

Law dons challenge Makerere suspensions

By Vision Reporters

Makerere University dons have described the decision by their university vice-chancellor to suspend the their association leaders as illegal.

They said Prof. Barnabas Nawangwe's actions were an infringement on the freedom of association for university employees and academic freedom.

This follows the suspension of Dr Deus Kamunyu Muhwezi, the chairperson of Makerere University Academic Staff Association (MUASA); Bennet Magara, the chairperson of Makerere Administrative Staff Association (MASA) and her secretary

ON THE GROUND

Prof. Jean Barya said the suspension was done under Section 5.9 (b) of the Makerere University manual, which means the leaders were suspended as university employees, yet their issues are association related.

general, Joseph Kalema.

In a joint statement presented to journalists by Prof. Jean Barya from the School of Law, dons noted that it is unconstitutional and unlawful to suspend or

otherwise purport to discipline any leader or official of a staff association or union for any act done in furtherance of staff association or union interests.

The briefing, which took place at the staff canteen yesterday, was attended by MUASA, MASA and the National Union of Education Institutions.

Barya said all associations exist legally as per the Constitution and cannot be challenged.

He stressed that freedom of association is emphasised in Article 40 (3) (a) of the Constitution, which gives every worker the right to form trade unions to protect their economic and social interests, "a right to collective bargaining

and representation" and the right to collectively withdraw labour (the right to strike).

"With respect to universities, specifically, members of staff have the right to form staff associations under sections 68 and 93 of the Universities and Other Tertiary Institutions Act, 2001," Barya noted.

He said Section (4) of the Labour Unions Act 2006, provides that an employer shall not "discharge an employee on account of his or her lawful involvement or proposed involvement in the activities of a labour union, including his or her participation in industrial action".

Barya said the suspension of association leaders was an

attack on, not only freedom of association of university staff, but also one on academic freedom guaranteed by the Constitution.

"The leaders were suspended as employees of the university, yet the allegations made against them relate to their work as leaders of employee associations," he said.

"It is, therefore, unlawful and illogical to accuse association leaders of wrongs allegedly committed in the course of their leadership activities," he said.

They asked Nawangwe to withdraw the suspensions of the leaders so as to create room for discussion on the existing grievances.