



## AN EXAMINATION OF THE EMPLOYMENT OF CASUALS: THE LEGAL IMPLICATIONS FOR ORGANISATIONS

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### Abstract:

Since the economic recession in Ghana in the 1980s, coupled with the universities turning out a huge number of graduates and the inability of the formal sector to absorb all of them, most institutions and organisations employ casual workers to execute their businesses. This could also be attributed to the shift from the manufacturing sector to the service sector and the spread of information technology. The variations generated a new economy that needed tact in the workplace because they caused a reduction in permanent employment relations, hence an increase in casual work. This study, therefore, examines the lawful repercussions of institutions and organisations keeping casual workers beyond the stipulated six months and these organisations' willingness to regularise casual employees' appointments. This study was guided by the Labour Laws, the Labour Regulations 2007 (LI 1833), and the 1992 Constitution of Ghana. The study is exploratory and has revealed that, owing to the poor economic conditions in Ghana, coupled with the fact that a public institution must obtain financial clearance from the Controller and Accountant General's Department before it employs, jobs are hard to find. Workers are

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therefore compelled to take up casual jobs to meet their daily needs. The study recommends that employers and owners of organisations be cautious about keeping casual workers beyond the designated six months of continuous work.

**Keywords:** casual workers, employment, unemployment, casual work arrangement, and legal implications

## 1. Introduction

Employment is about more than just making money. Employment provides freedom, dignity, accomplishment, and novelty, claim (Allotey & Say, 2013). Additionally, it aids in reducing societal problems like social deterioration, crime, violence, and poverty. In their opinion, *"a well-developed country provides the majority of its citizens with the opportunity to work and make productive contributions to the economy"*. Successive governments had made frantic efforts in designing policy documents, which were appraised and presented on various sectors of the economy to create jobs for graduates and the nation's youth; however, these documents were nonetheless not implemented, hence the current unemployment situation.

The issue of joblessness is a challenge in many African countries. Similarly, unemployment rates are even higher in well-groomed economies, and this has swayed developing countries, specifically the West African region. Poku-Boansi & Afrane (2016) posit that the unemployment rate in Africa is 34.2 per cent. It implies that out of every three people, one is unemployed. Leahy *et al.* (2007) pointed out that a subpopulation that is not working is below the age of 35 years. This seems to suggest that the majority of the young men and women in Africa are unemployed, indicating that they have no opportunity to contribute significantly to the physical, social, political, and economic development of their communities in particular and the country as a whole.

According to Amofo (2011), one is assumed to be unemployed if that individual is not given the chance to contribute to the production process. The individuals in this category, according to Amofo, thoroughly penetrate companies in search of jobs. According to De Stefano (2021), a person is considered to be unemployed if they are 15 years of age or older, have been out of work for at least a week, are prepared to start working in the coming two weeks, have been actively looking for work for the past four weeks, or have found a job that will start in three months.

The definition of unemployment used by the ILO may not accurately reflect the state of unemployment in Ghana, according to Poku-Boansi & Afrane, (2016). For instance, because of the informal nature of the Ghanaian economy, the majority of people in the working age group, according to the ILO, who are not employed but are looking for work, may be deemed to be financially bankrupt and therefore ineligible to make up the working population. The working population is declining, which suggests low unemployment. As a result, while unemployment may be substantial, a smaller

proportion of the working population is often reported to be unemployed (Mohamed, 1978)

Unemployment is one of Ghana's most pressing problems. In today's economic predicament, the lack of job openings has more precarious implications for the youth than for any other group of people in the country. The scenario can be traced to the extreme and collectively aggregated youth unemployment rates. Otoo & Asafu-Adjaye (2009) revealed that the Institute of Social Statistical and Economic Research (ISSER) of the University of Ghana estimates that an estimated 250,000 young men and women enter the country's labour market every year, and this development does not show any sign of reducing.

In a similar vein, concerns over graduate unemployment and employability have been brought up in light of the continual exodus of university graduates due to shifting economic landscapes and engagement structures. The responsibility of the university as the Centre for the advancement of intellectual, creative, and other higher-level skills versus the need to supply workers for the labour market must be re-examined by government officials, the academic community, and multinational organizations. The government and tertiary institutions are being criticized by the Ghanaian people for creating graduates without corresponding employment openings. The fact that organizations do not grant casual employee benefits like pensions, gratuity benefits, medical care, job security, or the right to freedom of association, firms have taken advantage of the circumstance to avoid burdening themselves with additional costs and have decided to hire casual employees.

Casual work exists and will continue for certain categories of jobs; therefore, it is not different from other developments. Casual employment, however, expanded extensively in the past decade, leading to a 10% increase in disposable job progression in the United States of America in the last century (Wandera, 2011). Evidence from research shows that there is an intense increase in companies subcontracting recruitment agencies to recruit casual workers for them (Houseman, 2001). The use of modern technologies in the manufacturing sector, the application of specialization and professionalism in the workforce, and niches of development are just a few examples of the diversity of aspects that have been in constant change so far. Casual employment forms a congruent part of the short-time employment phenomenon, which influences state institutions and private agencies in developed countries to create more adaptable labour markets and lower labour costs (Golden & Appelbaum, 1992).

In a study conducted by Foote (2004) it was revealed that in the last three decades, there has been a global increase in the number of institutions that have turned to using more casual workers due to economic uncertainty (Greer, 2001). The desire for organizations to engage casual workers could be attributed to a rise in global competition and the desire to decrease the cost of doing business. Casual employment occurs as a result of incessant changes in flexible work arrangements globally, and this has become a major worry in the last 30 years (Foote, 2004)

Individuals' motivation to venture into the casual labour market varies broadly, and, at times, this comprises the desire to keep a job of their choice or the failure to obtain a desirable or permanent job. Nevertheless, those who enter into casual work do it with the intention that they may be made full-time permanent workers (Foote & Folta, 2002). In some cases, the desire to find a full-time permanent job stems from the perception that creditors view casual workers' income sources as less stable, that they pose a high risk to their financial stability, and that these workers want to avoid being perceived as high-risk investments. Despite advancements in other industries, industrial firms continue to be uninterested in integrating temporary workers, as seen by the European Union's recent hesitation to reach an agreement about the drafting of the Agency Workers' Directive. The majority of the European partners appear to have worked together to get the decree to advance the rights of temporary employees (Donkin, 2003).

Employment of casual workers in both local and foreign firms in Ghana has been on the increase, and this has made casual employment in the country a subject of intellectual concern (Okougbo, 2004). Casual workers, in their bid to search for jobs, are occupying full-time employee positions.

## **2. Problem Statement**

A necessary and acknowledged part of the workforce, casual employees have always been and will continue to be (Okafor, 2010). Replacement of temporary or short-term employee absences arising from illness, as well as vacation, maternity, or any other type of leave, will always be required. The role of casual workers, who are employed to replace full- or part-time workers, is dynamic and ongoing in both the public and private sectors. Employing casual labour in the public sector helps to ensure uninterrupted workflow, particularly for vital services. However, compared to full-time and even part-time employees, casual workers are disadvantaged in a variety of ways. Irrespective of the increase in casual employment globally, researchers largely limit themselves to permanent employees (full-time employees) and the employer. Research on casual workers is the least considered in Ghana.

While performing the same tasks as regular employees, casual workers are paid less and do not have access to various benefits, like the pension plan and leave benefits enjoyed by regular employees (Okafor, 2010). Casual workers typically have a lower quality of life, financial uncertainty, difficulty making plans, and frequently high levels of emotional and psychological stress due to their low incomes and lack of benefits (Buchler *et al.*, 2009). The precarious employment status of casual workers is directly related to these glaring disparities. They cannot engage in collective bargaining or union membership, and they receive no protection. Casual workers find themselves at the mercy of employers because they are denied the fundamental rights that labour organizations have long campaigned for. The terms and conditions of employment are not negotiable for these employees. In addition, casuals are powerless to defend themselves and can be sacked, punished, or mistreated (CUPE, 1999, 2000; Jenkins, 2004;

Okougbo, 2004). Casual employees are typically retained by companies for a long period, although they do not receive the same benefits as full-time employees. The problem of casual workers keeps coming up frequently, and the majority of victims lament not receiving their due benefits, among other things.

### **3. Laws and Regulations Governing Employment Relationships in Ghana**

The Labour Act 2003 (Act 651), the Labour Regulations 2007 (1833), and the 1992 Constitution of Ghana are the fundamental statutes and rules that govern employment relationships in Ghana. All laws about employment relations are incorporated into the Labour Act 2003 (Act 651). Except for members of the armed forces, police, prison services, and security intelligence agencies, the Act applies to all categories of employees and businesses in the nation.

Three types of workers are mentioned in the Labour Act 2003 (Act 651): permanent workers, temporary workers, and casual workers. The terms "*contract of employment*" and "*employment contract*" are defined differently in the Labour Act 2003 (Act 651). Between the employee and the employer, a contract of employment creates a bond. Both the employee and the employer have security in this relationship under the Labour Act 2003 (Act 651).

A contract for employment, on the other hand, establishes a principal-contractor connection rather than an employment relationship between the employer and the employee. In this scenario, the contractor is not treated as the principal's employee and is not eligible for any employment-related benefits, such as social security contributions. The need that an employment contract be in writing will no longer apply, except for agreements lasting six months or more. The Ghanaian employment law provides a contractually ambiguous phrase of mutual assurance and trust for both the employer and the employee. In the event of a dispute, the employee is required to make sure that all alternative conflict resolution mechanisms specified in the collective agreement have been used before turning to a court of law. If the case goes to court, it will be dismissed until the necessary steps are taken.

The employer and employee must both agree before an employment agreement can be changed. There is no distinction between domestic and international workers in the Labour Act 2003 (651). When it comes to hiring, the company makes sure that the position is posted online and in local publications. Background checks on criminal backgrounds, medical histories, and drug testing are conducted after hiring.

As a requirement of employment, an employer may ask an applicant to provide police background checks. According to the Data Protection Act 2012 (Act 843), criminal records are deemed secret information, and employers are not permitted to disclose such a report to other parties unless a court of competent jurisdiction orders. A licensed medical practitioner's medical checkup and a drug test may be required of an employee as a condition of employment, depending on the nature of the work. According to the

Data Protection Act, employers are prohibited from disclosing medical history and drug test results to other parties unless a court of competent jurisdiction makes such a request.

The Labour Act further stipulates that any non-cash compensation must be paid in addition to all salaries, wages, and allowances. Employers are generally not allowed to deduct any money from their employees' salaries, whether it be for a financial punishment they have been given or for interest or a discount on the money they have been given in advance.

The Labour Act, however, included provisions for the circumstances in which the employer and employee can concur on the legitimate deduction of monies from their compensation in connection to:

- 1) retirement pension or other funds or contributions agreed to by the employee;
- 2) a monetary service provided by the employer to the employee or assured by the employer;
- 3) monies paid by mistake or above the employee's remuneration to the employee;
- 4) membership fees or contributions to an organization of which the employee is a member; and
- 5) deductions for any loss experienced by the employer due to the distraction to its property under the care of the employee, but in no circumstance can deductions be made concerning this except if it is proven that the employee is responsible for the destruction.

#### **4. Employment Law and Contracting in Ghana**

Employment contracts regulate interactions between employees and employers in an employment relationship. The employment laws (labour laws) require that within 2 months of employment, every permanent employee be given a contract stating the particulars of the conditions and terms of the contract (Ghana Labour Act 2003, Act 651). Contracts of employment may be in writing or verbal. An understanding between the parties resulting in "*quid pro quo*" (something for something), as in pay for labour service, will normally constitute a binding employment contract, whether in writing or not. It is the parties' intentions that determine the contract.

Three basic types of contracts exist in Ghana: permanent employment (continuous until age 60); casual employment (seasonal and intermittent work for not more than six months); and temporary employment (project-based with a fixed duration) (Ghana Labour Act 2003, Act 651; section 16). Contracts are negotiable, so when an employee is made an employment offer, they can negotiate the contract offer.

There's this notion that when workers work for six months or more, they are supposed to be made permanent. This is false under the law. For temporary work that fails to specify a period, when the employee works beyond six (6) months, by law it means that the employer has the intention of providing the employee with a continuous permanent contract, which implies that the employee should then be treated as though they were permanent but not necessarily made permanent. Section 12 of the Act only

states that “*the employment of a worker by an employer for a period of six months or more or for a number of working days equivalent to six months or more within a year shall be secured by a written employment contract,*” and not necessarily being made permanent.

Content of contracts of employment may include names of the parties, hours of work, remuneration and terms of payment, overtime payments if any, dispute resolution procedures, leave and rest periods and other absences from work, disciplinary processes, and the parties’ signatures. To tighten the contract, other terms may be added at the pleasure of the parties (Ghana Labour 2003, Act 651).

The courts and the National Labour Commission regulate employment issues. The Labour Department and Inspectorate are also required to inspect work premises to ensure compliance with the Labour Laws.

Finally, contracts can only be terminated with ‘just cause’ on lawful grounds. Non-performance, misconduct, ill health, and death of the worker may result in the fair termination of employment. Without lawful cause, the termination will be considered unfair, resulting in a claim for compensation by the terminated worker.

## 5. Who Is a Casual Worker?

A casual employee does not have a standard employment contract. Pensions, yearly leave, long service, parental or sick leave, as well as industrial protection or security, are often not rights of casual workers. The term “*casual work arrangements*” (CWAs) is frequently used to refer to work arrangements that do not correspond to the conventional definition or understanding of employment. Although this phrase is used all around the world, there is no universally accepted definition of CWAs due to the differences in national laws and customs. But suffice it to state that they are temporary here. The casual work contract is often short-term and set or determined in most cases. According to Rojot (1998), this type of job is typically intended for seasonal work that appears occasionally and continuously for brief times.

According to Ghana Labour Act 2003, Act 651, a casual worker is someone who is paid daily and is employed seasonally, irregularly, and for a duration of fewer than six months. According to Francoise (1998), the term “*casual work*” is used to describe temporary employment, fixed-term contracts, on-call jobs, and part-time employment in industrialized economies. In terms of the number of hours worked, the payment structure, the level of job security, and the workplace, casual jobs are different from full-time permanent jobs (Kalleberg, 2000).

## 6. Casual Employment

According to Belous (1989), Bourhis & Wils (2001) and Lips (1998), casual employment is also known as contingent, irregular, non-standard, or typical employment. The aforementioned words all refer to employment categories that do not fall under full-time permanent employment (Brosnan & Walsh, 1996). Workers hired directly by the

company as casual employees, contract workers, subcontractors, leased employees, part-time employees, and the self-employed are all examples of what is usually known as casual employment. It also includes people engaged through short-term consultants and recruitment agencies that are external to the employer. Casual employment is a separate labour type that is typically defined as a job where the periodic nature of the work is known to both the employee and the employer and there is no explicit or unconditional contract for long-term employment (Nardone *et al.*, 1997). The distinctive narratives and delineations of casual employment, coupled with its associated uncertainty, create a lot of impossibilities for scholars of research, as it is extremely difficult to guess the size of casual workers depending on the selected definition (Risher, 1997).

Casual employment proposes a flexible hiring option for both the employer and the employee. Casual workers are often employed at workplaces with short or irregular periods of work, but can later be engaged in permanent employment. In most cases, casual employees are tasked with working at short notice; they have no assurance of regular hours; they cannot benefit from annual leave or personal leave; and their appointments can be terminated without notice, except those covered by a written agreement or contract that stipulates an alternative.

Casual employment emerged as a new strategy for managing labour to engage many workers in the needs of production and service provision by providing opportunities for a limited number of workers. This presupposes that job continuity at the time of organizational restructuring, redundancy, and unemployment would serve as job security for many professionals to make casual workers stay at work continuously (Brosnan & Walsh, 1996). Casual engagement is a catalyst for opening up job opportunities for previously unemployed people to find employment (Callister, 1997). According to Callaghan & Hartmann (1991), some workers, such as retirees, students, or parents taking care of children, may choose casual employment because it offers flexible schedules that fit them without requiring a full-time or long-term commitment to a single employer. Additionally, temporary employment gives people the freedom to test out various businesses, professions, and employment settings without committing long-term (Lips, 1998).

## **7. Casual Work**

There is no standard definition of casual work. One corporate explanation of casual work is that they are jobs that are short-term or temporary, involves unconventional working hours, and are not assured to be ongoing. Another description of casual employees views them as a category of workers who are not paid when on leave or sick and are unable to work. The working hours of casual workers are irregular, unlike those of permanent employees, although some of them do have long, regular working hours. Casual workers are only employed as and when the need arises. Casual work is a strategically planned procedure to replace permanent and part-time workers on an ad hoc basis.



Casual work has existed since time immemorial for certain categories of jobs; hence, it isn't a new development. However, the dimension it has assumed in the last two decades is different, and that has made it more problematic. Three decades ago, this type of labour was particularly reserved for seasonal work or work that occurred periodically and continuously for a relatively short period. This type of work arrangement was predominantly in the construction industry, mainly for unskilled labour in Ghana. However, today the trend has changed when both the skilled and unskilled are employed as casuals in the informal sector, the public sector of the economy, and the organized private sector. The practice of engaging casual workers in Ghana for permanent positions has been referred to as casualization. It remains a practical option as well as a socio-economic necessity to cut costs and remain competitive in an environment of increasing competition, cost minimization, and flexibility.

Casual work may also refer to a situation where an employee is assured of work only when it is needed and there are no prospects for future work. When the work comes to an end, the employer and the employee have no active partnership, and neither of them has any obligation towards the other. The casual employee at this point has no right to file a claim against an employer regarding unfair dismissal at a time when the casual worker is not working for the employer. Casual workers are compensated or get paid only when they spend time working; this implies that they are not entitled to get paid time off for holidays.

## **8. Reasons Why Organizations Use Casual Workers**

Many organizations use casual workers for several reasons, such as cost-saving efforts, seasonal work, and specific skill needs (Jolliffe and Farnsworth, 2003). Employers and organizations view the costs of improved social activities, guidance, and counselling of casual workers as most likely to far outweigh the benefits. Some organizations adopt the casual engagement provision, as a quasi-experimental period to examine workers, from which they would vet and eliminate those who are unable to meet their operating principles or do not otherwise fit into their organization in order not to extend their appointment for full-time permanent jobs (Druker & Croucher, 2000). These organizations may find hefty advantages in creating sound and more resilient employer-employee relationships with casual workers. There are four major reasons why employers employ casual workers: flexibility of staffing, reduction of costs, technological change, and ease of dismissal (Wandera, 2011).

### **8.1 Staffing Flexibility**

Pointing to the advancement in science and the desire of organizations to take a competitive advantage over their competitors in the economy, companies have set up policies of flexibility and adaptation to the economic changes to ensure that they keep as high profits as they can (Kalleberg, 2000). Because the employment situation globally has become very competitive and wabbling, several organizations and companies have

adopted more flexible employment conditions, directing their energies and skills on any eventualities (such as lower market demand) and the probability of retrenchments, OECD (2014). Many companies have tasted the benefits of flexible employment. Higher demand for goods and services comes with overtime work, and this sometimes needs to be supplemented with the recruitment of casual employees (Graham *et al.*, 1995).

Businesses that compete for customers in the labour market experience varying levels of demand for their products and services due to seasonality, changes in the business cycle, rivalry amongst companies for the same customers, or external shocks. Because labour is a variable cost of production (or at the very least, a quasi-fixed cost) (Oi, 1962), businesses have an incentive to ensure numerical flexibility in their labour force to avoid hiring more people than necessary when demand declines. Therefore, it is practical to obtain numerical flexibility from casual labour.

As a result, businesses must also make sure they have a sufficient number of competent employees to carry out their essential tasks and guarantee their survival. As a result, businesses frequently look for staff that strikes the proper mix between stability and flexibility. Economists have known for a long time that businesses operate with this factor in mind. Doeringer & Piore (2020), in their seminal study of internal labour markets, described how there are essentially two labour markets within a company: a primary, or internal, market made up of well-paying, stable jobs with advancement opportunities, and a secondary, or external, market made up of lower-paid, lower-skilled jobs with fewer opportunities for training and advancement.

The authors described how numerous businesses across a range of industries structured their labour force as internal labour markets but also relied on a secondary set of workers whose skills were broad and where the expenses of recruitment, screening, and training were noticeably lower.

We demonstrate mathematically how dualism along the permanent-temporary worker divide can arise endogenously within a firm as a response to demand fluctuations, building on the insights of Doeringer & Piore (2020) and the efficiency-wage model of Bulow & Summers (1986), Saint-Paul (1996) and Shapiro & Stiglitz (1984). Companies pay efficiency wages (wages above market-clearing) to inspire and keep workers, since it is expensive to find, hire, and oversee individuals with the appropriate abilities. Because it is expensive to adjust labour to changes in demand, businesses will be enticed to divide their workforce into a primary or core workforce that receives higher wages and a secondary or peripheral workforce that incurs much lower adjustment costs. These adjustment costs may be associated with the direct firing costs, but they mostly result from the fact that secondary employees are paid less than the efficiency wages that primary employees receive. Even in the absence of institutions and laws governing the labour market, such as employment protection legislation, Saint-Paul (1996) demonstrates that such dualism can evolve naturally and be best for a firm. Dualism within a firm can also occur when legal provisions explicitly allow for the use of temporary labour and especially if legal provisions stipulate different levels of protection for permanent and temporary workers, providing an additional incentive to use

temporary labour in countries where firms have limited options regarding which workers can be granted employment security due to the existing employment protection legislation.

## 8.2 Reduction of Costs

The importance of using temporary workers is the decrease in hiring costs (Allan, 2002). This stands out in particular for agency personnel who are actively recruited by employment agencies rather than by their ultimate employers (Forde, 2001). Recruitment companies occasionally offer hiring services that include the hiring of permanent employees (Alhassan and Alhassan 2025). In light of the fiercely competitive global market, lowering personnel expenses for firms is an essential part of strategy management (Allan, 2002).

The significance of labour costs in influencing decisions to hire casual labour is supported by management literature and theoretical economics forecasts. First, because they would value the chance of recouping the investment, organisations devoting significant resources to hiring workers with a highly job-specific profile and companies offering firm-specific training would be less likely to fill positions requiring such training with casual workers (Davis-Blake & Uzzi, 1993). However, if temporary contracts can be utilised for screening (Portugal & Varejão, 2022), such hiring expenses can be decreased by a greater reliance on temporary work (Faccini, 2014), provided that temporary personnel are eventually transformed into permanent ones.

Companies have greater incentives to use temporary contracts for screening when unemployment is high, since the pool of prospectively qualified job applicants is larger during recessions (Holmlund & Storrie, 2002). As a result, the nature and intent of temporary contracts determine the total impact of hiring expenses on the usage of temporary labour.

Second, because casual employees typically receive lower pay than permanent employees (for a review of the empirical evidence, see (ILO, 2015), organisations may enjoy the lower direct labour expenses that businesses experience when hiring casual labour. More specifically, the lower wages may be caused by a variety of factors, including different job intensity screening procedures for temporary workers compared to permanent employees, the probationary nature of some temporary contracts, the shorter duration of temporary employment, the exclusion of temporary employees from corporate benefits like annual bonuses, or simply the unequal treatment of non-standard workers (Lee & Yoo, 2008).

Additionally, compared to permanent employees, casual workers are less likely to be liable for social security contribution obligations or be eligible for paid time off. Given this, firms are more motivated to use casual workers to offset such costs when wages and fringe benefits are higher in an organisation (Davis-Blake & Uzzi, 1993; Houseman, 2001; Kalleberg *et al.*, 2003), though this relationship may be nonlinear, with restrictions on the cost advantage of using casual workers (Nielen & Nielen, 2016).

Third, the reduced termination costs associated with terminating temporary contracts as opposed to permanent contracts have frequently been cited as an explanation for the engagement in casual employment, particularly in the European setting over the past three decades. While employees on fixed-term contracts are typically well protected, the contract is in effect (in some cases, terminating such contracts before the end date may require payment of all wages due up until the contractual end date), once the contract has ended, typically no justification from the employer is required to end the employment relationship after the fixed-term contract's end date has been reached. On the other hand, ending a permanent employee's employment at the employer's initiative typically implies some expenses, such as severance payments, fees related to notification processes, and other compensatory payments if terminations are deemed unfair. Numerous European nations have partially deregulated their labour markets since the 1970s, intending to increase labour market flexibility. These countries have done this by allowing for greater use of temporary contracts, extending their scope to include jobs that were not temporary, and increasing the duration and number of renewals that were permitted. In a similar vein, permanent employees' job protections largely held. As a result of the widening gap between the costs of firing temporary and permanent employees, many researchers have attributed the rise in temporary employment in some European countries to these partial reforms (Bentolila & Dolado, 1994; Blanchard & Landier, 2002; Boeri & Garibaldi, 2007; Faccini, 2014; OECD, 2014). Some emerging nations, most notably Peru, underwent similar reforms regarding the hiring of temporary labour (Vega Ruiz, 2005). However, the modest costs of separation for temporary workers must be compared to the frequent expenses of recruiting new employees (Holmlund & Storrie, 2002).

### 8.3 Technological Change

While management literature has focused on the firm's production model, particularly how much of it is standardised, the economics literature has linked the use of casual labour as a response to demand swings. Technology has streamlined jobs such that they can be completed by less qualified people who require less training and can be hired on short notice (Nollen & Axel, 1996). Because turnover is less expensive for businesses as a result, there is less motivation to foster long-term job connections.

According to Uzzi & Barsness (1998), businesses that use computerised technologies also tend to employ fixed-term personnel more frequently. However, to reduce training expenses and maintain their know-how, sophisticated technologies may boost firm-specific expertise and reduce the need for temporary and outsourced labour (Mayer & Nickerson, 2005). Additionally, having a steady workforce where employees are encouraged to express issues and make suggestions for improvements may be advantageous even with standardised production methods (Ton, 2014; Kleinknecht *et al.*, 2014; Kleinknecht, 2015). Similar to how complicated occupations are less likely to be carried out by temporary workers from a technological or interpersonal perspective,

firms' "*knowledge workers*" are more likely to be permanent employees (Davis-Blake & Uzzi, 1993).

#### **8.4 Ease of Dismissal**

The simplicity of their dismissal is another benefit of utilising casual labour (Allan, 2002). Due to the lack of costs associated with firing temporary employees in the United States, it was a desirable choice (Gunderson, 2002). This was seen by Allan (2002) in businesses that competed in the volatile workload market. In the United Kingdom (UK), it was noticed that hiring casual workers was a tactical response to the demands of the workforce. Therefore, organisations used numerical flexibility to their advantage by hiring just-in-time workers to meet increased or decreased needs without having to lay off permanent employees. Indeed, a business's ability to hire personnel quickly and fire them later provides it with tighter control. Owing to the brief term of employment, it may be detrimental for the majority of firms because production will be poor owing to the time spent learning new jobs, and this could raise the strain on human resource managers and supervisors to hire, train, and oversee new casuals (Allan, 2002).

Additionally, as managers implement strategies to balance staffing levels with workload (Henricks, 1997), the workload may increase. Additionally, the widespread use of casual workers may not sit well with permanent employees, particularly if they believe their employer wants to replace them with workers who have more precarious working conditions. According to Pearce (1993), who conducted research on this topic in the USA, the hiring of contractors caused permanent employees to harbour unfavourable opinions about the company. Additionally, it may be far more difficult than anticipated to determine how casual workers affect permanent employees.

The various factors that influence employers' decisions to hire casual workers are summed up by ABS (2000) and Tucker (2002) as follows: seasonal work demands; enormous short-term workload disparities; the ability to quickly adjust employee numbers and arrangements to meet changing demands; accommodating worker absences; no requirement to engage for a minimum number of hours per day; the use of casual workers as part of the hiring process or as a probationary period for new hires; implied greater flexibility; and less duty to give employees benefits.

### **9. Rights of Casual Workers**

Employers in Ghana are required to give workers a documented contract of employment if they work there for six (6) months or longer. The Labour Act is explicit that a written contract of employment may not be created for a casual worker, but they do have a right to overtime pay, medical benefits, and the minimum salary for each working day.

The employment of individuals on a fixed-term contract as full-time permanent employees is permitted by the Labour Law. The Labour Act makes no mention of a special legal framework for the use of fixed-term contracts. The Labour Act leaves it

unclear how long a fixed-term contract may last (including renewals). Yet, temporary and casual employment is regulated by special provisions.

Generally speaking, every worker, whether they are employed temporarily or not, has a right to compensation, which is the value in terms of the monetary reward granted to the worker on a daily, weekly, or monthly basis or as otherwise agreed upon by the parties in exchange for services or work performed by the worker. Additionally, the casual worker described in Section 9 of the Labour Act is entitled to:

*"A safe job under satisfactory, safe, and healthy conditions; receive equal pay for equal work without distinction of any kind; have rest, leisure, and reasonable limitation of working hours and periods of holidays with pay as well as remuneration for public holidays; form or join a trade union, and be trained and retrained for the development of his or her skills. They are paid daily but are not eligible for a termination benefit, and the contract is determinable at will."* (Labour Act 2003, Act 651; p. 10)

Casual employees, concerning the Labour Act section (10), enjoin the employer to:

*"...provide safe conditions deprived of any health hazards; provided the worker with information on how to use, handle, store and transport articles and substances to their various destinations; provide the casual worker with the essential facts, directives, guidance, and regulations with regards to age, literacy level and other circumstances of the worker to ensure the health and safety of those other workers engaged in the particular work; give information on the steps to take to avert pollution of the work environment by protecting the workers from, poisonous gases, harmful substances, vapours, dust, odours, mists and other substances or materials likely to cause risk to safety or health; and be given adequate safety appliances, suitable fire-fighting equipment, personal protective equipment, and instructions on how to use the appliances or equipment. The employer also needs to provide discrete, adequate and suitable toilet and washing facilities and sufficient facilities for storage; provide an adequate supply of clean drinking water at the workplace; avoid accidents and injury to health arising out of or connected with work by reducing the causes of hazards inherent in the working environment and keep open the channels of communication with the workers."* (Labour Act 2003, Act 651; p 9).

## **10. The Transition from Casual to Permanent Employment**

Education is a significant component that affects the likelihood of establishing a stable employment relationship, with highly educated workers—those with a university degree—having more opportunities to transition to a permanent position, "*ceteris paribus*," than those with less education. The transition from one type of employment to another is similarly influenced by both the worker's profession and the employer's economic activities. As a result, positions in construction and agriculture provide

temporary workers with fewer opportunities for transition, which may be explained by the fact that these activities are more seasonal than those in industry and services.

It's interesting to note that compared to their counterparts in the informal sector, casual and temporary employees in government organisations have more difficulty solidifying their jobs. This is unexpected because employees in the public sector are often less likely than those in the informal sector to have casual employment arrangements. The existence of strict administrative regulations in Ghana that control access to permanent employment in government organisations may help to explain this situation. Another explanation could be found in the fact that the amount of internal revenue that businesses and institutions can produce is closely correlated with the amount of temporary employment there is in government agencies.

Rules and regulations inform recruitment in government agencies in Ghana. As a measure to rationalize the government's wage bill, the Ministry of Finance has established procedures to monitor recruitment processes in the Ministries, Departments, and Agencies (MDAs). Formerly, recruitment into the government sector was done without reference to any laid-down procedures. This has resulted in an overstuffed public sector. According to the ban on public sector recruitment from 2011, the Ministry of Finance contended that the rule should be applied when any MDA is to carry out recruitment. Every sector has to, therefore, justify why it must recruit new staff by providing accurate human resource needs of the organization. Permission is obtained from the Ministry of Finance, where the ministry issues financial clearance. Once the financial approval is given, the recruitment process commences.

This became precarious at the University for Development Studies when it had engaged the services of fifty-four (54) security guards and ninety-four (94) labourers and cleaners on a casual basis since 2014. However, section 75(1) of the Ghana Labour Act 2003, Act 651, specifies that:

*"A temporary worker who is employed by the same employer for a continuous period of six months or more shall be treated as a permanent worker".*

This means that in addition to whatever employment arrangement the temporary or casual employee and the employer have mutually agreed upon, the temporary employee shall be entitled to the same benefits as the permanent employee, including equal pay for equal work, a minimum wage, a set number of hours worked, a set amount of downtime, paid holidays, the ability to work nights and weekends, and sick time. Under specific conditions, the employee may occasionally benefit from any medical facilities offered by the company.

Table 1 provides details of the number of casual employees employed between 2014 and 2018.

**Table 1:** Total number of casual security, labourers and cleaners

SN	Location	Security	Lab/Cleaners
1	Central Administration	26	46
2	SMHS	16	21
3	Nyankpala	6	17
4	UDS - ICC	5	0
5	City Campus	1	10
	<b>Total</b>	<b>54</b>	<b>94</b>

**Source:** Field Study, 2020.

Out of the 148 casual security, labourers, and cleaners engaged, only 25 of the casual security, representing 46.3%, were regularized; 31 labourers and cleaners, representing 33%, were also regularized as permanent staff; and 17 labourers and cleaners were employed as fresh permanent employees. Management, at its initial decision, decided to terminate the appointments of 19 casual security staff for the reason that they were not qualified to be engaged as permanent security staff (Revised Unified Scheme of Service for Junior Staff of the Public Universities in Ghana, 2016). Upon second thought, management decided to convert them to cleaners, where they would not need any academic qualifications before they are employed.

**Table 2:** Number of casual security, labourers and cleaners regularized

SN	Location	Security	Lab/Cleaners
1	Central Administration	13	20
2	SMHS	8	4
3	Nyankpala	2	1
4	UDS - ICC	2	0
5	City Campus	-	6
6	Fresh Appointments	0	17
	<b>Total</b>	<b>25</b>	<b>48</b>

**Source:** Field Study, 2020.

29 casual security had the required qualifications to be made regular employees after going through the interview successfully; however, 3 were disqualified based on being rude towards supervisors, failing to take instructions, and not being punctual at work. One was also disqualified as a result of not being duty-conscious and irregular at work, which made thieves break into the house of the Dean of the School of Medicine and Health Sciences and steal several items from the residence. The lawsuit is still in court.

25 of them did not have the minimum requirements to be converted to permanent security staff. Out of these, 4 of them are in court due to negligence of duty. They were at various duty points, and yet burglars entered the residences and stole items.

Management of the University, in its wisdom, converted 19 of those who did not meet the minimum qualifications to be made regular security staff to cleaners, which does not require any certificated before one is employed.

According to the *"revised unified scheme of Service for junior staff of the Public Universities in Ghana"*, the lowest rank of a security person is Guard Grade II and the



duties are spelt out as being responsible for safeguarding life and property in the campus and will be expected to be tactful and should have a reasonable degree of initiative.

The minimum qualifications are that the person:

- 1) must possess the School Cert./GCE 'O' Level 5 credits/SSSCE 6 passes in subjects including the English Language; or
- 2) must have attained the rank of Constable in the Police Service or equivalent status in the Armed Forces (i.e., Lance Corporal) with a clean record; or
- 3) must have served for not less than 3 years in a recognized private security organization, and be at least 25 years old.

In addition, candidates must have the following height requirements: 5'8" for men and 5'6" for women. In general, casual workers in the formal sector of Ghana have the lowest likelihood of obtaining a permanent job, contrary to what occurs in the private sector.

## 11. Legal Protection of Workers under the Constitution

According to the Ghanaian Constitution, a sound economy must guarantee "*a just and credible compensation for production and productivity to encourage continued production and higher productivity.*" The right to equal pay for equal work is recognized by both the Constitution and the Labour Act of 2003 (Act 651). Although the constitutional right may be restricted by legislation "*reasonably necessary in the interest of national security or public order or for the protection of other people's rights and freedoms,*" these laws also guarantee the right to join or create a union. Notably, the Labour Act lists wide obligations for workers, including working "*conscientiously in the lawfully chosen occupation,*" taking reasonable care for their coworkers' safety and health, and defending the employer's interests.

The national daily minimum wage is decided and determined by the National Tripartite Committee, which was formed under the Labour Act. Along with employees being paid a regular salary, the minimum wage also applies to casual and temporary workers. 58 "*Casual workers*" are those who work seasonally or intermittently for six months or less, and whose pay is computed daily; "*temporary workers*" are those who work for at least one month but are not permanent or seasonal employees. Note that written contracts are not required for the employment of temp workers. These sections of the Labour Act do not apply to certain kinds of wage earners, such as part-timers and seafarers in the fishing industry.

Reasonable restrictions on working hours are mandated by both the Constitution and the Labour Act. No employee may work more than eight hours per day or 40 hours per week, according to the Labour Act. There are certain exceptions to these restrictions, though. Overtime obligations are specifically stated, and in some emergency cases, employees may be required to work unpaid overtime.

Seasonal employees can work up to 10 hours per day as long as their daily average doesn't go over eight. Shorter maximum hours for manual labour and "*jobs likely to be detrimental to health*" may also be prescribed by the Minister of Labour. According to the

provisions of the Labour Act, employees are entitled to daily and weekly rest breaks. Workers must generally be given at least 12 hours of uninterrupted rest between each consecutive day of work, with 48 hours of uninterrupted rest every seven days. Domestic employees employed in private residences are expressly exempt from these work hour and rest period regulations, while seasonal workers are subject to slightly different rules. Additionally, the rules for the daily rest hour are slightly different for seasonal employees. As a result, these groups of workers are susceptible to possible exploitation.

In the absence of "*exceptional circumstances, including an accident threatening human lives*," employers are required to pay overtime at a set rate. The Labour Act forbids employers from putting pregnant women and mothers of infants under the age of eight months involuntarily on overtime or night shifts. In these situations, the worker has the option to file a complaint with the National Labour Commission if work is assigned without her agreement.

Every employee is entitled to at least 15 working days of fully paid leave for each calendar year of uninterrupted employment, with payment determined by the employee's non-overtime compensation. Two almost equal portions of this leave are available to 140 employees.

## 12. Legal Protection of Casual Workers in Ghana

Ghana is a developing country within the West African region of Africa. The British colonised Ghana before it gained independence in 1957. The bulk of Ghana's workforce can be found in the informal sector, where there is a race to the bottom in terms of labour standards.

The Ghanaian legal framework for non-standard work arrangements (NSWAs) is significant since the country's several labour laws were unified under the Labour Act 2003 (Act 651). Ghana, an ILO Convention signatory, included its provisions in this Act. All employers and employees are covered by the Act, except for individuals who work for sensitive organisations, including the armed forces, police, prisons, and security intelligence agencies.

The establishment of public and private employment centres, protection of the terms and conditions of employment, acceptable working conditions, the employment of people with disabilities, young people, and women, fair and unfair termination of employment, protection of remuneration, temporary and casual employees, unions, employers' organizations, and collective agreements, strikes, and the establishment of a National Employment Centre are major requirements of the Labour Act 2003, Act 651 (Nkrumah, 2023).

A legal framework for the control and protection of the employment of casual and temporary workers in Ghana is provided by Part X of the Ghana Labour Act 2003, Act 651, which covers unique deliverables in connection with those workers. It defines the two ideas, specifies the compensation that must be paid to them, and lays out the steps to take in the case that the employer violates them. The Act also stipulates that a casual

employee's contract need not be in writing and that they must work irregularly or consistently for fewer than six months each year. For labour of comparable worth, a casual employee must receive equal compensation.

Contrarily, a temporary worker is someone who works regularly for at least six (6) months per year. She will be classified as a permanent employee, however, if she works for the same firm continuously for six months or longer. The temporary or casual worker may submit a written complaint to the Labour Commission for review if an employer violates these requirements; the Commission's judgment will be binding on both parties. Regarding freedom of association, Ghanaian officials have demonstrated their dedication to the defence and advancement of workers' rights at work by reforming the nation's labour laws. The right to create or join a union as well as the freedom of association for both employers and employees are covered by Part XI of the Labour Act 2003, Act 651. Every employee has the right to establish or join the trade union of his or her choice for the advancement and defence of the employee's economic and social interests, according to the law. By saying that "*two or more workers employed in the same undertaking may form a trade union*," it further complies with the ILO.

Casual employment should not be regarded as permanent employment under Ghanaian law, just as temporary employment is not intended to be permanent. Despite the law, numerous studies and detractors have demonstrated that Ghana's casual and temporary employment has assumed a permanent form (Nkrumah, 2023), similar to the circumstance in Nigeria. Numerous members of these categories of workers have worked continuously for more than a year without having their position as permanent employees, as defined by the law, regularized. The majority of casual labourers work in the private sector for appalling pay that is typically lower than the federal minimum wage.

Similar to other countries, Ghana argues in favour of hiring casual labour. Entrepreneurs are focusing on their core businesses while outsourcing to contractors the portions they perceive are not essential to their operations. This has led to casualization, which has sparked a race to the bottom in terms of labour standards.

And as was already mentioned, the requirement for the casual worker to continue working and earning a living outweighs the need to file a complaint with the Commission out of concern that they would lose their position entirely. From the aforementioned, it is clear that, notwithstanding the protection provided by the Labour Act, Ghana's casual and temporary workers are the most vulnerable. Employers abide by the lawless in compliance and more in violation.

It is clear from this situation that despite Ghana having a more comprehensive legal framework for the protection of its nonstandard workers, the provisions of the law are not being enforced, and these workers would prefer to accept low wages and work in precarious conditions to maintain employment and earn a living than seek redress through the Commission as required by the law.

### 13. Casual Workers Can Become Permanent Employees

The Supreme Court of Ghana ruled in Benjamin Aryee & 691 others vs. The Cocoa Marketing Board that a worker initially hired as a casual worker but whose services are continuously used by the employer for a period exceeding six months will be regarded as a permanent worker and will be eligible for all the benefits available to permanent workers, according to Alesu-Dordzi (2018).

The plaintiffs in this action worked for the Defendant Board as cleaners, cocoa bag sewers, tarpaulin handlers, and transporters of cocoa. Later, they were dismissed. As a result, the plaintiffs filed a lawsuit against the defendant Board for firing them against their will.

The plaintiffs complained that although they had worked for the Cocoa Marketing Board constantly for over 4 years, the defendant board handled them as casual workers rather than as junior staff. The plaintiffs went on to say that how they were terminated was inconsistent with their status as junior staff of the Defendant Board. The plaintiffs claimed that despite their continued employment with the Cocoa Marketing Board for more than 4 years, the defendant board treated them more as casual employees than as junior staff. The plaintiffs continued by claiming that their termination was improper, given their position as junior employees of the Defendant Board.

The court's main concern was figuring out how the plaintiffs and the defendant board related to one another. This required the court to consider what a casual worker was following Ghanaian law. According to the court, a casual worker is someone who works seasonally or irregularly, is not employed continuously for more than six months, and receives daily compensation. The three requirements (a-c) listed above must all be met, according to the Supreme Court, for someone to be categorized as a casual worker. The Tema Port always had work for the Plaintiffs to do, whether it was to carry cocoa bags from trucks and stack them into warehouses or move cocoa bags from warehouses into containers or vessels for export. The Supreme Court established as a matter of fact that the plaintiffs worked for a continuous period of more than six months. The plaintiffs' status as board members of the defendant was confirmed by the court. As a result of working for the Defendant Board, the Plaintiffs qualified for benefits.

### 14. Challenges of Casual Employment in Ghana

Casual employment in Ghana presents several challenges, primarily due to its precarious nature and lack of legal protection for workers, leading to issues like limited job security, lower wages, and fewer benefits. This form of employment also struggles with the absence of recognised worker organisations, making it difficult for casual workers to advocate for their rights.

Employers adopt cunning methods to keep some of their employees on a permanent casual basis, a situation he referred to as "*the increasing informalisation and casualisation of work.*" *The danger is that most of these casual workers are being paid very low*

wages, but you find them working in reputable organisations" (Adam, 2009). For example, a private security guard is providing security at Absa or the Ghana Commercial Bank. But the bank takes no steps to look at the conditions under which that security person is being employed, and some of them are very terribly paid, and it is heartbreaking to understand how the banks expect to get proper security when those workers cannot keep soul and body together. The low wages and limited benefits associated with casual employment can trap individuals in a cycle of poverty and make it difficult for them to improve their living standards. A study conducted by Ayele *et al.* (2019) at Blue Skies, a fruit processing company, demonstrates how companies may use casual employment to achieve flexibility and control, while workers face lower job security and wages.

The central organization for trade union operations in Ghana is the Trades Union Congress (TUC) of Ghana. There are 18 connected national unions in it. In its interactions with the government and the employers' association, the TUC represents unionized labour as its official representative. The TUC has consistently voiced its opposition to casual workers, especially in light of the contempt for the rights, dignity, and integrity of workers, which are safeguarded by the country's labour laws, constitution, and International Labour Organization (ILO) conventions. The most glaring distinguishing characteristic of this group of employees is that their employment is not full-time permanent; as a result, they may be laid off without prior notice.

The 1992 Ghanaian Constitution forbids discrimination in the workplace and establishes in Section 24 economic rights, such as the right to equal pay for equal work and to work in satisfactory, safe, and healthy conditions. Subsection (3) of the 1992 Constitution states, among other things, that "*Every worker has the right to form or join a trade union of his choice for the promotion and protection of his economic rights and social interests.*" If limits are reasonably required for the sake of public safety, national security, or the defence of others' rights and freedoms, they may be imposed under subsection (4).

The ILO Equal Remuneration Convention, 1951, and the Discrimination (Employment and Occupation) Convention, 1958, which Ghana has ratified, equally frown against any form of labour discrimination (Oelz *et al.*, 2013). Gloomily, when compared with other workers, the management strategy adopted is that casual workers are made to work for all the entire time they are with them without promotion or necessary privileges. Casual workers in the Ghanaian labour market may therefore undergo a lot of discrimination, particularly in terms of salaries and other entitlements.

The 1992 Constitution of the Republic of Ghana makes provisions for freedom of association among the citizens to safeguard their rights and interests. The Labour Act 2003, Act 651, delineates a trade union as any association of workers with the fundamental principle of promoting and protecting their economic and social interests. The Act grants the employer and employees the right to form and join unions. Besides, workers are permitted to partake in union activities outside of working hours.

Two or more workers engaged in the same organisation may establish a union, and two or more employers (each employing at least 15 workers) in similar industries or trades may form or join an employers' organisation (Section 80). Trade unions have the

mandate to design their constitutions, enumerate rules and regulations and elect officers and representatives. Unions establish their management teams, organise activities, and frame their programmes. They can partner with other unions and contribute to the activities of international workers' organisations. These unions can participate in the framing and become members of any federation of trade unions or employers' organisations and participate in their lawful activities. Casual employees, who often would be able to unionise if they were full-time employees, are not allowed to be members of unions and lack a group to represent their interests. As a result, their appointments may be terminated at any moment on the grounds of redundancy without giving notice of the cause or the degree of the intended redundancy. Sometimes, the workers are not even offered redundancy pay before being let go. In Ghana, casual labour is still characterized by this peculiar tradition.

## 15. Conclusion

Casual workers have always been an important and acknowledged part of the labour force, and they will continue to be so. Replacement of temporary or brief employee absences resulting from illness, as well as vacation, maternity, or other types of leave, will always be required. Therefore, workers who might be called upon to fill in for part-time or full-time workers have a crucial and ongoing role to play in the foreign on the one hand, using temporary staff guarantees that citizens will continue to receive significant and even vital services.

However, they all depend on the prevailing objective and the social and economic circumstances in which the casual workers find themselves. The perceptions of casual workers regarding their working conditions, the legal protection of their rights, as well as their levels of job satisfaction and work commitment, may vary from person to person. Last but not least, there is a need for more thorough legislative protection for temporary employees. To deter employers from retaining casual workers in hazardous conditions with no rights for an extended period, the new legislation should explicitly define the tenure of a casual worker. We might learn from Ghana, whose new Labour Act of 2003, Act 651, defines the position of casual and temporary workers and the compensation in explicit terms.

The Ghana Labour Act demonstrates the government's commitment to allowing employees the ability to organize following global labour standards. We can also learn from Chinese labour law, which states that to protect their legal rights and interests, dispatched workers (those provided by labour agencies) have the right to join or form labour unions within the accepting entity or the labour dispatch service provider. To ensure that its employees have the right to establish or join a union of their choosing to advance and safeguard their interests at work, labour contractors or agencies that provide workers to user businesses in Ghana should be made subject to this proposed change. This right has been elevated to a fundamental one under international labour law.

The National Industrial Court can be contacted by casual employees whose employers have forbidden them from joining or creating trade unions, or who are experiencing victimisation or discrimination as a result of union activity. The Industrial Court is once more asked to assume its position as the last holdout of hope for the average person and vehemently denounce exploitative labour practices.

### **15.1 Recommendations**

Employers and owners of organisations must be cautious about keeping casual workers beyond the designated six months of continuous work.

- It is possible to conclude that casual work has several drawbacks from the study. Because their actions at work are largely determined by their salaries and not by their jobs, casual workers don't have much of a duty to show up for work.
- Organisations are being encouraged by the present unemployment rate to recruit temporary workers in Ghana. Even with poor working conditions and little pay, casual workers prefer to stay with employers since it is so difficult to find work, and they need to do so to support their families.
- Three decades ago, unskilled labour was mostly the domain of casual labour, and people with minimal educational backgrounds could take pride in their profession while being legally protected.
- When they have received favourable organizational evaluations and whenever positions open up, casual workers should be given the chance to be absorbed into the company as permanent employees.
- Give casual workers the skills they need for higher output; training should be made available to them.
- Employers need to put a strong welfare policy in place for all employees, including casual workers, if they want to get the best out of their temporary staff.
- Legal protection for contract work is necessary. Particular safeguards for contract workers should be included in the law. Casual, transitory, and every other non-regular employment should be covered by social protection legislation.
- Effective communication between employers and their temporary employees is essential to fostering an honest and open dialogue that will help to keep conflicts at work to a minimum and foster cooperative working environments.
- Support workers during retirement, a framework that will offer protection after the employees' working lives, should be created.

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