Gas Board (RMB), Rwanda Mining Association (RMA) and our partners to help us to solve the above issues:

1. The contract is a key of a sustainable employment in mining sector between employees and employers and is needed. We request to join hands in hands in sensitizing the employers to give the contract to their employees, which will help to stabilize the employment in mining sector as well as his contribution to the increment of production;

2. The miners who don’t have a minimum salary when they didn’t find the minerals should have a monthly minimum salary and that will contribute to the stability of workers in the company, many job creation in mining sector as well as the increment of production.

   This should be done through collective agreement between Employers professional organization (RMA) and Workers professional organization (REWU).

3. As many miners are not covered by social security, we recommend that all mining companies shall affiliate all their employees;

4. Due to the nature of their job, it is not easy for the workers to reach 60 years still on their duties. Therefore, we recommend to that in mining sector the age of pension should be reduced up to 50 old as suggested by a big number of workers;

5. Due to little amount paid by Kilo in Mine, we recommend that this amount should increase following the increment of the price at international level.
6. All employees in mining sector should pay their taxes based on remuneration according to law regarding taxes.

7. All employees in mining sector must be paid their salary via the financial institutions according to the laws.

Done at Kigali, on 23 March 2019

Eng. MUTSINDASHYAKA Andre
Secretary General.