

Abstract

This study is about the comparative analysis of the procedures for adjudication of labour disputes under the repealed and the new labour legislation. The study compares the speed of resolving labour disputes under the repealed laws with the one in the new labour legislation of 2004. The study involved library research so as to lay down the theoretical framework of the study. Field research was conducted in order to support the theoretical work by gathering relevant information from various respondents. Mainly, collection of data involved oral interviews and observation methods. This study found out that the procedures for resolving labour disputes under the new labour legislation are expeditious compared with the ones in the repealed laws. It was concluded that although the new laws provide for expeditious procedures for adjudication of disputes, practice of the Labour Court shows the contrary. The basis for this conclusion is that the Labour Court failed to adjudicate even a single dispute within nine months of its operation. In the end, the study recommends that the CMA needs to be empowered to execute its own decisions in order to eliminate backlog of cases in the Labour Court, most of them being on enforcement of the CMA's awards. Also it is recommended that for the sake of justice, there should be provisions in the new labour legislation allowing appeals from the Labour Court to the Court of Appeal to be on matters of both fact and law.