



**Government of Ghana**

# Right to Information Manual Template

National Labour Commission (NLC)

2023

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# 1. Overview

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This Right to Information (RTI) Manual is pursuant to the provisions of the recently passed Act, (Act 989) by Parliament and assented to by the President, Nana Addo Dankwa Akuffo-Addo. The Act gives substance to the constitutional right to information provided under Article 21 (1) (f) of the Constitution, enabling citizens access to official information held by government institutions, and the qualifications and conditions under which the access may be obtained. In accordance with Section 80, the Act applies to information which came into existence before, or which will come into existence after the commencement of the Act.

**1.1 Purpose of Manual** – To inform/assist the public on the organizational structure, responsibilities and activities of the National Labour Commission (N L C) and provide the types of information and classes of information available at N L C, including the location and contact details of its Information Officers and units.

## 2. Units and Departments under National Labour Commission (NLC)

This section describes the institution's vision and mission and lists the names of all Units and Departments under the National Labour Commission, including the description of organizational structure, responsibilities, details of activities and classes and types of information accessible at a fee.

### VISION

To have a harmonious industrial relations environment borne out of the firm understanding of and committed compliance with the labour laws by all stakeholders to make the Ghanaian economy competitive to attract investment.

### MISSION

To develop and sustain a peaceful and harmonious industrial relations environment through the use of effective dispute resolution practices within the context of the law, promotion of co-operation among the labour market players and mutual respect for their rights and responsibilities.

### Units and Departments under National Labour Commission (NLC)

1. Industrial Relations
2. Administration and Human Resource
3. Legal
4. Finance
5. Public Affairs
6. Internal Audit

#### Responsibilities of the Institution:

1. The Commission is established to facilitate the settlement of industrial disputes.
2. To settle industrial disputes.
3. To investigate labour related complaints in particular; unfair labour practices and take such steps as it considers necessary to prevent labour disputes.
4. To maintain a database of qualified persons to serve as mediators and arbitrators.
5. To promote effective labour co-operation between labour and management.
6. To perform any other function conferred on it under this ACT or any other enactment.



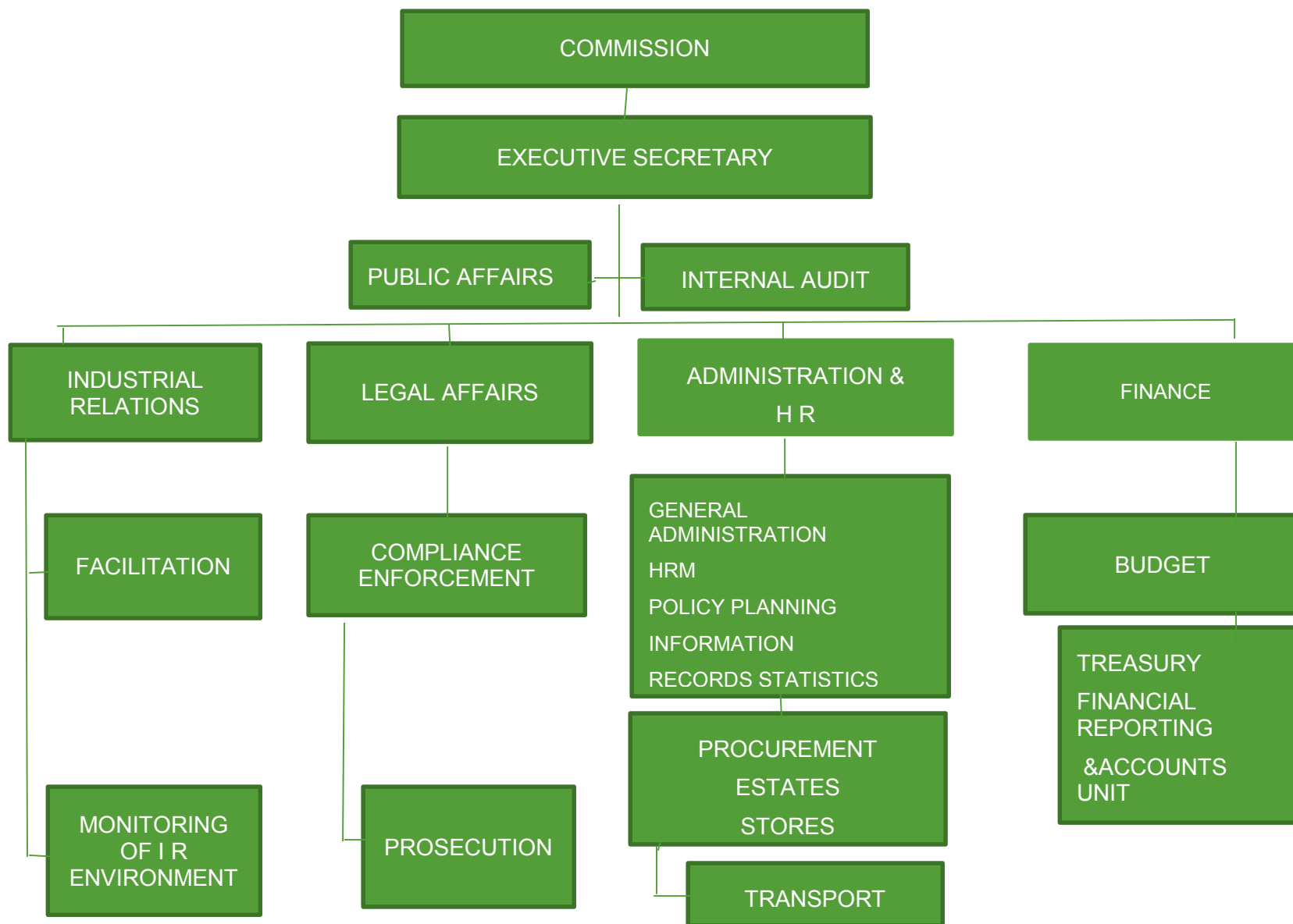
## 2.1 Description of Activities of each Directorate and Department

Units/Department	Responsibilities/Activities
Industrial Relations	<ol style="list-style-type: none"> <li>1. It advises the Executive Secretary on matters relating to the development and implementation of sound labour and employment policies.</li> <li>2. Leads the review and formulation of labour policies as may be necessary.</li> <li>3. Sees to the development, planning and formulation of employee relations policies.</li> <li>4. Validates ruling and agreement on cases after formal hearing.</li> <li>5. Directs the conduct of research into laws and labour related issues.</li> <li>6. Directs the conduct of investigations into labour related complaints among others.</li> <li>7. Facilitates the settlement of industrial disputes.</li> <li>8. Coordinates the preparation of brief on cases for hearing.</li> <li>9. Coordinates and maintains data on mediation and arbitration.</li> </ol>
Administration and Human Resource	<ol style="list-style-type: none"> <li>1. Creates systems, process and manage documents</li> <li>2. Creates policy documents and manage human resource</li> <li>3. Prepares administrative and HR related reports.</li> <li>4. Serves as the link between the various departments and units by ensuring the provision of administrative services and the smooth flow of information for the management of the organization.</li> </ol>

	<ol style="list-style-type: none"> <li>5. Its functions are performed through the development of appropriate office management systems, strategies and administrative procedures.</li> <li>6. The Human Resources function exists to provide the structure and the ability needed to perform the Commission's functions through the deployment and management of the human resources.</li> </ol>
Legal	<ol style="list-style-type: none"> <li>1. Coordinates the preparation of cohesive documents on cases after hearing.</li> <li>2. Conducts legal research, drafting of legislation and drawing ACTs of contract for the Commission.</li> <li>3. Liaise with the Mediation Directorate on issues of labour related disputes.</li> <li>4. Represents the Commission at the Law Court.</li> <li>5. Prepares rulings and agreements on cases after formal hearing.</li> <li>6. Attend to legal enquiries of the panel and the Commission.</li> </ol>
Public Affairs	<ol style="list-style-type: none"> <li>1. Develops public relations strategies to promote the corporate image of the Commission.</li> <li>2. Designs of best media practices to promote the corporate image of the Commission.</li> <li>3. Advice management on strategies for effective media relations.</li> <li>4. Implement public relations activities.</li> <li>5. Publish Commission's E- Newsletters, Press releases, Labour quotes flyers etc.</li> <li>6. Educate and facilitate education of our publics on the Labour Act.</li> </ol>
Finance	<ol style="list-style-type: none"> <li>1. Develops a work plan for the finance directorate with consultation with management.</li> <li>2. Advice management on finance administration ACT and any other financial regulations.</li> </ol>

	<ol style="list-style-type: none"><li>3. Identify sources of funding to improve the revenue base of the Commission.</li><li>4. Ensure the judicious use of funds in accordance with relevant financial regulations.</li></ol>
Internal Audit	<ol style="list-style-type: none"><li>1. Evaluate the effectiveness of the risk management and governance process of the Commission and contribute to the improvement of that risk management and governance process.</li><li>2. Ensures that internal control systems are adequate to safeguard the assets and resources of the Commission.</li><li>3. Provide assurance on the efficiency, effectiveness and economy in the administration of the programmes and operations of the Commission.</li></ol>

## 2.2 NATIONAL LABOUR COMMISSION'S ORGANOGRAM





## 2.3 Regional Offices UNDER National Labour Commission

<b>Regional Offices under National Labour Commission</b>
1. Greater Accra 2. Western 3. Ashanti 4. Head Office Secretariat

<b>Contact of Regional Offices under the National Labour Commission</b>	
<b>Regional Offices:</b>	<b>Contact Details:</b>
Tema	0302969397 / 0302969385
Kumasi	0506438600 / 0322044812
Takoradi	0312198091
Head Office Secretariat	0302238737 / 0302238345

## 2.4 Classes and Types of information

<b>List of various classes of information in the custody of the institution:</b>		
<b>Industrial Relations</b>	-List of mediators and arbitrators -Records of settled mediation and arbitration cases -Annual Reports	2022-2023

<b>Administration and Human Resource</b>	<ul style="list-style-type: none"> <li>-Certificates and qualifications</li> <li>-Application letters</li> <li>-Appointment letters</li> <li>-Promotion letters</li> <li>-Internal and external correspondences</li> <li>-Personnel files</li> <li>-Scheme of service</li> <li>-Transfer letters</li> <li>-Staff list</li> <li>-Leave roster</li> <li>-Estate documents</li> <li>-Transport documents</li> <li>-Administration document</li> <li>-Departmental yearly report</li> </ul>	2022-2023
<b>Legal</b>	<ul style="list-style-type: none"> <li>-Records of cases enforced</li> <li>-Pending cases for enforcement</li> <li>-Annual reports</li> </ul>	2022-2023
<b>Public Affairs</b>	<ul style="list-style-type: none"> <li>-Complaints forms</li> <li>-Photo albums</li> <li>-News Publications</li> <li>-Labour flyers</li> <li>-Video albums</li> <li>-Complainants list</li> <li>-Annual half year reports</li> <li>-BONSU reports</li> <li>-Records of strike cases</li> <li>-Labour ACT</li> <li>-Legislature instrument. (1822, 1833)</li> <li>-RTI Manual</li> <li>-RTI application form</li> </ul>	2022-2013

<b>Finance</b>	-Financial documents -Work plan - Budget estimates - Performance report Awards/Benefits & Compensations to disputing parties -Fuel dispatch records	2022-2023
<b>Audit</b>	-Audit reports	2022-2023

### Types of Information Accessible at a fee:

Fees and Charges (Miscellaneous Provisions) ACT 2002 ( ACT 1080)

<b>Revenue Item</b>	<b>Approved Fees and Charges (GHS)</b>
For every photocopy of an A4 size page or part thereof	0.27
For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form	0.38
For a copy in a computer readable form on external storage device	0.29
For a transcription of visual images, for an A4 size page or part thereof	1.28
For a copy of visual images	3.50
For a transcription of an audio record, for an A4 size page or part thereof	0.70
For a copy of audio record	1.00

### **3. Procedure in Applying and Processing Requests**

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Section 18 of the RTI Act provides specific guidelines for application for access to information kept by a public institution. It is thus important that request for information be made in accordance with provisions under this section. The Information Officer or a designated officer is responsible for dealing with applications made to the National Labour Commission. To request for information under the RTI Act from the National Labour commission, applicants are to follow these basic procedures:

#### **3.1 The Application Process**

- a. Application by any person or organization who seeks access to information in the custody of National Labour Commission must be made in writing, using the standard RTI Application Form. **(See Appendix A for the Standard RTI Application Form)**. A copy of the form can be downloaded or completed and submitted electronically on the National Labour Commission's official website or the Ministry of Information website.
  
- b. In making the request, the following information must be provided:
  - Date of the Application.
  - Name of the applicant or the person on whose behalf an application is being made.
  - Name of the organization represented by the applicant.
  - Available contact details of the applicant or address of the person/organization on whose behalf an application is being made (Telephone Number, Email, Postal Address, Fax).
  - Brief description of information being sought. (Applicant are to specify the class and type of information including cover dates).
  - Payment of relevant fee if applicable.
  - Signature/ thumbprint.
  
- c. Provision of identification  
The applicant must present at least one (1) of the following valid identification cards (IDs) to serve as proof of identity:
  - Driver's License.
  - Passport.
  - National ID.
  - Voter's ID.
  
- d. The applicant should state the format of information being requested and the mode of transmission. Example (do you need certified true copy, normal photocopy or

electronic copies. Would you want to receive it through a postal address, e-mail, courier services, fax etc.?)

- e. Where an applicant cannot write due to illiteracy or a disability, he/she may make the request orally. However, oral request must conform to the following guidelines;
- The Information Officer must reduce the oral request into writing and give a copy of the written request as recorded for the applicant to authenticate. (s. 18) (3).
  - The Information Officer shall clearly and correctly read and explain the written request to the understanding of the applicant.
  - A witness must endorse the face of the request with the writing; *“the request was read to the applicant in the language the applicant understand and the applicant appeared to have understood the content of the request.”*
  - The applicant must then make a thumbprint or mark on the request.

### 3.2 Processing the Application

- Applications would be treated on a priority basis. The Information Officer is responsible for handling requests to ensure that statutory deadlines are met.
- He reviews and identify which part is exempt based on Section 5 to 16 of the RTI Act and determines which of the units in the institution have the records or is responsible for the subject matter of the request.
- Provision is made under section 20 for the transfer of an application within a period of not more than ten days of receipt where the public institution to which the application was initially made is unable to deal with the application. In such situations, applicants would be notified accordingly with the reasons and dates of transfer.
- For information readily available in official publications, the Information Officer shall direct the applicant to the institution having custody of that publication and notify the public institution of the request. (s.21).
- If a requested information is not readily accessible, the estimated time it will take to search for the information would be communicated to the applicant.

### 3.3 Response to Applicants

- a. The Information Officer is required under section 23 of the RTI Act to notify applicants within fourteen (14) days from the date of receipt. Applicant should however

note that the time limit does not apply to applications transferred to another public institution or which has been refused due to failure to pay prescribed deposit or fee. (s.23) (6). The notice should state:

- Whether or not full access to the requested information will be granted or only a part can be given and the reason.
- The format and mode of the access.
- The expected publication or submission day of the information in the case of a deferred access.
- The prescribed fee (s.24).

b. The Information Officer can request an extension to the deadline if:

- Information requested is voluminous.
- It is necessary to search through a large number of records.
- The information has to be gathered from more than one source.
- Consultation with someone outside the institution is required.

c. The Information Officer would in such situations notify applicants of an extension as well as the period and reason for the extension. An extension should not be more than seven days.

d. In giving applicants access to information, the applicant would be given the opportunity to inspect the information or receive a copy physically or any other form required such as electronic, magnetic, optical or otherwise, including a computer print-out, various computer storage devices and web portals.

- Where access cannot be given in the form specified by the applicant, access can be given in some other form. In such cases, the applicant shall be provided with a reason why access cannot be given in the specified form.

## **4. Amendment of Personal Record**

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A person given access to information contained in records of a public institution may apply for an amendment of the information if the information represents the personal records of that person and in the person's opinion, the information is incorrect, misleading, incomplete or out of date.

### **4.1 How to apply for an Amendment**

- a. The application should be in writing indicating;
  - Name and proof of identity.
  - Particulars that will enable the records of the public institution identify the applicant.
  - The incorrect, misleading, incomplete or the out of date information in the record.
  - Signature of the applicant.
- b. For incomplete information claimed or out of date records, the application should be accompanied with the relevant information which the applicant considers necessary to complete the records.
- c. The address to which a notice shall be sent should be indicated.
- d. The application can then be submitted at the office of the public institution.
- e. A statutory declaration must be attached.

## **5. Fees and Charges for Access to Information**

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The Act mandates Parliament in Section 75 to approve a fee that public institutions can charge. However, fees shall apply to only the three circumstances stated below:

- Request for information in a language other than the language in which the information is held. (s.75) (3).
- When request is made for a written transcript of the information, the information officer may request a reasonable transcription cost. (s.75) (4).
- Cost of media conversion or reformatting. (s.75) (5).

### **Under Section 75 (2), fees are not payable for:**

- reproduction of personal information
- information in the public interest
- information that should be provided within stipulated time under the Act
- an applicant who is poor or has a disability
- time spent by the information officer to examine and ensure the information is not exempt
- preparing the information



## 6. Appendix A: Standard RTI Request Form

[Reference No.: .....]

# APPLICATION FOR ACCESS TO INFORMATION UNDER THE RIGHT TO INFORMATION ACT, 2019 (ACT 989)



1.	Name of Applicant:			
2.	Date:			
3.	Public Institution:			
4.	Date of Birth:	DD	MM	YYYY
5.	Type of Applicant:	Individual <input type="checkbox"/>	Organization/Institution <input type="checkbox"/>	
6.	Tax Identification Number			
7.	If Represented, Name of Person Being Represented:			
7 (a).	Capacity of Representative:			
8.	Type of Identification:	<input type="checkbox"/> National ID Card	<input type="checkbox"/> Passport	<input type="checkbox"/> Voter's ID
		<input type="checkbox"/> Driver's License		
8 (a).	Id. No.:			
9.	Description of the Information being sought (specify the type and class of information including cover dates. Kindly fill multiple applications for multiple requests):			

10.	Manner of Access:	<input type="checkbox"/> Inspection of Information <input type="checkbox"/> Copy of Information <input type="checkbox"/> Viewing / Listen <input type="checkbox"/> Written Transcript <input type="checkbox"/> Translated (specify language) <input style="width: 150px; height: 20px;" type="text"/>
10 (a).	Form of Access:	<input type="checkbox"/> Hard copy <input type="checkbox"/> Electronic copy <input type="checkbox"/> Braille
11.	Contact Details:	<input type="checkbox"/> Email Address _____ <input type="checkbox"/> Postal Address _____ <input type="checkbox"/> Tel: _____
12.	Applicant's signature/thumbprint:	
13.	Signature of Witness (where applicable)  <i>"This request was read to the applicant in the language the applicant understands and the applicant appeared to have understood the content of the request."</i>	

## **7. Appendix B: Contact Details of National Labour Commission's Information Unit**

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### **Name of Information/Designated Officer:**

EYRAM DOTSE KWAMI TOTTIMEH JNR

### **Telephone/Mobile number of Information Unit:**

0302238737 / 0558080621

### **Postal Address of the institution:**

NATIONAL LABOUR COMMISSION, PRIVATE MAIL BAG, MINISTRIES, ACCRA

## 8. Appendix C: Acronyms

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*Instructions: Provide a list of acronyms and associated literal translations used within the manual. List the acronyms in alphabetical order using the table below.*

*Table 1 Acronyms*

<b>Acronym</b>	<b>Literal Translation</b>
<i>RTI</i>	<i>Right to Information</i>
<i>MDA</i>	<i>Ministries, Departments and Agencies</i>
<i>s.</i>	<i>section</i>
<i>MMDAs</i>	<i>Metropolitan, Municipal and District Assemblies</i>
<Acronym>	<Literal Translation>
<Acronym>	<Literal Translation>

## 9. Appendix D: Glossary

This Glossary presents clear and concise definitions for terms used in this manual that may be unfamiliar to readers listed in alphabetical order. Definitions for terms are based on section 84 of the RTI Act.

Table 2 Glossary

Term	Definition
Access	<i>Right to Information</i>
Access to information	<i>Right to obtain information from public institutions</i>
Contact details	<i>Information by which an applicant and an Information Officer may be contacted</i>
Court	<i>A court of competent jurisdiction</i>
Designated officer	<i>An officer designated for the purposes of the Act who perform similar role as the Information Officer</i>
Exempt information	<i>Information which falls within any of the exemptions specified in sections 5 to 16 of the Act</i>
Function	<i>Powers and duties</i>
Government	<i>Any authority by which the executive authority of the Republic of Ghana is duly exercised</i>
Information	<i>Information according to the Act includes recorded matter or material regardless of form or medium in the possession or under the control or custody of a public institution whether or not it was created by the public institution, and in the case of a private body, relates to the performance of a public function.</i>
Information officer	<i>The Information Officer of a public institution or the officer designated to whom an application is made</i>
Public	<i>Used throughout this document to refer to a person who requires and/or has acquired access to information.</i>
Public institution	<i>Includes a private institution or organization that receives public resources or provides a public function</i>
Right to information	<i>The right assigned to access information</i>
Section	<i>Different parts of the RTI Act</i>