

Exploring the Challenges of Labour Law Unawareness on Employee Performance in the Tanzanian Insurance Industry

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Abstract:

This study assessed challenges faced by employees due to unawareness of labour laws and their influence on employee performance in the insurance sector in Tanzania, using Arusha Municipality as a case study. The study examined challenges encountered by employees in their workplace environment, including those resulting from non-compliance with labour laws, workplace conditions, and facilities. It specifically looked at compliance regarding employment contracts and management practices and their influence on employee performance. By Adopting Hyde's Labour Legislation Theory, this study used a qualitative approach and exploratory design. Semi-structured interviews were conducted with 40 respondents from 21 private insurance companies in Arusha; data were then thematically analysed using NVivo software. The study revealed that 40% of employees were aware of labour laws, 8.6% were partially aware, and 51.4% were not aware. Consequently, they faced challenges such as delays in contract renewals, fear of termination (insecurity), the use of outdated equipment (e.g., old computers), poor working conditions (e.g., substandard furniture), and poor mediation by Human Resource departments. This study recommends that employers resolve these challenges by ensuring the timely provision of contracts and conducting regular inspections of facilities. Furthermore, organizations should introduce policies to maintain a conducive environment by providing modern equipment and furniture. Finally, Human Resource officers should act as a bridge between employers and employees rather than protecting only the employer's interests. This study emphasizes the necessity of organized labour law education to promote fair working conditions, improve employee performance, and enhance organizational effectiveness.

Keywords: Challenges faced by Employees; Labour Law; Awareness; Unawareness; Employee Performance; Insurance Industry

1. Introduction

The origin of labour law across the globe can be traced back thousands of years. For example, European scholars highlight the importance of such laws during the Middle Ages, citing the guilds and apprenticeship systems of the medieval world (Ajmera, 2024). Asian scholars, on the other hand, highlight the presence of labour standards in ancient writings such as the Hindu Laws

of Manu (Manu-smriti) and the Babylonian Code of Hammurabi (18th century BCE) (Onion, 2009). Moreover, Latin American scholars point to the Laws of the Indies promulgated by Spain in the 17th century for its New World territories (Ajmera, 2024). Nevertheless, none of those sources can be regarded as more than anticipations, with only limited influence on subsequent developments. The current global labour law is essentially the child of successive industrial revolutions from the 18th century onward. Consequently, Sir Robert Peel introduced the British Health and Morals of Apprentices Act of 1802, which marked a turning point in the development of contemporary labour law (Ajmera, 2024). The literature further indicates that comparable laws appeared in Zürich in 1815 and France in 1841 (Ntimba et al., 2020). More comprehensive labour codifications took shape in the 1910s and 1920s, following the development of labour laws in Latin America at the end of the 1800s and into the early 1900s (Carnes, 2009). Until the end of World War I, labour laws outside Western Europe, Australia, and New Zealand advanced slowly. However, in the 1940s, significant labour law changes began in African nations. During the 1940s and 1950s, numerous African and Asian countries, including Tanzania, established their own labour offices following Egypt's 1930 initiative (Bellucci & Eckert, 2019).

The evolution of labour law from rudimentary regulations to complex legal frameworks reflects societal shifts and economic transformations (Fauzi et al., 2024). Some of the laws related to labour and the working class that were introduced in Tanzania included the Tanzanian Industrial Court Act No. 41 of 1967, the Trade Union Act No. 10 of 1998, the Employment Ordinance (Cap. 366), and the Regulation of Wages and Terms of Employment Ordinance (Cap. 300). These laws were passed in the United Republic of Tanzania to govern the relationship between employers and employees. These laws have changed over time to reflect national socioeconomic transformations. Such changes were based on socialist policies, moving from colonial rule to more recent reforms that aim to comply with international labour standards (Bienefeld, 1979).

Soon after the independence of Tanganyika (later Tanzania) in 1961, the only trade union that existed was the National Union of Tanganyika Workers (NUTA), which operated under state policy. During this period, independent labour associations were prohibited, whereas autonomous labour activities were unpopular because the state attempted to control them to align with its socialist policies. Later, the government enacted the Trade Union Act No. 10 of 1998 to grant workers the right to form trade unions with greater independence, which became operational in 2000. This Act established the Trade Union Congress of Tanzania (TUCTA), which formally replaced the Organisation of Tanzania Trade Unions (OTTU) by 2001. These developments were important for restoring workers' autonomy and served to strengthen collective bargaining instruments (Tordoff, 2007).

The changes compelled the government to establish several statutes to govern the relationship between employers and employees. The government conducted labour law reforms in 2002–2004 to modernise the country's industrial relations framework. Various Acts were introduced through such reforms, including the Employment and Labour Relations Act of 2004, the Labour Institutions Act of 2004, and the Public Service (Negotiation Machinery) Act of 2004.

Apart from the Constitution of the United Republic of Tanzania, 1977, various legislations regulate the relationship between employees and employers and the workplace environment. These include the principal labour law, the Employment and Labour Relations Act, 2004 (R.E. 2025), and the Labour Institutions Act, 2004 (R.E. 2023), which establishes various labour institutions, including the Commission for Mediation and Arbitration and the Labour Court, and outlines their functions and powers. Apart from the Constitution of the United Republic of Tanzania, (1977) there are various legislations that regulate the relationship between the employees and employers and workplace environment such as the currently primary/principal labour law of the Employment and Labour Relations Act 2004 R.E 2025 and others includes Labour Institutions Act 2003; establishes various labour institutions, including the commission for mediation and arbitration and the Labour Court and outlines their functions and powers. Furthermore, key Tanzanian labour laws include the Public Service Act, 2002, which applies exclusively to public servants; the Workmen's Compensation Act (now Workers Compensation Act), which regulates compensation for workplace injuries; the Trade Unions Act, 1998, which governs the organization and function of trade unions; the Occupational Safety and Health Act, 2003, which regulates workplace safety and health against hazards; the Labour Institutions (Minimum Wage for Private Sector) Order, 2025; the Labour Court Rules (Government Notice 106/2007) (Tume ya Usuluhishi na Uamuzi Tanzania, 2025); the Public Service (Negotiating Machinery) Act, 2003, which addresses the rights

of public service employees to negotiate (The Ministry of Constitution and Legal Affairs Tanzania, 2015); the Teachers Service Commission Act, 2015, which deals with employment matters for teachers (Teachers Service Commission, 2015); and the Non-Citizens (Employment Regulation) Act, 2015, which specifically deals with the employment of non-citizens (Tanzania Investment Centre, 2015). Furthermore, up to 2019 the United Republic of Tanzania had ratified 37 International Labour Organization (ILO) Conventions (International Labour organization, 2019). Therefore, the Employment and Labour Relations Act, [Cap. 366 R.E. 2025], is the principal legislation that regulates the relationship between employers and employees, governs the workplace environment, and provides for the rights and responsibilities of both parties within the Tanzanian context. In 2025, the country amended its labour laws to respond to ongoing workplace challenges. The Employment and Labour Relations Act of 2004 and the Labour Institutions Act of 2004 were both amended by the Labour Laws (Amendments) Act of 2025 to make the entire labour dispute process more beneficial.

Despite the presence of labour regulations that provide workers' rights globally, various studies have established the existence of a labour law awareness gap among employees. For example, a study by Rajapakshe (2019) in Sri Lanka revealed that while some employees were aware of labour laws, others were not, noting that education and age have a significant impact on awareness. Furthermore, Rakshit and Mete (2022) established that only 6% of daily laborers from the Scheduled Caste and Scheduled Tribe communities were aware of their fundamental rights provided by the Constitution of India such as the right to equality, non-discrimination, and the prohibition of child labour while 94% were unaware. Moreover, that study found that males were more aware of fundamental labour rights than females.

Even at a continental level, a significant labour law awareness gap exists across various sectors in Africa. Dwumfour-Asare et al. (2013) found a low level of awareness regarding the Factories, Offices and Shops Act (1970) and other health and safety regulations in Ghana, alongside a medium level of awareness regarding general labour laws. Similarly, Adu-Pakoh (2016) reported that 46% of employees at the Ghana Water Company Ltd. were unaware of the existence of labour laws. In Nigeria, Kamoli et al. (2021) established that the primary hurdles to Occupational Health and Safety (OHS) compliance in the manufacturing sector were a lack of awareness among both employers and employees. Many factory owners and managers were unfamiliar with the legal requirements for workplace safety, while workers remained unaware of their rights under occupational health regulations.

Within the East African region, studies have also identified a persistent awareness gap. Nadege (2021) found that while MTN employees in Rwanda were aware of certain sections of their employment rights, they remained uninformed about others. This study highlighted a variation in awareness among staff and a notable weakness in the mechanisms designed to support and enhance employee rights.

Despite the presence of fundamental labour rights and laws governing employer responsibilities in Tanzania, various studies have established that many employees remain unaware of these legal protections. For example, a study by Dawite (2014) indicated that lack of awareness regarding labour rights led to harsh working environments, a lack of proper equipment, high employee turnover, and poor organizational performance. Conversely, Lisakafu (2014) found that while the majority of public sector employees in the Ulanga District Council had some awareness of fundamental rights, others maintained a low level of understanding. In contrast, Wassira (2016) revealed that most employees at TTCL Dodoma were well-aware of specific rights, such as the right to equal treatment, safe working environments, unionization, and various forms of leave. Despite these pockets of awareness, Muhanga and Mtendavema (2015) concluded that the majority of public university workers in Tanzania possessed low legal literacy. Consequently, they recommended the establishment of effective legal literacy schemes and mass campaigns to disseminate knowledge on existing labour laws. Even at a regional level, a significant labour law awareness gap exists across various sectors. According to Mtei et al. (2020), the majority of domestic workers in Arusha, Tanzania, were unaware of labour laws; results revealed that 92.5% were underpaid compared to international and national standards. The study recommended that policymakers encourage the implementation of existing laws and guidelines to improve worker welfare and promote awareness programmes. Similarly, Mhando (2021) established that employees in the Arusha construction industry were unaware of occupational health and safety regulations, leading them to work with insufficient personal protective equipment (PPE). Consequently, these employees experienced workplace accidents, diseases, and fatalities.

Nevertheless, other studies unveiled measures employers should follow to enhance employee commitment and establish healthier workplace relationships; some studies also asserted the responsibilities of both parties involved. According to Millulu (2020), any prudent employer in Tanzania should be aware of labour laws to avoid employment disputes. This includes understanding employment contracts, recruitment and appointment policies, employment rights, grievance and disciplinary procedures, dispute resolutions, workplace offenses, organizational rights, termination procedures, and confidentiality clauses. Another study by Ugoani (2021) revealed workers' obligations as well as management's rights, duties, and limitations within the employment relationship in Nigeria. Employer obligations include the payment of wages, the provision of work, and the maintenance of workplace health and safety. Conversely, employees are entitled to rights such as remuneration, written terms of employment, paid annual and sick leave, maternity leave, redundancy payments, freedom of association, and the right to strike. These rights and obligations determine the reward for effort and set conditions that protect the interests of both parties; furthermore, they regulate how employers treat their staff and define how employees are expected to behave at work.

Therefore, various studies assert that the awareness of labour rights facilitates employees' demand for improved working conditions, which enhances job performance. Those studies argue that there is a strong need for employees to be aware of fundamental labour rights and related employer responsibilities at the workplace. For example, a study by Sikoi (2021) in Dodoma, Tanzania, revealed that labour rights practices enhance employee performance and organizational productivity. These rights include essential components such as employment contracts, fair terms and conditions, adherence to a forty-hour workweek, timely wage payments, overtime compensation, and the freedom of association, including the right to join trade unions and engage in collective bargaining. Extensive research has examined challenges encountered by employees due to unawareness of labour rights, including employment contracts, working conditions, and the importance of regulations (Ahmad et al., 2025; Anandh et al., 2024; Anthony, 2024; Hussien et al., 2022; Lilian et al., 2023; Thomas et al., 2025). Furthermore, most reviewed literature focuses on diverse geographical areas and sectors other than insurance. In contrast, this study was conducted in Arusha Municipality, where findings revealed challenges encountered by employees due to unawareness of labour laws and the subsequent impact on job performance. To achieve its objectives, this study utilized the Theory of Labour Legislation proposed by Hyde (1990). This theory posits that legislation must regulate the relationship between employers and employees by declaring and protecting the rights of both parties in the workplace.

Therefore, the researcher focused on employee awareness of labour laws because between 2020 and 2022, more than 1,000 complaints were reported to the Arusha regional office of the Commission for Mediation and Arbitration (CMA). These complaints included the denial of fundamental rights, such as workplace discrimination, unfair termination, and breaches of employment contracts often resulting from a lack of awareness regarding labour laws (CMA Arusha Region Report, 2025). As asserted by Dawite (2014), these issues contribute to high employee turnover and poor organizational performance. Consequently, this study investigates challenges faced by employees due to unawareness of labour laws, focusing on Tanzania's principal legislation; the Employment and Labour Relations Act, 2004 (R.E. 2025).

1.1 Labour Law Related to Employment Contracts and Its Influence on Employee Performance

Afrin et al. (2023) evaluated the factors that influenced workers' performance in the insurance sector of Bangladesh. The study identified the following elements that affect long-term employee performance: motivation, leadership style, work environment, job satisfaction, and pay. Asongwe (2023) assessed the correlation between employment contracts and employee motivation, examining how different types of contracts such as permanent, temporary, and freelance agreements influence employee motivation. The study revealed that well-structured employment contracts with clear terms, job security, and alignment of employee expectations with organizational goals enhance employees' commitment to the organization, which leads to improved performance. Binaku and Ismajli (2024) assessed respect for the rights of employees in the private and public sectors in Kosovo; they revealed that some employees were not aware of their rights, while others were. Employees who were not aware had no employment contract, and others had employment contracts, yet the employer did not fulfil their agreements based on the labour code and labour law. Other researchers, such as Bira et al. (2021), Manirabarusha and Kiarie (2020), and Nadege (2021), evaluated employment contracts, employer obligations, and fundamental labour rights to gauge how well-informed employees

were about labour law. Their findings established that employee ignorance of labour laws negatively impacts company performance, making employer strategies to raise awareness crucial.

Similarly, Hussien et al. (2022) aimed to measure the effect of temporary employment contracts on staff performance in Greater Cairo's five-star hotels. Their study revealed that temporary contracts influenced employee performance negatively, as behavioural and psychological factors such as job insecurity, low job satisfaction, lower organizational commitment, and lack of trust significantly resulted in poor performance. Furthermore, Herdiyani and Kharisma (2024) assessed the influence of the employment contract system and work motivation on employee performance at PT Busana Indah Global. Their study revealed that the contract system and work motivation influenced employee performance by 56.1%, while the remaining 43.9% was influenced by other factors. Manirabarusha and Kiarie (2020) analysed the effects of employment contract types on employee performance at the East African Community (EAC) Secretariat. Their study revealed a close relationship between contract types and performance; specifically, it found that while the Secretariat only offered fixed-term contracts and fixed-term limits, employees expressed a strong desire for permanent contracts to ensure job security. Consequently, the study recommended that employees be more analytical before signing contracts and called for increased support from top management, regardless of recruitment methods. In a similar vein, Ongiri et al. (2024) assessed how contract administration activities influence the performance of doctors in the public health sector of Nairobi County, Kenya. Their findings indicated that effective contract administration has a significant positive influence on employee performance. The study concluded by recommending the formulation of practical mechanisms to ensure and guarantee timely contract administration.

Ongera and Juma (2023) assessed the influence of temporary employment on employee performance at Safaricom Limited in Kenya. The study revealed a positive relationship between temporary employment contracts and employee performance, noting that employees took up temporary employment in the hope of gaining permanent employment. Similarly, Pandey (2025) critically analysed fixed-term contracts, highlighting benefits such as operational agility for employers and entry points into industries for employees. However, the study identified challenges like job insecurity, low morale, and limited access to benefits for staff. Consequently, the study recommended establishing clear policies and fair practices to ensure that fixed-term employment serves as a tool for opportunity and growth rather than exploitation. Ranjan and Sinha (2024) explored the impact of contractual employment on job security and benefits. The study revealed that contractual workers often lack the same level of job security and benefits offered to traditional employees, such as health insurance, retirement plans, paid leave, and unemployment benefits. Moreover, contractual arrangements may entail greater financial insecurity and income volatility, which contributes to inequality. The study recommended that policymakers should play a crucial role in promoting fair labour standards of benefits for both permanent and fixed-term employees. Furthermore, should strengthen enforcement mechanisms to ensure compliance with employment laws. Singhal (2020) contends that in one of India's IT companies, younger or less experienced workers were less aware of labour laws than experienced workers. Consequently, such employees were powerless to stop their employer's humiliation, making them unhappy with their pay for their working hours.

1.2 Labour Law Related to Workplace Conditions and Its Influence on Employee Performance

Anthony (2024) assessed the effects of working conditions on employee performance at a private sector organization (Cutix Cables PLC, Nnewi, Anambra State). The study revealed that poor working conditions contributed to low employee productivity. The findings indicated that an improved work environment leads to higher employee performance and creativity. The study recommended that the relationship between work, the workplace, and the tools of work should be an integral part of operations. Similarly, Lilian et al. (2023) assessed working conditions and the performance of employees at Ibanda District Local Government. The study examined the effect of the workplace environment, physical conditions, and workplace incentives on employee performance. Findings revealed that the workplace environment, physical conditions, and incentives significantly influence employee performance. Good relations with co-workers, job security, favourable working hours, provision of necessary equipment, and proper ventilation, lighting, and office layout enhance employee performance. Moreover, incentives (payment of salary) had a significant positive effect on employee performance. The study recommends that the Human Resource Department should develop a policy to pay for overtime and construct more offices for district employees.

Mishra (2023) analysed awareness of social security measures and the challenges faced by women workers in the informal sector across the Ranchi, Dhanbad, and Khunti districts of Jharkhand. The study examined working conditions, including awareness of social security, daily working hours, weekly time off, maternity benefits, internal complaints committees, and sanitary facilities. It also assessed awareness regarding minimum wages and equal pay. The findings revealed that 85.65% of participants were unaware of social security measures and minimum wage regulations. Furthermore, the study found that women worked in unhygienic environments, received low pay, and worked long hours (exceeding 12 hours) without receiving adequate respect or remuneration. Notably, there were no facilities in place to raise awareness of labour laws or to protect employees from such conditions. Similarly, Mohamud (2022) assessed the effect of working conditions on employee performance within manufacturing companies in Mogadishu, Somalia. This study examined how variables such as working hours, workload, and training influence employee productivity. The results indicated that these three determinants had a beneficial effect on productivity, accounting for a 65% impact. Consequently, the study recommended that employers maintain reasonable hours and provide robust training and development to enhance organizational productivity.

Mhina (2021) assessed the effects of the work environment on employee performance at the Tanzania Revenue Authority. The study examined the relationship between the physical, social, and organizational work environment and employee performance. It revealed that a physical work environment (including adequate tools, modern facilities, and safe, healthy conditions), a supportive social environment (teamwork, good relationships with colleagues, and equality), and a positive organizational environment (good policies, clear goals, and missions) influenced employee performance positively. Moreover, the findings indicated that the implementation of work-life balance, improved reward systems, annual leave, good workplace health & safety, and supervisor support enhanced employee performance.

Pimpong (2023) assessed work environment factors and their impact on employee productivity, focusing on the mediating role of employee commitment. The study investigated the work environment factors that affect employee productivity and explored how these elements boosted employee performance in three tertiary institutions in the Ashanti Region of Ghana: Akenten Appiah-Menka University of Skills Training and Entrepreneurial Development (AAMUSTED), Kumasi Technical University (KsTU), and Kwame Nkrumah University of Science and Technology (KNUST). The findings revealed a positive relationship between the workplace environment and employee commitment, suggesting that employee commitment partially strengthens the impact of the workplace environment on employee performance. The study emphasized the need to enhance workplace environmental conditions to facilitate effective academic work.

Sunday (2024) assessed the effect of the work environment on employee performance at Ibom Air in Uyo, Akwa Ibom State. The study examined how various environmental factors influence staff output. The findings revealed that employee performance was significantly affected by four key areas such as first Physical work environment: This includes furniture, air circulation, temperature, climate, humidity, ventilation, and sanitation. Secondly, psychosocial work environment: This comprises the organizational climate, culture, work roles, and interpersonal relationships. Thirdly, technological work environment: This involves the tools and resources used to carry out daily tasks. Fourth and lastly, Cultural work environment: This refers to the organization's mission, values, and ideals. The study recommended that management should provide a supportive psychosocial environment characterized by effective leadership, work-life balance, teamwork, and social support to enhance employee commitment and performance. Thomas et al. (2025) assessed the challenges faced by women in the informal sector in Sulthan Bathery Municipality, Wayanad District, Kerala. The study revealed that women workers face a lack of job security, low wages, an absence of leave or retirement benefits, and limited access to social and legal protections. Zhenjing et al. (2022) assessed the impact of the workplace environment on employee performance using a multi-mediation model. The study examined how the workplace environment influences task performance through the mediating roles of employee commitment and achievement-striving ability. The findings revealed that a positive work environment improves both commitment levels and achievement-striving ability, which in turn enhances performance. Ultimately, employees who were satisfied with their work environment produce more positive work output.

1.2 The Influence of Management Practices Regarding the Right to Better Working Conditions and Equality on Employee Performance

According to Anandh et al. (2024), the study identification and Assessment of the Challenges Faced by Construction Employees in Dubai' revealed the existence of gender-based challenges. Furthermore, it revealed challenges faced by both genders, such as physical demands, inadequate job training, health and safety concerns, stress and burnout, lack of job security, and superior-subordinate relationships. According to Dang et al. (2025), assessed how human resource management practices promote job performance through innovative work behaviours. The findings revealed that higher levels of HRM practices significantly enhance employees' job performance. Additionally, the relationship between HRM practices and job performance was found to be partially mediated by innovative work behaviours. Furthermore, an innovative climate was shown to strengthen the positive link between HRM practices and innovative work behaviour. Hossain et al. (2023) assessed the influence of working conditions on employee job performance in private firms in Toronto, Canada. The study revealed that job stressors, such as excessive workload, time pressure, and a lack of control over work, influenced performance negatively. Moreover, these stressors led to burnout, absenteeism, and employee turnover. The study recommended that employers encourage a safe, flexible, and comfortable workplace environment that enhances communication practices, acceptance, and workload management. It also suggested promoting training and development while rewarding high performance. Furthermore, the authors emphasized that employers should prioritize conducive environments by providing ergonomic chairs, avoiding hazardous conditions, and ensuring better air circulation, temperature, and lighting to enhance productivity. Kumar and Joshitha (2024) assessed the awareness level of statutory compliance among employees at Adyar Ananda Bhavan. The study revealed that employees were aware of labour legislation, social security regulations, and welfare initiatives. The findings indicated that effective communication and training had been adopted as strategies to increase awareness of labour laws and inform employees of their welfare benefits. The study recommended various strategies to promote this awareness, such as regular training and the promotion of ethical business practices. Ultimately, the study emphasized the significance of labour law compliance as a means to avoid legal penalties, maintain morale, enhance organizational reputation, and foster a positive work environment. Kimea (2024) assessed labour law compliance in the local government authorities of the Musoma Municipal Council. The study revealed that while general awareness of labour laws was high, there was moderate or low employer awareness regarding equal treatment of workers, dispute handling procedures, and non-salary payments. Employee awareness of Tanzania's labour laws was moderate. Compliance among employees was generally high, with only occasional disrespect for working hours and unethical conduct. However, employer non-compliance was prevalent, involving unequal treatment of workers, leave denial (or partial provision thereof), unlawful non-salary payment exclusions, delays, and abandonment. Employer non-compliance was also exhibited in dispute handling through non-legally binding procedures, denial of accused rights, lack of evidence, and unfair termination. Non-compliance was often unintended, resulting from limited awareness among implementers and institutional challenges, including a consistent lack of resources, limited professionalism, weak trade unionism, and bureaucratic conflicts with politicians. The study recommended regular labour law training for both employers and employees, encouraging employer compliance, and ensuring penalties for non-compliance. Otkan and Calakoglu (2025) assessed the violation of employee rights and unionization from the perspective of non-unionized basketball players in Turkey. The study revealed violations of labour rights, such as late payment of wages, incomplete payment of wages, physical abuse of young workers, and discrimination at the workplace. The employees could not take legal action against the employers due to a lack of awareness, as well as pressure and fear of being subjected to mobbing by employers. There was a lack of an employees' union that could have defended their rights. The study recommended that athletes should form a union that would establish solidarity and eliminate the power imbalance between employer and employees. However, the study did not assess the challenges regarding employees' performance.

Meshram and Urkunde (2025) evaluated labour law compliance and its impact on operations at HCL Technologies, Nagpur. The study examined how HCL Technologies in Nagpur respects and adheres to labour laws and related this to its impact on the canter's performance. Compliance with labour laws was found to be significant in protecting and promoting employee rights, fair employment practices, and equilibrium at the workplace. The study examined factors affecting operations in terms

of legal compliance, including employee participation, efficiency, and culture. The study revealed that a majority of respondents (80%) recognize that labour law compliance positively impacts operational efficiency. Mukhtar and Ibrahim (2024) assessed the impact of workplace inequality on employee performance in South Punjab, Pakistan's academic sector. The study explored the mediating role of perceived discrimination and the moderating roles of social support and workplace resilience. The researchers established that workplace inequality negatively affects employee performance, specifically impacting productivity and the ability to fulfil job responsibilities. These negative impacts are exacerbated by perceived discrimination, which leads to employee stress, disengagement, and reduced morale and efficiency. Conversely, the study found that a workplace environment free from discrimination helps employees recover from obstacles, reduces stress, and encourages a proactive approach to adapting duties in challenging circumstances. Consequently, the study recommends addressing workplace inequity and establishing a supportive atmosphere to enhance employee efficiency and performance. Ponera and Makula (2021) assessed employee awareness of health and safety management practices in a private organization. The study examined awareness at the International Institute of Tropical Agriculture (IITA) offices in Tanzania, revealed that employees were well-versed in health and safety policy procedures. This included compliance with occupational health and safety (OHS) rules, the use of advanced technology, high-quality risk assessments, and effective risk reduction measures. Furthermore, the study found that this awareness was fostered through monthly departmental meetings, regular training, seminars, and specialized courses. The researchers recommended enhancing management support, providing regular training, and ensuring the provision of adequate personal protective equipment (PPE) as strategies to further improve awareness. Sharma and Vijay (2025) explored the influence of employment law on human resource (HR) practices through a worldwide analysis of multinational corporations, covering areas such as workplace safety, diversity, inclusion, employee welfare, and anti-discrimination policies. The study established that legal requirements not only enforce compliance but also shape human resources practices, where robust policies directly influence employee commitment, performance, and organizational productivity. Similarly, Singh (2020) assessed the vulnerability of female agricultural labourers and the deprivation of their basic labour rights in India. The study revealed that women faced gender-based wage discrimination, long working hours, and inadequate rest periods. Furthermore, the findings showed that women were paid less than their male counterparts for the same work. The study concluded that because these women were unorganized, they lacked collective bargaining rights and were forced to work under the employer's terms; however, the study did not assess how this discrimination influenced their performance.

Most studies establish that employees were ignorant of their labour rights in their workplaces, which increases job insecurity and fosters a harsh working environment; this results in poor organisational performance. Such observations contradict Hyde's (1990) theory of labour legislation, which posits that legislation is essential for controlling the relationship between employers and employees because it establishes and defends the rights of both parties. However, this theory does not address how workers' awareness of labour law affects their performance. Extensive research has examined challenges encountered by employees due to unawareness of labour rights, including employment contracts, working conditions, and the importance of regulations (Ahmad et al., 2025; Anandh et al., 2024; Anthony, 2024; Hussien et al., 2022; Lilian et al., 2023; Thomas et al., 2025). Furthermore, most of the reviewed literature was conducted outside Tanzania and in sectors other than insurance. Therefore, this study explores the challenges faced by employees due to a lack of awareness of labour laws and their influence on employee performance in the insurance industry in Arusha Municipality.

2. Literature Review

2.1 Theoretical Foundation

This study adopted the Labour Legislation theory (Hyde, 1990) to investigate the challenges faced by employees due to unawareness of labour laws and its influence on employee performance in the insurance industry in Arusha Municipality. Labour legislation is a highly public ceremony, which enacts an idealised picture of a culture's industrial power relations. Labour legislation theory sheds light on understanding cognitively a system of values or power relations in insurance companies. The

theory explains the timing of labour legislation, social forces leading to its enactment, and features of its contents, such as the propensity of labour legislation. The theory is greatly concerned with the declarations of employees' and employers' rights in the workplace. According to the theory, labour legislation is vital to regulate the workplace relationship between employers and employees. It insists on the importance of legislation to regulate the relationship between employees and employers, such as the provision of maximum working hours, prohibition of discrimination, provision of employment contracts, and minimum wages; it also regulates workplace standards and provides legal dispute settlement as provided by the Employment and Labour Relation Act, (2004 R.E 2025). Magalla (2018) stated that the main objective of labour law is to maintain the relationship between employers and employees by defining their rights and duties and regulating their conduct.

The theory of labour legislation provides the foundational principles and a coherent framework that guides the creation, interpretation, and enforcement of labour laws to achieve specific socially, economically, politically, and human development goals. According to Atkinson (2022), who used a theory of labour legislation, he argued that human rights are a crucial justificatory idea for labour law and provide a platform and moral standard that can be used to evaluate the existing legal frameworks and guide reforms. The main purpose is to balance power asymmetry in the workplace environment between employer and employees and to provide rights for each party. Additionally, it provides for the enforcement of fundamental human and labour rights, such as freedom from discrimination, the prohibition of forced labour, the right to safe working conditions, and the right to organize and bargain collectively. Moreover, the theory provides the justification for state intervention to set minimum standards that all employers have to follow and obey, such as minimum wage, maximum hours, and health and safety standards that prevent worker exploitation, which would otherwise be difficult to achieve for individuals (Hyde, 1990).

A theory of Labour Legislation has been used in this paper given the fact that similar studies on labour law awareness have extensively used it. A theory of labour legislation facilitates harmonious industrial relations, peace, and stability through the provision of rules to be obeyed and followed. Offering mechanisms for collective bargaining, mediation, and arbitration, it helps manage conflicts and maintain industrial peace, which is essential for overall social stability and economic progress while maintaining political stability. According to Dahan (2016), who adopted a theory of labour legislation, it is asserted that workers should be protected, such as through freedom of association, the right to collective bargaining, the elimination of forced or compulsory labour, the abolition of child labour, the elimination of discrimination in the workplace, and safeguards for labour standards and conditions globally

Furthermore, a theory of labour legislation promotes economic stability, human development, and fosters social justice by establishing a legal system through which employers, workers, and their representatives (like trade unions) can interact and resolve disputes in an orderly and peaceful manner. Estlund (2007) used the theory of labour legislation to find that the ineffectuality of American labour law and the shrinking scope of collective representation and collective bargaining were partly traceable to the law's ossification.

3. Methods

3.1 Study Design and Sampling Procedures

This cross-sectional study was conducted in Tanzania's Arusha Municipality and adopted a semi-structured interview methodology to gather data at a single point in time. A qualitative exploratory research design was employed, as it facilitated a thorough understanding of perspectives and experiences regarding the Challenges Faced by Employees Due to Labour Law Unawareness and Its Influence on Employee Performance in the Tanzanian Insurance Industry. Through this method, the researcher identified areas for intervention and knowledge gaps. The study focused on employers and workers from 21 private insurance companies in Arusha. According to the Tanzania Insurance Regulatory Authority (TIRA) Annual Report (2022), Arusha has 21 private insurance company branches and two government insurance corporations. Using purposive sampling, a sample size of 40 participants was selected, comprising five employers and 35 employees. This strategy ensured the inclusion of individuals with pertinent expertise and awareness of labour laws within the sector.

3.2 Data Analysis

The primary data were collected through semi-structured interviews. The researcher used handwritten notes and audiotaping procedures for notetaking during the interviews. This approach complied with Creswell and Creswell's (2018) guidelines, which suggest that researchers record information from interviews by making handwritten notes, by audiotaping, or by videotaping. The researcher prepared the recording equipment and a suitable, clear environment, then sought consent from the respondents to record their responses. Subsequently, the interviews were transcribed using intelligent verbatim procedures. Intelligent verbatim transcription edits out distracting fillers and repetitions from the spoken word (Brooks, 2021). Furthermore, the researcher employed the Cornell Note-taking Method to ensure effective documentation. The Cornell Note-taking system utilizes a unique layout that separates a single sheet of paper into three distinct sections: the "cue column," the "note-taking area," and the "summary area" (Saran et al., 2022). The collected data were analysed thematically with the help of NVivo software.

The analysis followed Braun and Clarke's (2006) six phases of thematic analysis: familiarisation, developing initial codes, grouping similar codes, reviewing themes, defining and naming themes, and consolidating the themes into a narrative that incorporates quotations. NVivo helped organise and visualise the data, making the analysis systematic and understandable. This approach allowed the researcher to uncover patterns in the participants' awareness of labour laws and the impact of these laws on their job performance. Furthermore, these findings were presented according to each specific research objective through textual descriptions, verbatim quotes, thematic tables, and summary lists; additionally, tables were adopted to visualize the results.

4. Results and Discussion

4.1 Demographic Characteristics

Distribution of Participants by Gender and Age

Qualitative research, with its holistic and in-depth approach typically limits itself to a few instances or units only ranging from the single case study as in the study of Middletown to a sample size of around 20 to 40, although sample sizes can in rare cases, also be considerably larger (Flick, 2018). According to Saunders et al. (2023), credible sample sizes for qualitative interview research depend on the study's scope and grouping. For research focusing on a single organization or a single group using non-probability sampling, a sample of 30 respondents is recommended. However, for studies involving multiple organizations or multiple analytical groups, a larger sample of 50 respondents is advised. More broadly, a range of 15 to 60 participants is generally considered a sufficient norm for organizational and workplace interview research. Therefore, drawing on the perspectives of various scholars, a sample size of forty (40) respondents from a total population of 105 employees in private insurance companies within Arusha Municipality was regarded as optimal for this study. Consequently, this study used a sample of forty (40) employees from 21 private insurance companies in Arusha Municipality. Of these, 52.5% (n = 21) were female and 47.5% (n = 19) were male. Regarding age, the majority of respondents (n = 20) were between 36 and 45, followed by the 25–35 age group (n = 15). The number of participants aged 46–55 was much lower, with only five individuals. There were no participants under 25 or over 55.

Table 1: Demographic Information of the Research Participants

DEMOGRAPHIC INFORMATION	CATEGORY	MALE		FEMALE		TOTAL IN PERCENTAGE (%)	TOTAL IN QUANTITY
		Quantity	Percentage (%)	Quantity	Percentage (%)		
Age Group	25-35	7	17.5%	8	20%	38%	15
	36-45	10	25%	10	25%	50%	20
	46-55	2	5%	3	8%	13%	5
Total		19	47.5%	21	52.5%	100%	40
Education Level	Certificate	0	0%	4	10.50%	10.5%	4
	Diploma	1	2.6%	2	4.76%	7.4%	3
	Bachelor Degree	15	39.5%	13	30.7%	70%	28
	Masters Degree	3	7.9%	2	4.10%	12.0%	5
Total		19	50%	21	50%	100%	40

Source: Field Data (2024)

Distribution of Participants by Level of Education

The majority of respondents held bachelor's degrees (70%), followed by master's degrees (12%), diplomas (7.5%), and certificates (10.5%). There were slightly more men with bachelor's degrees than women. A few participants held master's degrees, again with more men than women. Very few had a diploma, with fewer men than women in this group. Interestingly, only women held certificate qualifications, and this group was larger than the diploma group. While both men and women were well represented at higher education levels, women were more prevalent at lower education levels.

4.2 Labour Law Related to Employment Contracts and Its Influence on Employee Job Performance

This study established employment contract challenges; the findings revealed delays in contract renewals and unexpected terminations, which resulted in fear, insecurity, and anxiety among the employees. Such results echo Anandh et al. (2024), who identified job insecurity as a primary challenge for contemporary employees. Most respondents, particularly those holding lower-level qualifications such as certificates or diplomas, indicated a high dependency on their current roles for their livelihoods. Consequently, these individuals operate under significant pressure to meet corporate targets to ensure continued employment, despite dissatisfaction with management practices. The majority of the participants expressed concern about job insecurity and the risk of being fired. For example, Participant 5, a 38-year-old certificate holder, was unaware of labour laws hence stated that;

“...One of our colleagues was terminated due to claiming what he believed was his right; thereafter, the rest of us became scared.”

Due to fear and a lack of knowledge regarding legal protections, employees were often unable to have their complaints heard. These results align with Binaku & Ismajli (2024), who revealed that employees who were unaware of their rights were not given employment contracts. Furthermore, even when contracts were provided, employers often failed to fulfil their obligations under the labour code. Participant 13, a 35-year-old male with a bachelor's degree, who was not aware of labour rights hence stated;

“...I fear just in case of termination. In most cases, the employers wanted to meet the company's ends; therefore, I felt pressure and insecurity.”

This insecurity hurt employees' satisfaction and productivity because employees stopped focusing on how processes could be made better and instead focused solely on how they could maintain their jobs. These findings contrast with Sikoi (2021), who stated that labour rights practices such as employment contracts, fair terms, and employment conditions enhance employees' performance and organizational productivity.

Table 2: Summary of Personal Challenges

Challenge	Participants	Example Quote
Fear of termination	Participant 13 male aged 35 held bachelor degree was not aware	<i>"I fear just in case of termination."</i>
Insecurity	Participant 14 aged 31 held certificate educational qualification was not aware	<i>"Working under fear of being terminated."</i>
Delay of employment contract renewal and unexpected termination	Participant 01 male aged 48 held master's degree was aware	<i>"...No challenge however other colleagues especially with law education level such as certificate or diploma and even bachelor they faced challenge mostly on employment contract renewal and unexpected termination."</i>

Source: Field Data (2024)

4.3 Labour Law Related to Workplace Conditions and Its Influence on Employee Performance

This study revealed that 51.4% of participants were not aware, 8.6% were partially aware, and 40% were aware of labour law. Consequently, the 51.4% who were not aware did not know about the employer's statutory obligation to provide better work tools and a conducive workplace environment, as highlighted by Participant 12 (a 36-year-old with a bachelor's degree) who felt they could not ask for their rights or challenge company rules hence stated;

"...I am scared to ask for a new modern computer or furniture as it would raise many questions."

This appears to be a common problem in many insurance companies within Arusha Municipal, where workers believe they cannot stand up for their rights due to fear of getting into trouble or being labelled as complex. These results contradict Santhosh et al. (2024), who revealed that labour laws play a key role in safeguarding both employers and employees. Such laws regulate employment relations by providing a legal framework for workers' rights, responsibilities, and protections. Additionally, Participant 28, a 27-year-old female with a bachelor's degree, remarked that;

"...The human resource officers take advantage of us not being aware of regulations; therefore, I think there is a need to know a little bit about it since so many things happening in the insurance industry."

Furthermore, participant 4 commented that Broken chairs and old computers are common, but we fear asking for new ones.". These findings reaffirm why employees require labour law knowledge and the power to build confidence. Consequently, it was found that employees worked in a poor working environment. This findings correspond with Dhar and Gosh (2025), who revealed that employees worked under pressure and faced issues such as inadequate work-life balance programs, poor working conditions, high-tension working hours, physical ailments (sleeplessness, headaches, eye-strain, strain injury, backache), mental health issues (depression, anxiety, sleep disorders), insufficient flexibility, poor conflict management, workplace discrimination, and inadequate tools.

Table 3: Summary of Work Environment Challenges

Challenges	Participants	Example Quote
Poor working tools	Participant 11 held diploma education level was not aware	<i>"There were broken chairs in the office but its big challenge to ask for a replacement. For that case, the situation influences my working performance negatively."</i>
Poor working tools & poor working environment	Participant 05, female aged 38 held certificate level of education	<i>'lack of proper working tools, working furniture was too old, computer very old'</i>
Lack of confidence to demand rights	Participant 12, male aged 36 with bachelor's degree was partially aware	<i>"I find it hard to ask for workplace improvements."</i>

Source: Field Data (2024)

4.4 The Influence of Management Practices Regarding the Right to Better Working Conditions and Equality on Employee Performance

The study findings established that the employees faced workplace problems that negatively influenced their performance. This included unfairness, where human resources officer's treatment depended on an employee's knowledge of labour laws. Many participants noted that those aware of their rights received better treatment. For instance, Participant 30 female aged 36 held bachelor degree said;

"...They [human resource department] did not played the role of balancing between the employer and employees; rather, they based on the protection of the employer."

These results corresponded with the findings of Otkan and Çolakoğlu (2025), which revealed physical abuse of young workers and workplace discrimination. The findings of this study revealed that such practices created a workplace culture of inequality and resentment. For instance, Participant 2, a 48-year-old male holding a master's degree, further emphasized this discrepancy;

"...If human resource officer found out that you knew your rights, they handled you differently".

Differential treatment within the workforce generates conflict and rivalry and reduces confidence in leadership. These findings correspond with Agbot et al. (2025), who found that sociocultural biases make it harder for anti-discrimination policies to be implemented in the workplace. The employees suffered from inadequate human resource mediation and excessive pressure to meet targets. Employees reported that human resource officers failed to properly inspect the environment or ensure conducive working facilities. Specifically, Participant 18, who holds a bachelor's degree, was unaware of labour law hence stated;

"...I am under pressure all the time to meet targets."

This study found that employees were pressured to reach company targets only while suffering from a poor relationship with the human resource department. This study's findings correspond with Anandh et al. (2024), revealing a limited, superior-subordinate relationship.

High Employee Turnover: Employees often shift from one company to another in search of a better workplace environment; for instance, Participant 33, a 31-year-old male with a bachelor's degree, stated *"Many staff members left due to poor treatment"*. These results correspond with findings by Dhar and Ghosh (2025), which reveal that employees were often burdened with additional responsibilities. For instance, working on holidays leads to frustration, depression, and detachment from family. These pressures, especially after marriage, have led some employees to quit their jobs. Other contributing factors include high work pressure, poor working conditions, and a lack of work-life balance programs. Furthermore, employees reported physical and mental health issues such as headaches, eye strain, anxiety, and sleep disorders. These issues are often exacerbated by organizational problems, including workplace discrimination, complex politics, and a lack of fairness. On the other hand, the findings of this study established that poor workplace conditions and fear led to decreased motivation among employees; this was noted by Participant 11 commented that;

"...Such situations influenced my working performance negatively."

Similarly, the study revealed that dissatisfaction with workplace conditions led to high employee turnover. Participant 33 (male, 31, bachelor's degree) was aware of labour law hence commented;

"...Last year, 10 staff members left due to poor treatment and contract renewal issues."

These results align with Abell (2024), who recommended that employers should eliminate bad workplace environments, support stressed employees, and provide stress management training.



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to reduce workload and stimulate performance. Furthermore, the findings highlighted poor working conditions, specifically the presence of old furniture (chairs and tables). Because employees spend most of their time in the office, the employer should provide a better environment by installing ergonomic chairs as advised by the state Occupational Safety and Health Act, 2003, along with better desks.

Human resources departments should introduce a workplace conditions policy that provides a clear timeframe to inspect and update facilities to maintain a conducive environment. This corresponds with Coca et al. (2025), who recommended that management should implement occupational health programs to avoid injuries, illness, and death caused by poor working conditions.

Human resource departments should establish programs and practices to educate employees on labour laws, create channels for feedback, and implement monitoring to measure the effectiveness of awareness programs. This aligns with Khahro et al. (2020), who recommended that awareness campaigns should educate workers on their legal rights as provided in state laws and regulations.

Finally, transparency and fairness should be encouraged, allowing employees the freedom to report issues and act against injustice without fear of punishment. Insurance companies could overcome these barriers by implementing these strategies to establish a professional, legally sound working environment where employee morale is improved, turnover is reduced, and productivity is maximized. This corresponds with Dhar and Gosh (2025), who recommended improvements such as adopting effective workplace stress management programs to minimize challenges. They also suggested that organizational capacity enhancement and proper collaboration could be applied to ensure a better workplace environment.

Management Practices Regarding the Right to Better Working Conditions and Equality

(Human Resource department mediation); The human resource department should act as a bridge between the employer and employees at workplace rather than relied on employers' side only as revealed. The department should not act as an operation team rather a mediator team between employers and employees. Inspect workplace environment to ensure better workplace environment, advise employer to provide better workplace equipment's moreover reduce employees pressure. This corresponded with Anandh et al., (2024) recommended the adoption of proper regulations, fair compensation improved working conditions could lead the positive and sustainable environment for construction workers. Arrange various programs to manage employees stress, rise motivation, work life balance hence create friendly workplace environments. Human resource department should avoid treating employee's unequal for those are aware of labour laws from those unaware. The findings revealed human resource department treated employees unequally. This corresponded with Abell (2024) recommended that employers/management should get rid from bad workplace environment as well as ensure they support stressed employees and provide stress management lesson to the employees.

Human resource department should create team work, corporation and unity at workplace treat all employees with dignity and integrity. Furthermore, Human resource department should organize programs to manage stress, increase motivation, and promote work-life balance to foster a friendly workplace. It is crucial to avoid treating employees unequally based on their awareness of labour laws; however, findings revealed that unequal treatment does occur. This corresponds with Abell (2024), who recommended that management should eliminate bad workplace environments, support stressed staff, and provide stress management lessons. Ultimately, the human resource department must foster teamwork, cooperation, and unity, treating all employees with dignity and integrity.

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