Statutory Remuneration Governance and Workforce Stability in Zambia's Public Universities a Doctrinal Analysis of the Emoluments Commission Act, 2022

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ABSTRACT

The Emoluments Commission Act No. 1 of 2022 fundamentally reorganised statutory remuneration governance in Zambia by establishing a harmonised framework for determining and managing emoluments in State organs and State institutions. This article examines the implications of that framework for workforce stability in public universities. It asks whether centralised remuneration regulation can simultaneously promote equity and fiscal sustainability while preserving the flexibility universities require to recruit and retain scarce academic and professional skills. The article adopts a systematic documentary review combined with doctrinal legal analysis. It examines the Constitution of Zambia, the Emoluments Commission Act, higher education legislation, official Commission documents, parliamentary records, institutional documents, documented university experiences and relevant scholarship published primarily between 2011 and 2026, supplemented by foundational theoretical literature. Institutional Theory and Labour Economics Theory are used to explain how statutory rules shape institutional behaviour and how remuneration and employment conditions influence labour mobility and retention. The analysis finds that the Act is more flexible than a purely centralised interpretation suggests: it expressly recognises retention, scarce skills, labour-market evidence, competitiveness and international remuneration benchmarks. However, post-2022 university experiences indicate that regulatory processes can affect collective bargaining, salary progression and institutional responsiveness. The article proposes a regulated-flexibility model under which the Commission retains responsibility for equity, fiscal sustainability and national remuneration standards while universities receive evidence-based and time-bound mechanisms for responding to scarce skills and discipline-specific labour-market pressures.

Keywords: Emoluments Commission Act; statutory remuneration; workforce stability; public universities; institutional autonomy; scarce skills; higher education governance; labour economics; Zambia.

INTRODUCTION

Public universities are knowledge-intensive institutions whose principal productive asset is human capital. Their ability to provide high-quality teaching, undertake research, supervise postgraduate students, generate innovation and contribute to national development depends substantially on the recruitment, development and retention of qualified academic and professional personnel. Unlike many routine administrative occupations, university employment competes for highly specialised skills across national, regional and international labour markets. Academics may move between public and private universities, research institutions, international organisations, professional practice and foreign labour markets. Remuneration is therefore not merely an accounting expenditure; it is an instrument of strategic human-resource governance.

The relationship between remuneration and workforce stability is nevertheless more complex than a simple assumption that higher salaries automatically produce retention. Evidence from Universities demonstrates that salary interacts with career progression, organisational culture, workload, professional autonomy, leadership and institutional support. Ssemugenyi's study of senior academic staff in Ugandan private universities, for example, found that salary and allowances did not operate as sufficient predictors of job satisfaction, illustrating the limitations of treating monetary reward as the sole determinant of academic retention, (Ssemugenyi, F. (2021). Similarly, research involving academic staff in Ugandan universities has demonstrated that organisational commitment and self-efficacy interact in shaping turnover intentions.

At the same time, labour-market evidence demonstrates that remuneration can materially influence skilled-worker mobility. Cissé, Lartey and colleagues found that a ten percent (10%) increase in public-sector wages in Ghana reduced annual attrition among younger health workers in migration-prone professions by approximately one percentage point (Cissé, B., Lartey, E. and colleagues, 2013). Stevens' comparative analysis of academic salaries in the United Kingdom and United States similarly found substantial differences between academic and non-academic earnings and identified remuneration differentials as a potential incentive for international academic mobility, (Stevens, P.A. 2004).

These findings provide an important context for Zambia's Emoluments Commission Act No. 1 of 2022. The legislation establishes a harmonised framework for determining and managing emoluments in State organs and State institutions and expressly seeks to enhance their capacity to attract, retain and motivate personnel with requisite qualifications, skills and experience in order to improve service delivery.

The Act therefore contains an inherent policy tension. Central regulation can address inequity, salary distortions, fiscal indiscipline and inconsistent remuneration structures. Yet excessive rigidity may reduce the capacity of public universities to respond to labour-market scarcity, international competition and discipline-specific recruitment conditions. The relevant policy question is consequently not whether remuneration should be regulated, but how statutory regulation can be designed and implemented so that fiscal discipline and equity coexist with institutional responsiveness.

This article addresses that question through a conceptual and doctrinal legal analysis of the Emoluments Commission Act and its implications for public higher education.

Research Questions

The article addresses four questions:

i. What remuneration-governance model does the Emoluments Commission Act, 2022 establish for State institutions, including public universities?
ii. To what extent does the Act permit institutional responsiveness to scarce skills, labour-market conditions and recruitment and retention pressures?
iii. What evidence has emerged since 2022 concerning the implementation of the remuneration framework in Zambia's public higher education sector?
iv. What regulatory model can reconcile central remuneration governance with institutional workforce stability?

METHODOLOGY

Research Design

This article adopts a systematic documentary review combined with doctrinal legal analysis. The doctrinal component examines the constitutional and statutory framework governing public-sector remuneration in Zambia, with particular emphasis on the legal authority, functions, powers and procedures established under the Emoluments Commission Act No. 1 of 2022. Doctrinal legal research is appropriate where the principal objective is to identify, interpret and critically evaluate legal rules, principles and institutional relationships arising from primary legal sources (Hutchinson, 2015; McConville & Chui, 2017). The analysis therefore examines the Constitution of Zambia, the Emoluments Commission Act and relevant higher education legislation to establish the legal parameters within which public universities exercise remuneration and human-resource functions.

The documentary component complements the doctrinal analysis by examining official institutional documents, parliamentary and policy records, university documents, documented implementation experiences and relevant academic literature. Documentary analysis is particularly appropriate for policy and institutional research because it enables researchers to examine formal rules alongside evidence of organisational practice, implementation and institutional response, (Bowen, 2009). In this study, documentary evidence is used to assess how the statutory remuneration framework interacts with the operational realities of public universities, including recruitment, retention, scarce skills, institutional flexibility and workforce stability.

The study is conceptual rather than an empirical causal evaluation. It does not claim that enactment or implementation of the Emoluments Commission Act caused particular levels of employee turnover, recruitment failure, staff dissatisfaction or institutional performance. Establishing such causal relationships would require appropriately structured longitudinal workforce data and empirical statistical testing. Instead, the study identifies the legal mechanisms through which remuneration governance may influence institutional behaviour and workforce outcomes and evaluates those mechanisms against documented post-2022 evidence. This distinction is important because documentary and doctrinal evidence can establish legal requirements, institutional experiences and plausible mechanisms without, by itself, demonstrating statistical causation (Bowen, 2009; McConville & Chui, 2017).

The methodological approach is further informed by Institutional Theory and Labour Economics Theory. Institutional Theory provides a framework for examining how formal rules, regulatory structures and organisational expectations shape institutional behaviour (Scott, 2014). Labour Economics Theory, in turn, provides a basis for examining how remuneration, employment conditions and labour-market opportunities may influence labour supply, mobility, recruitment and retention (Borjas, 2016). Bringing the two perspectives together enables the study to examine the interaction between statutory remuneration regulation at the institutional level and the employment decisions of highly skilled personnel at the labour-market level.

Sources and Selection Criteria

The study draws on primary legal sources, official institutional and policy documents, and secondary academic literature. Primary legal sources are accorded analytical priority because the article seeks to establish the precise legal authority and limits of remuneration governance in Zambia. The legal sources reviewed comprise:

i. the Constitution of Zambia (Amendment) Act No. 2 of 2016, read together with the Constitution of Zambia, Chapter 1 of the Laws of Zambia;
ii. the Emoluments Commission Act No. 1 of 2022;
iii. the Emoluments Commission (Commencement) Order, 2022, issued through Statutory Instrument No. 47 of 2022;
iv. the Higher Education Act No. 4 of 2013;
v. the Higher Education (Amendment) Act No. 23 of 2021; and
vi. relevant official remuneration, public-finance, higher education and public-sector policy documents.

The Constitution provides the overarching legal foundation for the Emoluments Commission and its mandate, while the Emoluments Commission Act operationalises the statutory framework for remuneration determination, harmonisation, review and compliance (Government of the Republic of Zambia, 2016; Government of the Republic of Zambia, 2022). The Higher Education Act and its 2021 amendment are examined to establish the extent of institutional governance and human-resource responsibilities assigned to higher education institutions and their governing bodies (Government of the Republic of Zambia, 2013; Government of the Republic of Zambia, 2021).

The Emoluments Commission Act No. 1 of 2022 was assented to on 8th April 2022 and subsequently brought into operation through the Emoluments Commission (Commencement) Order, 2022, published as Statutory Instrument No. 47 of 2022 on 6th July 2022 (Government of the Republic of Zambia, 2022). Accordingly, the principal implementation period examined in this study extends from July 2022 to August 2026, allowing the analysis to consider the operation of the statutory framework over approximately four years. Earlier legal and academic sources are incorporated where they provide necessary constitutional, theoretical, historical or comparative foundations.

Documentary evidence also includes official Emoluments Commission reports and policy documents, National Assembly budget and committee records, public university strategic and administrative documents, and documented material concerning remuneration, collective bargaining, recruitment and workforce management. Such documents are particularly important because they provide evidence of how statutory remuneration arrangements have been interpreted and experienced by public universities following commencement of the Act. Official documentary sources are generally prioritised where they provide direct evidence of institutional policy, regulatory decisions or implementation experience (Bowen, 2009).

Academic literature was selected according to its substantive relevance to the research problem. The principal inclusion themes were public-sector remuneration, higher education governance, academic labour markets, employee retention, turnover, institutional autonomy, performance management, remuneration competitiveness and labour mobility. Foundational theoretical works were retained where necessary to establish the conceptual basis of Institutional Theory and Labour Economics Theory, while more recent empirical and policy literature was used to contextualise contemporary workforce and higher education challenges (Scott, 2014; Borjas, 2016).

The selection process was guided by four principal criteria: relevance, authority, temporal appropriateness and evidentiary value. Priority was given to primary legislation and official institutional documents for legal and implementation claims, peer-reviewed literature for theoretical and empirical claims, and recent publications for contemporary developments. Older sources were retained where their theoretical or legal significance remained foundational. This approach seeks to minimise reliance on general commentary while ensuring that the analysis is grounded in authoritative and substantively relevant evidence.

Institutions Examined

The study focuses principally on the Emoluments Commission as the statutory institution responsible for remuneration governance and on public universities whose employment and remuneration arrangements fall within the relevant regulatory framework. Particular attention is given to documented experiences involving the University of Zambia, Copperbelt University and Mukuba University, where reliable documentary evidence concerning remuneration, recruitment, retention, institutional flexibility or related workforce matters was available.

The selection of these institutions is purposive rather than representative. They are examined because their documented experiences provide relevant illustrations of the interaction between central remuneration regulation and the operational requirements of public higher education. The study does not claim that the experiences of these institutions represent all Zambian public universities. Rather, they are used as illustrative institutional cases through which the broader legal and theoretical issues can be examined.

The Emoluments Commission is analysed as the principal regulatory actor because the Act assigns it functions relating to remuneration policy, determination, harmonisation, rationalisation, review, research, monitoring and compliance (Government of the Republic of Zambia, 2022). Public universities are examined as institutional actors that must operate within this regulatory environment while simultaneously responding to academic labour-market conditions, organisational requirements and workforce expectations. This institutional relationship is particularly relevant to Institutional Theory, which conceptualises organisations as operating within formal regulatory environments that shape legitimate structures and practices (Scott, 2014).

Analytical Procedure

The documentary and legal evidence was analysed in four interconnected stages.

First, statutory mapping was undertaken to identify and classify the principal provisions of the remuneration framework according to their institutional and regulatory functions. Particular attention was given to provisions concerning institutional authority, remuneration determination, review procedures, retention, scarce skills, labour-market evidence, exceptional remuneration, reporting and compliance. This stage established what the law expressly permits, requires or restricts (Government of the Republic of Zambia, 2022).

Second, institutional implementation evidence was examined to identify documented experiences following commencement of the Act. The analysis focused on evidence relating to recruitment delays, remuneration competitiveness, scarce skills, salary structures, workforce turnover, vacancies, institutional flexibility and interactions with the regulatory framework. Documentary evidence was treated cautiously, with institutional claims distinguished from independently established findings. This approach is consistent with documentary-analysis methodology, which requires attention to the purpose, provenance, context and limitations of documents rather than treating all documentary statements as equivalent evidence (Bowen, 2009).

Third, the evidence was interpreted through Institutional Theory and Labour Economics Theory. Institutional Theory was used to analyse how statutory rules and regulatory structures shape organisational behaviour, authority and institutional autonomy (Scott, 2014). Labour Economics Theory was used to examine the potential relationship between remuneration, labour-market competition, employee mobility, recruitment and retention (Borjas, 2016). The combination of the two perspectives permits analysis at both the institutional and individual labour-market levels.

Fourth, the legal, documentary and theoretical findings were synthesised into a proposed regulated-flexibility model of remuneration governance. The model seeks to reconcile two potentially competing public-policy objectives: the need for central regulation to promote equity, fiscal sustainability, transparency and accountability, and the need for public universities to respond to discipline-specific labour markets, scarce skills and institutional workforce requirements. The synthesis therefore does not assume that either centralisation or institutional autonomy is inherently superior. Instead, it examines the conditions under which central regulation can coexist with controlled institutional discretion.

Throughout the analysis, the study maintains an explicit distinction between (i) what the law provides, (ii) what public universities have reported or documented, and (iii) what may reasonably be inferred from the interaction between the legal framework and institutional evidence. This distinction is critical to the credibility of the analysis because documented institutional difficulties cannot automatically be attributed to the Emoluments Commission Act without appropriate empirical evidence.

The analytical process consequently supports a mechanism-based interpretation rather than an unsupported causal claim. For example, where documentary evidence demonstrates delays in obtaining approval for exceptional remuneration, the study may reasonably identify regulatory timeliness as a potential mechanism affecting recruitment competitiveness. It does not, however, conclude that such delays caused a specific level of staff turnover unless that proposition is supported by appropriate empirical evidence.

Methodological Limitations

The methodology has several limitations that should be recognised. First, documentary evidence is dependent on the availability, completeness and reliability of published institutional and regulatory records. Some university-level remuneration and workforce information may not be publicly accessible. Second, institutional documents may reflect the perspectives or interests of the organisations producing them and therefore require contextual interpretation. Third, the study does not employ a nationally representative university-level dataset and therefore cannot statistically generalise its findings to all public universities in Zambia.

Fourth, because the principal objective is legal and conceptual analysis, the study does not estimate the causal effect of the Emoluments Commission Act on turnover, recruitment or retention. Such effects would require longitudinal quantitative data comparing relevant workforce outcomes before and after implementation, preferably with appropriate controls for discipline, institution, rank, labour-market conditions and other confounding factors. The absence of such evidence is therefore treated as a limitation rather than filled through assumption.

Notwithstanding these limitations, combining doctrinal legal analysis, systematic documentary review, institutional evidence and theoretically informed interpretation provides a suitable methodological foundation for examining the relationship between statutory remuneration governance and workforce stability in public higher education. It also provides a basis for identifying propositions that can subsequently be tested through quantitative and mixed-method empirical research.

THE LEGAL ARCHITECTURE OF STATUTORY REMUNERATION GOVERNANCE

Constitutional and Statutory Foundation

The Emoluments Commission is constitutionally established under Article 232 of the Constitution of Zambia. The Emoluments Commission Act, 2022 operationalises this constitutional architecture and establishes a framework governing the determination and management of emoluments in State organs and State institutions. The Act's stated purpose expressly includes enhancing the capacity of institutions to attract, retain and motivate suitably qualified personnel, (the Emoluments Commission Act No. 1 of 2022).

Section 3 provides that, subject to the Constitution, where the Act is inconsistent with another written law concerning the determination of emoluments, the Act prevails to the extent of the inconsistency. This provision as the supremacy clause gives the Act substantial normative force. It means that university remuneration arrangements cannot be understood solely through institutional statutes or employment policies where the matter falls within the statutory remuneration framework. The legal position is therefore best characterised as layered governance. Public universities continue to operate under higher education legislation and institutional governance structures, but remuneration determination is situated within a superior national regulatory structure, (the Emoluments Commission Act No. 1 of 2022).

Institutional Governance and the Commission's Role

Section 5(1) provides that the Commission shall determine, harmonise and rationalise emoluments for chiefs and officers in State organs and State institutions. Its statutory functions include formulating and reviewing pay policy, issuing remuneration guidelines, undertaking remuneration research, establishing determination frameworks, coordinating job analysis and monitoring compliance. Importantly, section 5(5) provides that the Commission shall not engage in negotiating a salary or condition of service for a chief or officer, (the Emoluments Commission Act No. 1 of 2022).

The legal architecture therefore distinguishes negotiation from statutory determination and oversight. This is important for universities because collective bargaining does not disappear simply because the Commission exists. Rather, bargaining occurs within a regulatory environment in which the resulting remuneration proposals must comply with the statutory framework. Section 36 further provides for the transition of remuneration authority following commencement of the Act, indicating the extent to which the legislation was intended to restructure the previous remuneration architecture, (the Emoluments Commission Act No. 1 of 2022).

RETENTION, SCARCE SKILLS AND LABOUR-MARKET RESPONSIVENESS

The strongest argument against viewing the Act as a purely rigid centralisation measure is found within the Act itself. Section 15 requires the Commission, in determining emoluments, to consider retention of officers and staff possessing requisite qualifications and skills, efficient performance, responsibility, macroeconomic stability, affordability and sustainability. This provision is significant because retention is not merely a policy preference external to the legislation; it is an express statutory consideration. Section 17 goes further by requiring special reviews to attract and retain critical or scarce professional skills or to compensate for increased living costs. The special-review mechanism does not replace the normal two-year review cycle but operates alongside it, (the Emoluments Commission Act No. 1 of 2022).

For public universities, this provision has considerable significance. Academic disciplines are not equally positioned in labour markets. Medical specialists, engineering academics, advanced information-technology specialists, actuarial experts, certain natural scientists and other highly specialised professionals may have substantial opportunities outside public universities. The Act therefore permits a differentiated response in principle. The practical issue becomes whether the institutional evidence necessary to activate that flexibility is generated, submitted and processed effectively.

EVIDENCE-BASED REMUNERATION DETERMINATION

Sections 18–22 establish an unusually important evidence architecture. Before undertaking the regular review, section 18 requires a study of labour-market efficiency and dynamics and a survey of prevailing economic conditions. The resulting findings are intended to form the basis for the review. Section 20 requires relevant authorities to consider, among other factors:

i. job evaluation;
ii. performance and productivity;
iii. comparative labour-market surveys;
iv. affordability and institutional resources;
v. regional and international remuneration;
vi. equity and competitiveness; affordability and sustainability of proposed emoluments, and available funds within the approved budget of a State organ and State institution;
vii. national priorities and human-resource strategy;
viii. existing salary structures; and
ix. any other matter relevant to the determination of emoluments.

Section 21 additionally requires annual submission of prevailing remuneration data. The implication for universities is profound. Institutions should not approach remuneration discussions primarily through generalised claims that salaries are inadequate. They should develop sector-specific labour-market intelligence demonstrating:

i. discipline-specific vacancy rates;
ii. time-to-fill vacancies;
iii. unsuccessful recruitment exercises;
iv. resignation and turnover patterns;
v. counter-offers and declined appointments;
vi. salary differentials with competing institutions;
vii. international and regional benchmarks;
viii. promotion and progression delays;
ix. salary compression;
x. workload indicators; and
xi. the financial and academic consequences of workforce instability.

The statutory architecture therefore provides a legal basis for evidence-led institutional advocacy, (the Emoluments Commission Act No. 1 of 2022).

EXPERT RECRUITMENT AND REGULATORY RESPONSIVENESS

Section 24 provides that where a relevant authority seeks to engage an expert whose proposed emoluments are likely to fall outside the authority's remuneration structure; the matter must be referred to the Commission. The expert must also be recruited in accordance with the laws of Zambia. Section 25 separately provides that a relevant authority may make a written application to the Commission seeking guidance or advice on emoluments accruing to officers and staff, (the Emoluments Commission Act No. 1 of 2022).

These provisions create a controlled mechanism for differentiated remuneration, but they also create a potential administrative bottleneck. The issue is particularly acute in public universities because recruitment is timesensitive. A highly specialised candidate may simultaneously receive offers from several universities, international institutions, research organisations or private-sector employers. A regulatory process that takes substantially longer than the competing labour market may effectively reduce the institution's ability to recruit. The relevant policy question is therefore not whether central review should exist. Fiscal and equity safeguards justify review. The question is whether the speed of regulatory decision-making is compatible with the speed of the labour market.

INSTITUTIONAL THEORY AND LABOUR ECONOMICS THEORY

Institutional Theory

Institutional Theory explains how formal rules shape organisational behaviour. Universities operate within regulatory environments that define legitimate structures, procedures and decision-making boundaries. The Emoluments Commission Act is therefore not simply remuneration legislation; it is an institutional mechanism that reshapes the incentives and constraints under which university councils and principal officers operate. The Act may produce positive institutional effects by reducing arbitrary disparities, promoting transparency, strengthening fiscal discipline and establishing common remuneration principles. At the same time, institutional conformity can become counterproductive where standardisation prevents organisations from responding to materially different labour-market conditions, (Scott, 2014).

The central institutional proposition is therefore:

The effectiveness of statutory remuneration regulation depends on whether regulatory standardisation is accompanied by transparent, evidence-based and timely mechanisms for legitimate institutional differentiation (Scott, 2014).

Labour Economics Theory

Labour Economics Theory focuses attention on the behaviour of workers and employers in labour markets. Employees compare the expected benefits and costs of remaining with their current employer against alternative opportunities. For scarce academic skills, remuneration is part of that calculation. However, the employment decision also incorporates career progression, research opportunities, professional autonomy, workload, institutional reputation and working conditions, (Stevens, 2004; Hom et al., 2017).

The labour-market proposition is therefore:

Where public-university remuneration and employment conditions fall materially below credible alternative opportunities for scarce skills, the probability of recruitment difficulty and voluntary mobility increases, although the strength of this relationship varies according to discipline, labour-market conditions and individual circumstances, (Stevens, 2004; Hom et al., 2017).

Integration of Institutional Theory and Labour Economics Theory

The two theoretical perspectives provide complementary levels of analysis. Institutional Theory explains the regulatory and organisational constraints within which universities make remuneration and workforce decisions, whereas Labour Economics Theory explains how employees respond to the resulting employment conditions and competing labour-market opportunities (Scott, 2014; Hom et al., 2017). The interaction can therefore be conceptualised as a three-level process: statutory regulation → institutional remuneration and employment practices → employee labour-market responses.

Under this integrated perspective, central remuneration regulation can promote workforce stability by establishing equitable, predictable and fiscally sustainable remuneration standards. However, its effectiveness depends on whether universities retain sufficient capacity to respond to discipline-specific labour-market conditions, particularly where scarce skills face strong competition from alternative employers (Christensen, 2011). Institutional flexibility therefore functions as an important connecting mechanism between regulatory design and workforce outcomes.

The article's principal analytical proposition is consequently:

Central remuneration regulation is more likely to improve workforce stability when it establishes equitable and fiscally sustainable standards while retaining sufficient institutional responsiveness to discipline-specific labour-market conditions, scarce skills and legitimate differences in employment circumstances (Scott, 2014; Stevens, 2004).

This integrated proposition provides the theoretical foundation for examining whether the post-2022 remuneration governance framework has strengthened or constrained the capacity of Zambia's public universities to recruit, retain and motivate suitably qualified academic and professional personnel.

POST-2022 IMPLEMENTATION: EVIDENCE FROM PUBLIC UNIVERSITIES

The post-2022 evidence is particularly important because the legal framework should not be evaluated solely from the text of the statute.

University of Zambia

Documented reports concerning the University of Zambia indicate tensions between collective bargaining and the availability of remuneration parameters. According to reporting in 2025, unions submitted demands for improved conditions of service in June 2024, but management reportedly did not initiate negotiations because emoluments parameters from the Emoluments Commission had not yet been received. The report states that parameters were issued in January 2025 and that subsequent bargaining did not result in a salary adjustment. The unions characterised the outcome as a wage freeze and disputed the Commission's assessment of the university's financial position.

These reports should not be treated as conclusive proof that the Act caused the dispute. They do, however, provide evidence of an important implementation mechanism: the timing of regulatory parameters can affect the timing and substance of institutional collective bargaining.

Copperbelt University

Copperbelt University provides another documented example. In July 2024, unionised workers reportedly undertook a peaceful sitting protest concerning unpaid gratuities and the stalled collective bargaining process. Reports also stated that the university had submitted parameters for consideration and that revised parameters were subsequently submitted to the Commission. Again, these reports establish an implementation experience rather than a causal finding. They nevertheless demonstrate the practical significance of remuneration governance for industrial relations, employee morale and institutional continuity.

Mukuba University

Mukuba University's strategic planning documentation provides a further institutional perspective. Its 2022–2026 Strategic Plan identifies attraction and retention of qualified staff as a strategic objective and records engagement with the Emoluments Commission concerning conditions of service. The document also records some staff-retention and welfare measures as pending Commission approval.

This evidence is significant because it demonstrates that remuneration regulation is not an abstract legal matter. It enters institutional strategic planning, staff welfare and workforce-retention processes.

Commission-Level Implementation

The Commission's own institutional evidence indicates that the post-2022 system has increasingly been built around research and evidence. Its 2024 Annual Report records completion of a study on labour-market dynamics and prevailing economic conditions and research on public-sector emoluments and international best practices. The Commission's 2025 Annual Report further identifies remuneration research, policy and planning, compliance monitoring, job analysis and salary-structure evaluation as core functions.

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This evidence is important because it complicates a simple narrative of centralised control. The institutional architecture is also developing a research-based remuneration function. The unresolved issue is whether that evidence-based capacity is sufficiently differentiated and sufficiently rapid to meet the needs of knowledge-

intensive institutions such as universities.

WORKFORCE STABILITY AS AN INSTITUTIONAL OUTCOME

Workforce stability should be understood as a multidimensional institutional outcome rather than merely the absence of resignations.

Relevant indicators include:

i. employee turnover;
ii. retention;
iii. vacancy rates;
iv. time-to-fill positions;
v. failed recruitment exercises;
vi. resignation rates;
vii. promotion-processing time;
viii. staff mobility;
ix. establishment utilisation;
x. academic-to-student ratios;
xi. staff morale;
xii. organisational commitment; and
xiii. continuity of teaching, research and postgraduate supervision.

This broader conceptualisation is supported by the higher education literature. Research on academic staff demonstrates that organisational commitment, self-efficacy, workplace culture and employment conditions can influence turnover intentions alongside remuneration. Accordingly, a university may comply perfectly with a national remuneration framework while still experiencing workforce instability because of slow promotion, excessive workload, weak research support or poor leadership. The appropriate policy objective is therefore not simply salary maximisation, but competitive total employment value, (Hom et al., 2017).

SALARY COMPRESSION AND INSTITUTIONAL DIFFERENTIATION

Salary compression presents a particular challenge for public universities. Compression occurs where remuneration differences between positions become insufficient to reflect differences in qualification, scarcity, responsibility, experience or external market value. A harmonised framework can improve equity by reducing unjustified disparities. However, where compression becomes excessive, it may weaken incentives for advanced qualifications and make scarce-skill positions difficult to fill. The statutory framework already recognises this problem indirectly through its requirements concerning job evaluation, performance, productivity, comparative labour markets, competitiveness and international remuneration, (Ssemugenyi, 2021; Stevens, 2004).

The policy challenge is therefore to distinguish between unjustified inequality and justified differentiation. A professor in a highly specialised field who can readily obtain employment internationally may legitimately require a different remuneration response from an occupation facing little external competition. Such differentiation does not necessarily contradict equity. Properly designed, it can be an instrument of equity because it recognises materially different labour-market conditions, (Ssemugenyi, 2021; Stevens, 2004).

A FRAMEWORK FOR EVALUATING REMUNERATION GOVERNANCE

The article proposes a Regulated Flexibility Model consisting of five elements.

National Standards

The Emoluments Commission should retain responsibility for:

i. national remuneration principles;
ii. equity;
iii. affordability;
iv. fiscal sustainability;
v. job evaluation;
vi. pay-policy standards; and
vii. national remuneration benchmarking.

Institutional Evidence

Universities should be required to submit evidence demonstrating:

i. recruitment difficulty;
ii. scarce-skill status;
iii. turnover;
iv. vacancy duration;
v. market salary differentials;
vi. institutional affordability; and
vii. expected service-delivery consequences.

Controlled Differentiation

Universities should be able to request approved market supplements or differentiated remuneration for demonstrably scarce skills within transparent national rules.

Expedited Regulatory Review

Scarce-skill applications should be subject to defined processing periods. Regulatory responsiveness should itself become a performance indicator.

Monitoring and Review

Approved differentiation should be time-bound and reviewed against measurable outcomes such as recruitment success, retention and vacancy reduction. This model avoids two equally problematic extremes: unrestricted institutional discretion and inflexible centralisation.

PROPOSED EVALUATION FRAMEWORK

Although this article is doctrinal and conceptual, the statutory propositions can be tested through a subsequent mixed-methods study. A longitudinal dataset covering the period before and after commencement of the Act should include:

i. turnover rate;
ii. retention rate;
iii. vacancy rate;
iv. establishment utilisation;
v. time-to-fill;
vi. failed recruitment exercises;
vii. resignation rates;
viii. promotion-processing time;
ix. salary compression indicators;
x. staff mobility;

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xi. academic-to-student ratios; and
xii. discipline-specific staffing shortages.

Turnover may be calculated as:

Turnover Rate = (Number of separations ÷ Average workforce) × 100

Establishment utilisation may be expressed as:

Establishment Utilisation = (Filled positions ÷ Approved establishment) × 100

A subsequent empirical study could examine relationships between remuneration competitiveness, institutional flexibility, perceived fairness, career progression and workforce stability through correlation and multiple regression.

For binary outcomes such as intention to remain or leave, logistic regression would be appropriate. Mediation analysis could examine whether perceptions of fairness or motivation mediate the relationship between remuneration governance and workforce stability. Moderation analysis could test whether institutional flexibility changes the strength of the relationship between remuneration governance and retention. However, these methods should be presented as a proposed empirical research agenda, not as evidence already generated by the present doctrinal study. No causal effect should be claimed without analysis of actual longitudinal workforce data, (Snyder, 2019).

POLICY IMPLICATIONS

Five policy implications follow from the analysis.

i. First, the Emoluments Commission should operationalise the scarce-skills provision through transparent and predictable criteria. Section 17 already provides a statutory foundation for this approach, (the Emoluments Commission Act No. 1 of 2022).
ii. Second, annual remuneration data required under section 21 should be transformed into a national labour-market intelligence system capable of identifying discipline-specific shortages, salary compression and recruitment and retention risks, (the Emoluments Commission Act No. 1 of 2022).
iii. Third, universities should be required to develop evidence-based remuneration submissions rather than relying primarily on generalised claims of inadequate pay.
iv. Fourth, exceptional remuneration processes should include defined service standards. The time taken to consider scarce-skill referrals should be measurable because regulatory delay can have labour-market consequences.
v. Fifth, remuneration should be integrated with broader retention strategies involving career progression, research support, workload management, professional development, leadership and recognition.

CONCLUSION

The Emoluments Commission Act No. 1 of 2022 represents a significant transformation of Zambia's statutory remuneration architecture. Its objectives equity, rationalisation, sustainability, performance and retention are not inherently incompatible. The central challenge lies in implementation. The doctrinal analysis demonstrates that the Act should not be reduced to a model of rigid centralisation. Sections 15 and 17 expressly recognise retention and scarce professional skills; sections 18 to 22 require labour-market and economic evidence and permit consideration of competitiveness and regional and international remuneration; section 24 provides a mechanism for referral where an expert's proposed remuneration falls outside an institution's structure; and section 25 permits relevant authorities to seek guidance from the Commission, (the Emoluments Commission Act No. 1 of 2022).

Post-2022 evidence from public universities nevertheless demonstrates that remuneration regulation interacts directly with collective bargaining, salary progression, staff welfare and institutional workforce management.

The University of Zambia and Copperbelt University experiences indicate that delays and disagreements surrounding remuneration parameters can have consequences for industrial relations, while Mukuba University's strategic plan demonstrates that Commission engagement has become embedded in institutional workforce planning.

The central policy conclusion is therefore that Zambia does not require a choice between central control and university autonomy. It requires regulated institutional flexibility. The Emoluments Commission should retain responsibility for national equity, fiscal sustainability, remuneration standards and accountability, while public universities should be enabled within transparent national parameters to respond rapidly to demonstrable scarce-skill and discipline-specific labour-market pressures. Such a model would better reconcile the institutional objectives of fiscal discipline and equity with the labour-market realities of contemporary higher education.

Ultimately, the success of statutory remuneration governance should not be measured only by the uniformity of salary structures or containment of the public wage bill. It should also be measured by whether public institutions can recruit the right people, retain critical expertise, sustain institutional knowledge and deliver high-quality public services. In the higher education sector, remuneration policy is therefore not merely a question of expenditure control. It is a question of institutional capacity, labour-market competitiveness and national development.

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