

# The Worker

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Voice of the Labour Movement

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# Stop violence - Moyo

BY STAFF REPORTER

**T**HE country's most representative labour body, the Zimbabwe Congress of Trade Unions has taken a swipe at political leadership for failure to deal with politically motivated violence that is rising as the country gears up for a decisive plebiscite later this year.

"ZCTU is concerned that in some sections of government, it is business as usual with national leaders seemingly paying lip service in calling for cessation to violence. The escalation in the number of politically motivated violence incidents reminiscent of the June 2008 elections is a cause for concern to the working people of Zimbabwe coupled with the continued harassment of civic society organizations and their leaders," said ZCTU Secretary General Japhet Moyo.

The ZCTU calls come after chilling and gory details of an arson attack on the Maisiri family of Headlands claimed the life of their son Christpower. In the past months there have also been unbridled raids, harassment and arrests of civic society leaders.

Says Moyo: "The election season is upon us and instead of Zimbabweans looking forward to choosing national leaders of their choice freely, they are dreading the whole process. Prospects of a free and fair harmonized election are fast fading given the insincerity of political leadership in dealing with violence.

ZCTU believes the re-emergence of politically motivated violence could have been stemmed if the country had gone through a process of sincere truth finding, justice, reconciliation and reparations for violent incidents of the past. The lack of

security, state institutions and media reforms have further compounded the issue of political violence with traces of institutionalised violence and hate speech in media continuing.

Moyo warned that the country could be thrown into turmoil if communities were to retaliate against perpetrators of violence.

"The ZCTU fears a situation where communities will be forced to retaliate as this will spell more doom for the country. The ZCTU would like to urge those who have been brutalized to remain strong and resolute and not be apologetic for supporting a political party of their choice," he said.

He accused the political leadership of placing personal and narrow political interests ahead of the interests of the masses.

"Zimbabweans need to go to the polls under a peaceful environment. The country's political leadership should commit themselves to consolidating, defending and maintaining democracy, peace, security and stability and this should go beyond grandstanding in the media," said Moyo.

Farai Maguwu of the Centre for Natural Resources Governance (CNRG) says elections in Zimbabwe have always been synonymous with violence.

"Violence in Zimbabwe has always been cyclical, scaling up ahead of elections, reaching a climax during the elections and de-escalating after elections. Dates for the harmonized elections have not yet been announced. There is a high likelihood of widespread violence once the election dates have been announced. Violence physically destroys victims and kills the conscience of perpetrators, leaving society in a state of decay," said Maguwu in a statement released by his organization.

CNRG also called on the Southern African Development Community, the guarantor of the Global Political Agreement which gave birth to the Inclusive Government running the affairs of Zimbabwe to take the Christpower Maisiri incident as a wake-up call and ensure that a peaceful environment prevails before the holding of harmonized elections.

Heal Zimbabwe Trust an organization working on peace building says it undertook



Japhet Moyo - ZCTU Secretary General

an exercise to collect, analyse and verify cases of politically motivated violence and other human rights violations that threatened or derail peace building and national healing initiatives across the country.

"In the year 2012, Manicaland and Masvingo provinces recorded the highest cases of politically motivated violence while Mashonaland West, Harare and Matabeleland provinces recorded the least cases for the year. The most common forms of politically motivated human rights violations in the period under review were intimidation, harassment and assault. The parties involved in most cases were MDC T and ZANU PF members. The 2008 political violence that left close to 300 people dead and thousands displaced was in the period under review used as a tool for continued intimidation," says part of the report released by Heal Zimbabwe Trust.

Meanwhile three United Nations Special Rapporteurs have also added their voices urging the Government of Zimbabwe to respect international human rights norms and standards pertaining to freedoms of association, of peaceful assembly and of expression in the run up to the constitutional

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## ZCTU endorses Draft Constitution



GEORGE NKIWANE

BY STAFF REPORTER

**W**ORKERS in Zimbabwe are expected to endorse the draft constitution after their labour body, the Zimbabwe Congress of Trade Unions (ZCTU), gave its nod to the draft following amendments by the Global Political Agreement (GPA) principals.

The ZCTU, President George Nkiwane, told The Worker that the changes by the principals did not sway the labour movement hence the decision by the ZCTU to urge workers to vote 'yes'.

"We reiterate our position that the draft is much better than the current constitution. The reason for voting YES is clear that even though the document is

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# NER train hundreds of workers

**T**he ZCTU North eastern region is currently holding awareness campaigns in the fields of labour law reform, gender and workers committee trainings and managed to reach hundreds of workers.

The regional paralegal officer Tecla Masamba said her team managed to reach-out to several companies from various sectors in Harare targeting different groups of workers in a few days.

"The Decisions for Life workplace meetings which were held last year reached out to more than 153 members within a period of three days during lunch breaks and managed to recruit 78 members 40 of them being young

women. It was an observation that funds permitting the program was an effective way to have more members join the union as members wanted to learn more about sexual harassment as this was prevalent at the work place," she said.

Some of the companies which were reached during the exercise are Medtech Holdings, Agriseeds and Tynserve Wholesalers

In the Workers Rights Awareness workplace meetings which were held over 10 days the team which included Masamba, the NER Officer Nyikadzino Madzonga, Zimbabwe Metal, Energy and Allied Workers Union organiser D Mtasa, Cement, Lime and Allied Workers Union of Zimbabwe organiser Collin Gwirize, Zimbabwe Security

Guards Union organiser Ratidzo Gasva and Commercial Workers Union of Zimbabwe organisers Jokoniah Mawopa and Triffino Antonio visited 14 companies. The team managed to reach 323 members of which 132 were female members and 191 were male members.

She said they appraised workers on the current developments in labour law reform, the International Labour Standards, the outcome of the ILO Commission of inquiry and awareness on workers' rights and violations in Zimbabwe.

"Most of the workers that were reached were happy to know their rights put in summary document as this made the reading easier as some of the workers could not afford to buy the materials themselves. The programme was targeting workers with the intention to urge them to participate in decision making processes at all levels," she said.

She added that the programme also educated members on various issues as most of the workers are reluctant to visit the regional offices during the weekday because of financial constraints. It was an effective way to target members so that they are able to appreciate the role the labour movement is playing as far as advocating for the workers agenda.

She said the programmes were a very useful tool of recruitment and increased the visibility of the ZCTU and its affiliate unions in the industries.

"We had educational materials which proved to be very popular with the workers. Most of the workers have tight schedules and do not find time to visit union offices and such programmes presented them with opportunities to meet the union. We ended up handling grievances in some companies and in some instances management attended the meetings. This was good in that they also got education to reduce ignorance on labour issues," she said.

Masamba however said her team faced a lot of challenges in the execution of the programme especially from the employers and in some



Tecla Masamba - ZCTU NER Paralegal Officer

## Cabinet fails to adopt Labour Act draft principles

BY CHRISTOPHER MAHOVE

**T**HE Zimbabwe Congress of Trade Unions (ZCTU) has expressed concern that cabinet is yet to adopt the draft principles governing the Labour Act which were agreed to by labor, business and the government, with only a few months left before the end of the tenure of the inclusive cabinet. The adoption of the principles would have paved way for the speedy implementation of the Labour Law reforms, which were part of the GNU's 100 day plan it drew up when it assumed office in 2009.

ZCTU Legal Advisor, Zakeo Mtimtema, said although the social partners in the Tripartite Negotiating Forum had come up with a draft of principles governing the Labour Act, which were in line with ILO recommendations, the Ministry of labour had failed to push for its adoption by Cabinet.

"To us the process is taking too long and our fear is that the inclusive government is coming to an end without anything meaningful for the workers," he said.

Responding to a letter by the ZCTU dated October 23, 2012, on the issue of labour law reforms, the Acting Minister of Labor, Lucia Matibenga, admitted there was no movement on the issue of labour law reforms.

She said the draft principles were still at cabinet where they had been submitted for consideration following the conclusion of the tripartite consultations.

"I wish to inform you that the Attorney General's office is working on the draft bill for the TNF and not one for labour law reforms as you were made to understand since cabinet has not concluded its deliberations for the latter. You will be duly informed upon conclusion of cabinet deliberations," she wrote in a letter to the ZCTU dated October 29, 2012.

The ILO Commission of Inquiry recommended that the government of Zimbabwe



Paurina Mpariwa  
Min of Labour  
and Social Services

reform the Labor Act and the Public Order and Security Act to bring them in conformity with ILO Conventions 87 and 98 which guaranteed the freedom of association and the protection of the right to organize and the right to organize and collective bargaining respectively.

It also recommended that Harare stops the arbitrary arrests, torture and detention of trade unionists and activists and close all outstanding court cases against trade unionists.

The Minister of Labour, Paurina Mpariwa, could not be reached for comment as her mobile phone was not reachable.

The ZCTU has been lobbying, without success, for government to reform the country's labour laws, as workers rights continued to be violated.

The reforms were also in line with the recommendations by the International Labour Organisation's Commission of Inquiry, which observed rampant abuse of trade unionists.

The Commission concluded that there were systemic and systematic violations of the conventions on Freedom of Association and Plan, Protection of the Right to Organise (Convention 87) and Convention 98 on the Right to Organise and Collective Bargaining. undertook to reform labor laws.

## ZCTU endorses Draft Constitution

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not perfect, it is far much better than the current Constitution," he said.

Last year, the ZCTU general council endorsed the draft constitution but warned that if the principals to the GPA made fundamental changes, the labour body had the right to change its position.

"...we have looked at the current draft which we feel is acceptable and we therefore urge our members to support it by voting 'yes' in the coming referendum. We are aware that there are sections of our community who are not happy with some of the issues. This, we feel should be left to the people of Zimbabwe to decide, rather than a small group," said Nkiwane

In its critique of the draft constitution, the ZCTU noted that for a long time it has been demanding for the recognition of socio-economic rights such as the right to food security and water, right to education, right to shelter, right to health services, right to social welfare, and the employment creation. The ZCTU

instances the members themselves.

"The major challenge that was faced as facilitators was that employers were not keen to release their workers for the programmes. The target group was asked to remain behind and was eager to learn more about the Decision for Life program and how as young women it is important to participate in all areas that affect their lives," she said.

She said some employers in the security industry demanded that organizers obtain written permission

from their head offices before entering their premises. "Some of the workers were not interested to fill in their details and unions on some of the forms while others refused to attend the meetings for the fear of being victimized by their employers. There needs to be a paradigm shift and employers should appreciate the role of the trade union and stop victimizing workers for exercising their rights," she said.

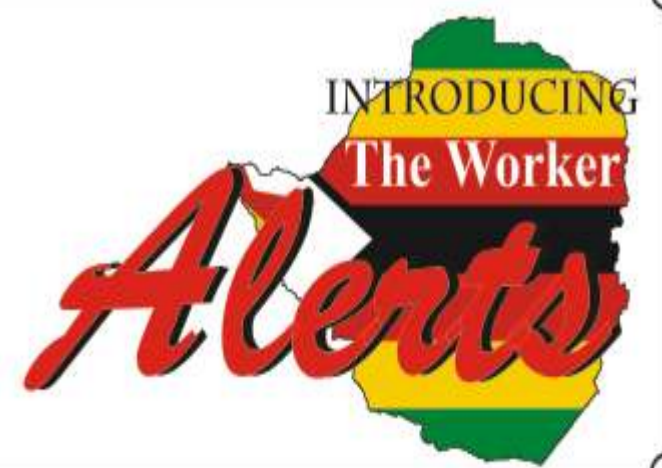
applauded the draft for making a provision on these.

The labour movement was also happy that the draft constitution recognizes the fundamental rights of workers such as the right to participate in collective job action, including the right to strike, sit in, withdraw their labour and to take other similar concerted action and the right to collective bargaining, full employment; the right to fair and safe labour practices and standards and to be paid a fair and reasonable wage and the right to form and join trade unions and employee or employers' organisations of their choice.

The draft constitution also has important fundamental human rights such as the right to life, personal liberty, human dignity and personal security among others. However, the ZCTU is not happy with some provisions. These include the failure by the draft to allow automatic domestication of international instruments once Zimbabwe has ratified them. The ZCTU also wants an unequivocal banning of the death penalty.



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# DW country programme launched

**T**HE Government has committed itself to economic growth and coming up with various policies in order to protect the welfare of workers.

Speaking at the launching ceremony of Zimbabwe's Decent Work Agenda (DWA) for the years 2013 to 2015 Deputy Prime Minister Authur Mutambara said it was the government's responsibility to ensure that it puts in place appropriate policies that will ensure the success of the programme.

"The government is committed to the meaning of the programme, to us the framework or the ecosystem which is labour, employers and government is very important and should continue to be promoted. This Decent Work programme means productivity and to ensure that many in Zimbabwe are given an opportunity freedom at the shop-floor. We will do whatever we can to enable freedom and equity at the shop-floor. This productive work concept should result in the adoption of global best practices of international labour standards in Zimbabwe," he said.

He said international labour standards must be the way of life at the workplaces adding that dialogue should take place to foster and bring sustainable economic development in Zimbabwe.

"This programme also means social protection in every sector and needs to be executed, we just don't like unimplemented documents. Resources must be put in place to implement this programme," said Mutambara.

He emphasized that parties should have clearly defined roles and promote effective monitoring and evaluation of the programme.

Mutambara urged workers to constantly improve on their skills so that they can be employable in a fast changing world and also urged employers to regard labour as an important component in the world of work. The Zimbabwe Congress of Trade

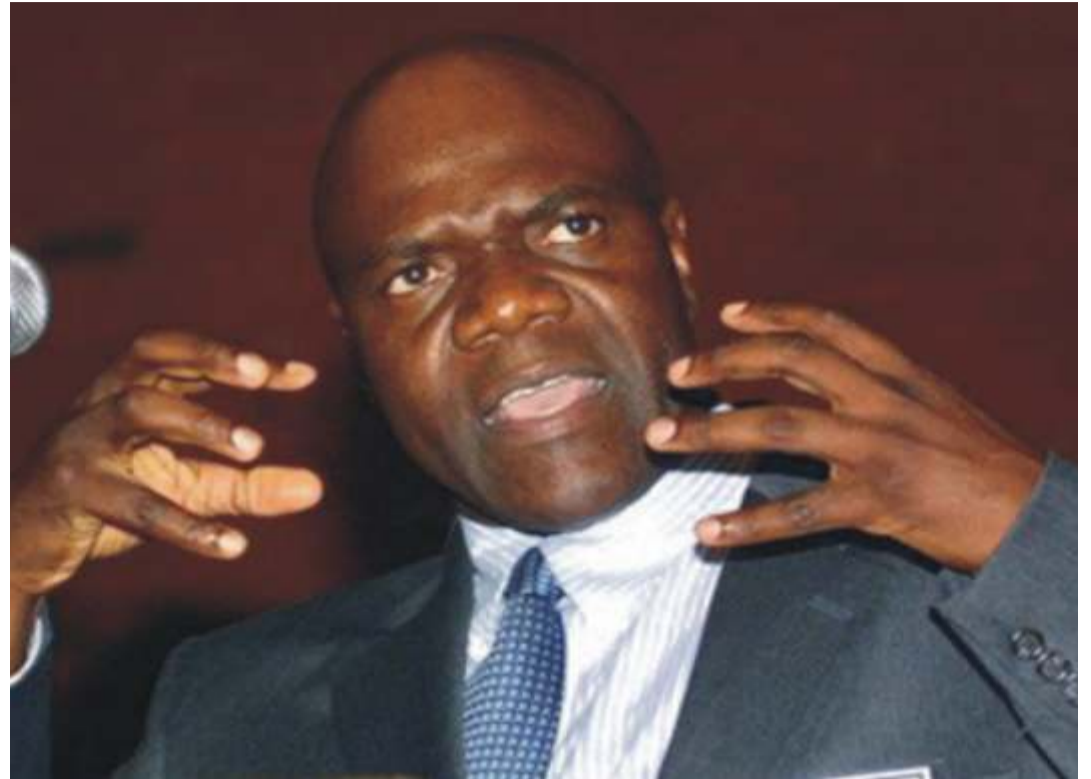
Unions president George Nkiwane said for the labour movement, the journey will only be complete when we have mainstreamed Decent Work throughout Zimbabwe and when Decent Work becomes the driving force in all programmes and policies we implement as a country.

"We will not compromise because this is a programme that creates benchmarks for the lives of Zimbabweans and determines the future.

We underscore the need for a political frame work conducive for achieving Zimbabwe Decent Work Country Program objectives. We need; a political attitude which values the 4 pillars of decent work and priority areas in a principled manner, an embodiment of a performance management framework that is based on achievement of results and a change of behavior to that which directs this economy on a developmental path which is inclusive, redistributive, productive in a poverty reduction and gender sensitive manner," he said.

He bemoaned several negatives hampering progress such as massive company closures, retrenchments where officially in 2012 more than 4 000 workers were retrenched.

"The programme that we are gathered to launch today is a good illustration of what we can achieve when we work together as social partners. This is a programme that labour, government and business are proud to identify with, we all take proud ownership of its development and we do hope that as we implement it, we will do it collectively. Tripartism and social dialogue are fundamental tools to strengthen confidence and we look forward to having a legislated social dialogue platform, that is, the Tripartite Negotiating Forum



Deputy Prime Minister - Arthur Mutambara

(TNF)," he said.

He urged the government to consider funding the programme through the fiscus.

"The Programme is not an independent developmental programme but it is a programme that has been developed by the tripartite partners with active participation of government. It is therefore our strong conviction as labour that this national development plan should be considered in the national budget. It is a plan that has been developed by Zimbabweans

for Zimbabweans hence our entreaty that government should financially support the programme through the fiscus," he said.

Nkiwane urged parties to the TNF to put in maximum effort to the implementation of this country programme and be responsible in their approaches for the success of the initiative.

The occasion was also used to launch the youth employment programme.

## Stop violence - Moyo

From Page 1

referendum and harmonized elections to be held later this year. "In the context of proposed constitutional reforms and the elections, it is disturbing and shocking to learn that civil society organizations that have been operating for years, including election monitoring groups which aim to promote free and fair elections, have been searched by police," said the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai. "Search procedures must not be applied selectively, and the right to privacy needs to be respected. Otherwise, the independence of associations and the safety of their members will be seriously at risk," he emphasized. "With the referendum less than two weeks away, human rights defenders who promote participation have a critical role to play," added the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, while expressing alarm at the apparent on-going crackdown against rights defenders. "They must be protected by the Government and attempts to stifle criticism must end," she urged. "The on-going practice of arrests against the activists could seriously hamper the right to freedom of expression," stressed the Special

Rapporteur on the right to freedom of opinion and expression, Frank La Rue. "The Zimbabwean authorities must ensure that such measures are applied in accordance with international standards and everyone is guaranteed the right to speak freely without fear of persecution, arrest and intimidation." The three independent human rights experts expressed serious alarm that the increase in attacks against civil society actors coincided with the official announcement that 16 March had been set as a date for the constitutional referendum. "We urge the authorities to take all relevant measures to ensure everyone's voice is heard, in view of the recurrence of acts of intimidation and harassment against those exercising their rights to freedom of peaceful assembly and of association, which are essential components of democracy," they underscored. The Special Rapporteurs noted that constitutional referendum and elections are a unique opportunity for the authorities to promote and ensure the participation of all. "We stand ready to provide any assistance to contribute to the protection of fundamental freedoms in Zimbabwe, including through a country visit," they said.

## Federation of Food and Allied Workers Union of Zimbabwe



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**Kwira Mudzimai Kwira - Pachigaro**

# The Worker

Voice of the Labour Movement

## Comment

### Vote out violence

As the country moves towards elections, we join the rest of the progressive world in condemning the ugly head of violence that has started to rear its head once more. Surely we don't understand why some Zimbabweans think that only through violence and the spill of blood can they win power.

Since 1980, it seems it has now become a culture of unleashing violence whenever Zimbabwe goes to a plebiscite. Some political parties have it in their campaign strategy not only to beat and torture the electorate to win votes, but also to murder in the name of votes. The strategy is simple: victims of violence will simply shun the ballot box thereby enhancing their chances of winning. But that is a stupid strategy that worked long back and it needs to be stopped forthwith.

As we report elsewhere in this publication, the ZCTU has expressed serious concern with the escalating violence in the country that is already casting doubt on the credibility of the coming elections. We believe the biggest mistake made was to let those who were involved in the atrocities during 2008 elections to roam free without any prosecution. These people believe it is alright to be involved in violence as they are well protected; it is the same people again who have started to employ their violence strategy.

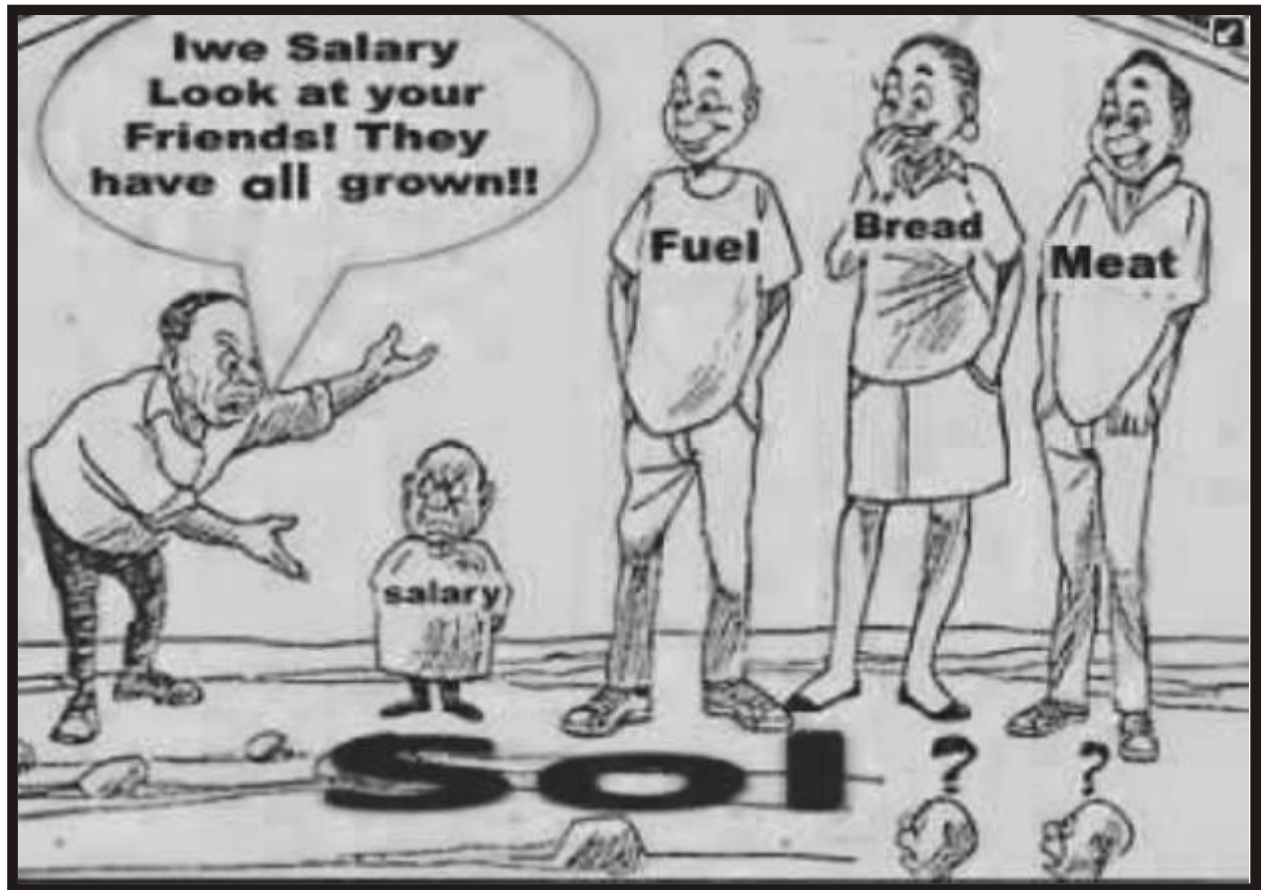
Indeed we are persuaded to agree with the assertion by the President of Botswana, Ian Khama, that as long as the 2008 institutions of violence and perpetrators of violence are still around, there is no hope for free and fair elections. It will not be surprising if the same people have perfected the art of violence.

More alarming is that State institutions like the police have brazenly supported Zanu PF to the extent that they have gone around harassing civic organizations in the name of Zanu PF. They have disgustingly confiscated some radios being distributed by civic organizations claiming that they broadcast hate language. Surely we wonder how police officers can, without shame, go on television to fight a Zanu PF battle?

Amazingly, countries that had imposed travel sanctions on the perpetrators of violence decided to lift them 'as a reward' for reforms that they claim have taken place. To us, it was more of an economic decision than anything else. They did not want to be left behind in the mineral scramble that is going on in Zimbabwe. For their efforts, the Vice-President Joice Mujuru announced that no western observer for the election would be allowed in Zimbabwe. It was a case of too soon.

It would be sad if Zimbabwe sinks to the 2008 era, where hundreds of lives were lost, simply because some politicians think the only way to win elections is through forcing the populace into submission. What this will mean is that we will remain a pariah state and with it goes economic prosperity.

It is a bleak year ahead of us. Zimbabweans are tired of violence and they would show this in the ballot. They must vote out anyone associated with violence.



## ZANU PF, MDC must walk peace talk

BY KIMION TAGWIREI

The talk of any elections in our beautiful Zimbabwe today leaves many peace-loving Zimbabweans shaking in fear as political parties have failed to guarantee peace before, during and after elections.

Most Zimbabweans seriously affected by past elections are still pained by unhealed wounds and government's unjustified failure to accomplish national healing left concerned people questioning if the inclusive government will do something to make the coming elections peaceful.

So far ZANU PF, MDC-T and MDC-M have not done anything tangible to show Zimbabweans that they care for people's lives as almost all well known violent politicians still walk free and look geared for some more terror just to secure their positions in government.

MDC-T spokesperson, Douglas Mwonozora however spoke positively in an interview with this paper that this time elections will be peaceful, "we have made sure that the constitution is operationalized. This time ZANU PF has no option on peace, ZANU PF is forced to be peaceful and Zimbabweans must know that peace is guaranteed."

Most Zimbabweans still cannot believe that ZANU PF can respect a constitution. "Can anyone believe that ZANU PF will respect a constitution? No! ZANU PF NO!" refused one senior MDC official who withheld his names in fear of victimization.

The main men on the hot chairs; President R.G Mugabe and Prime Minister Morgan Tsvangirai concur that peace is critical. They now talk the same language on peace but nothing much is done to satisfy worried Zimbabweans that the rivals can walk their talk come election time.

Unfortunately, the president preaches peace here and some of his party leaders and members allegedly victimize suspected opposition members, associations and sympathisers there! No one can now believe that the president means his words on peace when his party victimises innocent people. No one can trust Prime Minister Morgan Tsvangirai if he keeps lamenting peace while his party leaders and members threaten to fight when ZANU PF tries winning support

through coercion repeating threats to win support.

Zimbabweans are a peace-loving people and Zimbabwe needs peace to rise from this difficult phase. Any move against peace just gets victims running away, unfortunately far away from home and families as well as the parties and their evil leaders who are hungry for support – violence is just disastrous.

ZANU PF and MDC ought to be working hard towards restoring peace, the rule of law, healthy economy and getting Zimbabweans to forgive and forget evil leaders and thugs responsible for past atrocities.

But the atrocious parties stick to the same bad, old bloody tendencies – using force to cling to power!

We are sick and tired of remembering our tragic past. We must be focussing on building the future but ZANU PF and MDC compel Zimbabweans to remember our painful history.

Flashbacks of year 2008 reign of terror, abductions, harassment and torture keep disturbing innocent ordinary Zimbabweans who are usually affected in almost every election time as political parties secure positions at the expense of human lives.

It is reported that ZANU PF has already dispatched numerous campaign groups feared as terror gangs in almost all provinces to instil fear in voters before elections. The same unwanted violent politics seems to be used again on tired Zimbabweans who wish peaceful, free and fair elections in their motherland.

ZANU PF spokesperson, Rugare Gumbo recently spoke out to this writer that ZANU PF is a peaceful party that abides by its clear policy, "ZANU PF is a peaceful political party that teaches people what it believes and no violence at all will be used in campaigning, if anything like violence rises then responsible people will always be brought to book..."

Well said Rugare Gumbo, if ZANU PF would live such words countless Zimbabweans who died just because they supported other political parties would not have died. Dozens of Zimbabweans who got maimed in the hands of suspected ZANU PF thugs would not have lost their promising lives.

Displaced families who were forced to go out of their way due to abnormal experiences caused by turbulent elections would be living well today in Zimbabwe.

ZANU PF's talks of peace contradict its actions in most provinces around the country. Victimisation and threats on opposition members and sympathisers still abound. MDC-T speaks the same way and leaves its candidates threatening battles too! It is well understandable that the maverick MDC-T men challenging people to fight back when threatened say they are tired of ZANU PF's brutality, but a war, if triggered, would not solve our problems. Battles are too destructive.

Some of the outspoken MDC giants reason that ZANU PF does not understand normal language of peace, "ZANU PF is a revolutionary party, it rose from war and it only understands battles, not talks..." Sounds true, but the same ZANU PF came to a power sharing agreement with MDC, though after a long and tiresome time. It is the winding talks that brought normalcy to Zimbabwe after 2008 presidential elections, not battles.

It might be hard to teach an old dog new tricks, but for the sake of life; Zimbabweans must remain still and teach our old politicians and upcoming potentials peaceful politics by keeping peaceful even when tempted. Many have died and some may still be maimed or killed but a bigger and regrettable number will go if Zimbabwe finds itself in a civil war.

It is undeniable that since time immemorial, ZANU PF politicians talk peace in bright light and walk violence in the dark. Resultant disturbances were, and are still very serious and effective responses should be lined on reminding ZANU PF and MDC to walk the talk of peace.

It is unbearable for MDC-T to speak so pleasantly about peace so much that one can smell peace in the coming elections but let in-house fights go uncontrolled. A big number of Zimbabweans still had hopes for a different Zimbabwe in MDC.

The rising reports of battles in MDC-T will eventually beget loss of trust. ZANU PF and MDC are leaving Zimbabweans wondering whether Zimbabwe will get well or not. The

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# ZCTU petitions Mpariwa to reconsider arbitrators' qualifications

**T**he Zimbabwe Congress of Trade Unions (ZCTU) has requested the Ministry of Labour to reconsider qualifications for arbitrators following new requirements which sidelined most arbitrators with labour backgrounds.

Speaking at the graduation of the 2012 paralegal class ZCTU president George Nkiwane said the new requirements which now require arbitrators to have a first degree as a blow to the ZCTU.

Previously one would become an arbitrator after doing the paralegal course and the post graduate diploma in arbitration with the University of Zimbabwe.

"We had many cadres who had done the two courses and were arbitrators however the new requirements now restricts most of them from practicing as arbitrators. As the labour movement we are worried with this development. We implore upon the minister of labour to consider the position," said Nkiwane.

He said the arbitrators from the labour movement have been doing a sterling job in the speedy resolution of disputes and the new requirements will work against dispute resolution.

Minister of Labour Paurina Mpariwa who was the guest of honour at the occasions acknowledged the new developments and promised to look into the issue.

"I am aware of the new requirements for arbitrators and I have also heard your concerns. The ministry will have a revisit into the matter and see how it can be resolved. I personally appreciate the work that is being done by arbitrators in the dispute resolution system," she said.

Meanwhile arbitrators are under fire for failing to

expedite the settlement of labour disputes because they award unrealistic and dubious figures, leading to more appeals piling at the Labour Court.

Justice and Legal Affairs Minister Patrick Chinamasa speaking at a business consultancy workshop last month said the move had failed to produce desired results.

"It would seem the expectation that the introduction of arbitrators would result in the expeditious settlement of employment disputes has not materialized. A considerable time of the Labour Court is taken up by the hearing of appeals from decisions of arbitrators," he said.

Minister Chinamasa said questions have ultimately been raised as to the training of the arbitrators, their competence, the fees that they charge, which were until recently unregulated, the delays in dispute resolution and the soundness of their decisions.

Arbitrators were accused of charging exorbitant fees of up to \$6000.00 per case which most workers and unions could not afford.

The arbitration fees have since been regulated and the maximum that can be charged was pegged at \$600.00

The Labour Relations Amendment Act, 2002 (No. 17) which abolished the Labour Relations Tribunal introduced a new system of dispute resolution through the use of arbitrators and the Labour Court.

Arbitrators have mainly been drawn from labour officers, human resources practitioners, trade unionists and legal practitioners.

The arbitrators were introduced in the labour dispute settlement system a few years ago in a bid to lessen the burden on the Labour Court and ensure quick resolution

of disputes.

However ZCTU Legal Advisor Zakeo Mtimema has a different view from Chinamasas.

"We find arbitrators to be useful in decongesting the courts. There are very simple matters which can be resolved by arbitrators speedily because the

arbitral process unlike the court process is expedient. If the ministry of justice is of the feeling that arbitrators are not doing enough the blame flies back in their face because they have not been holding orientation workshops and refresher trainings. Lawyers and Judges get these special trainings and it is only fair to accord arbitrators the same," he said



PAURINA MPARIWA

## Renco Mine shuts down

BY ADMORE MARAMBANYIKA

**P**ICKETING by workers wives and the community at Renco Mine, opened a Pandora box which catalysed the closure of the mine leaving over 1500 workers uncertain of their future.

The mine stopped mining activities last month owing to a number of challenges including political interference in its operations, amid increasing calls by the local community for Government to intervene and save the mine from collapse.

Villagers and workers' wives disrupted operations at the mine by blocking entrances to the mine demanding that their husbands be paid last years bonuses and be awarded a salary increment for more than three weeks.

Workers at Renco Mine are among some of the lowest paid in the country reportedly earning \$180 per month. The mine was also accused of paying paltry exit packages with some pensioners getting a meager \$700 after working for more than 30 years.

The villagers demonstrated over the mines reluctance to fulfill its promises of developing the area by blocking any vehicles intending to come out of the mine premises and also block the mine's aerodrome to prevent planes intending to carry the gold from landing.

The villagers were pushing for the takeover of the mine under the controversial indigenization programme which has seen most mining concerns ceding shares to locals. Renco Mine manager Cyprian Kachisa said conditions were no longer conducive to continue operations.

"We have shut down the gold milling plant because of lack of consumables like chemicals that are used in gold milling. Even chemicals that are used to treat water from the mine such as ferrous sulphate have run out, so we cannot continue operations, otherwise we will endanger the lives of the surrounding communities since we produce some dangerous chemicals that need to be treated," said Kachisa.

He said the blockade by the workers' wives had prevented them from taking out gold for sell, resulting in lack of funds for operations.

"We cannot even buy spare parts for the mill and stocks of critical consumables such as oxygen and coal that are used in the furnace have also run out. We cannot continue with mining operations when we do not have the mill to process the ore, even the front-end loader that we use for our operations has since broken down. We have a real crisis, so as the mine manager I cannot continue operations. We are stopping all mining operations and we are putting the mine under care and maintenance," he said.

He said the company had been dogged by a host of problems and had failed to pay salaries for senior employees from the beginning of the year.

Political interference at the mine saw some senior Zanu PF officials virtually taking over mining operations at the mine.

Chivi South legislator Irvine Dzingirai, who claimed to be the representative of the Renco Mine community, said they wanted RioZim to sell the gold produced over the past three weeks and deposit the money into an account controlled by Renco Mine management.

"The Nyajena community is blocking the sale of gold by RioZim because they want guarantees that the money will be deposited into an account that is controlled by the local mine management so that they can be paid their bonuses and salaries on time," he said.

"As long as there are no such guarantees, then problems will continue at the mine."

RioZim officials accuse Masvingo South legislator Walter Mzembe and Dzingirai of inciting the workers and the community.

Mzembe was however barred from interfering with the mine's operations by the High Court. He has since appealed against the ruling.

## MVMWUZ/ZMEAWU merger set for May

BY STAFF REPORTER

**T**HE Zimbabwe Metal Energy and allied Workers Union (ZMEAWU) and the Motor Vehicle Manufacturers Workers Union (MVMWU) are set to merge at a congress set for May this year.

The merger comes following the withdrawal of the National Engineering Workers Union (NEWU) from the process which it spearheaded since 2009.

MVMWU general secretary Henry Tarumbira said the two unions had decided to go it alone following the withdrawal of NEWU adding that with the progress made so far the merger was now within reach.

"The Congress dates have been set and both unions will attend the congress. We have made huge strides so far, we have a draft constitution which is set for adoption at the congress and the other requirements have so far been satisfied. We now have a similar vision and are all geared to build a formidable union for the metal industry in Zimbabwe," he said.

He said the two unions had done exceptionally well so far and will continue to work with all friendly metal unions the world over.

"The unions realised that they had covered most of the ground. Most of the members have since been sensitised and are now in the know. They have thrown their weight

behind the merger. We will be holding educational campaigns within our constituencies and the members are excited about the move," he said.

The ZMEAWU general secretary Steven Dhlwayo said the merger process needs patience and sincerity towards the workers' cause if it is to be a success.

"If people are sincere and committed to work together and fight for workers the merger will succeed. This time it is not going to fail again because both unions are determined to achieve the goal. The leadership in both unions is not selfish; we are not going into this for personal gains and interests but those of workers at large. We have considered the positions of our unions and have discovered that the merger is the way to go," he said.

The merger process of the metal unions is being handled by the ZCTU through its Organising department. ZCTU national organiser Michael Kandukutu said the decision by NEWU to pull out from the merger was a sad development.

"It's a sad development and I was personally disappointed. After four years of working together and putting resources into the initiative the union suddenly pulled for reasons best known to them. Unfortunately at the last minute When it was visible that the merger

was possible NEWU turned and said they cannot merge. The decision not to merge was later taken after consultations and educational programmes were held to the membership over the past four years and the membership were in support of the merger. It was a decision taken by a few individuals," he said.

He added that the move defied a ZCTU Congress resolution to merge unions in like industries.

"The government liberalised the registration of multiple unions in one industry to weaken the strength of the ZCTU after the formation of the Movement for Democratic Change, a political party. The ZCTU then responded with a resolution to merge unions in like industries because the power of workers is in numbers. However NEWU seems to be going against this resolution," he said.

NEWU and ZMEAWU started the merger process and signed a memorandum of understanding in 2009 and drafted a strategic plan leading to activities towards the merger and MVMWU joined the two late last year.

The new union will most likely be called the National Union of the Metal and Allied industries in Zimbabwe although there are other names that are being proposed and set to be adopted by congress.

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**DIGITAL VERSION**

# WMMI fails to open

**W**ILLOWVALE Mazda Motor Industry (WMMI) which halted operations in October last year has failed to open its Harare assembling plant at the end of February as was planned.

The company has said it has failed to resume operations due to stiff competition from imported vehicles and lack of supportive policies from government that promote the survival of the once vibrant entity.

WMMI managing director Dawson Mareya, revealed the current development during a parliamentary portfolio committee on Public Service, Labour and Social Welfare, which had been convened to look into the reasons why employers in the motor manufacturing industry had condemned their duties at the National Employment Council (NEC).

He said as a result of these challenges the company had stopped assembling motor vehicles.

"Willowvale assembling plant has been closed since October last year and we don't know when it will be reopening," he said.

Mareya said the main challenge was that the market for motor vehicles had shrunk and local assembling companies had been put out of business.

He said the company was working on plans to resuscitate the plant, but the challenge was that its products were no longer finding ready takers.

"We are looking further and see if we can restart assembling as it is not competitive to the current market."

He said the reduction in customs duty over the years had made WMMI products appear very uncompetitive since the current duty regime made it difficult for the local motor industry to survive.

He said over the past five years, the company had been trying to articulate these issues through lobbying government but later stopped.

"The statutory instrument made to stop cars older than five years from coming into the country was dropped within a month."

He said in the 1990's duty was almost 100 percent and this enabled the local assembly industry to thrive.

"The highest duty paid is less than 40 percent so this doesn't create any incentives for the motor industry to grow," Mareya said.

The WMMI boss said for the motor industry to grow the country required protection to enable players to trade favourably. Most Zimbabweans have resorted to importing



**WMMI is facing stiff challenges from grey imports which costs as little as US\$1000.00 per vehicle when its cheapest vehicle selling for US\$24 000. Even the government is importing vehicles at the expense of the local industry.**

second hand vehicles mainly from Japan as they find it much cheaper compared to purchasing new vehicles locally.

On average, a second hand vehicle costs \$5000.

Meanwhile the general secretary of the Motor Vehicle Manufacturing Workers Union (MVMWU) Henry Tarumbira said the union reported the dissolution of the NEC after the employers dissolved their body.

"The portfolio committee wanted to know how the NEC was dissolved because there was no full council agreement on the dissolution by both parties. It was the employers section which dissolved the NEC. The committee asked parties to present their problems concerning the NEC and as workers we are responding to that," he said.

He said the employer has placed employees on half salary for the past six months and has extended the tenure which has not gone down well with the employees.

"Workers are saying they cannot go for another six months on half pay after an improper council meeting. The industry's minimum is at \$210.00 and after deductions the majority of workers are now taking home less than \$70 dollars. Workers are asking for better measures that can sustain their livelihoods," he said.

He added that the majority of workers had since relocated to their rural homes due to hardships adding that incompetence at management level had sunk the company.

The motor assembling firm used to employ more than 700 employees assembling 25 vehicles a day but is now left with less than 180 workers with a capacity of 5 vehicles a day.

## UNION NEWS IN BRIEF

### Salary increment for Engineering sector

**T**HE Engineering sector has increased salaries and wages by 12.5 percent which will result in the least paid employees in the sector earning \$270 from \$240 with effect from the 1st March 2013.

The increment comes after two years of barren negotiations as employers refused to honour an agreement which was reached in 2011 and 2012 leading to a protracted court battle with the National Engineering Workers Union (NEWU).

The last agreement was in 2010.

The employers contested the outcomes and the dispute ended up in the courts. NEWU deputy general secretary Shepherd Mashingaidze said the union was not satisfied with the outcome of the negotiations.

"We started negotiating for poverty datum line linked wages with the employers but they refused to budge until we settled for \$270 which we feel is still a far cry from what the employees deserve. However, we may still go back on the table if there is a marked increase in inflation during the 12 months which the agreement will be in effect," he said.

He added that the union had consulted with its membership in its nine regions and the workers had accepted the outcome.

He said the union had withdrawn the court cases against the employers.

"We were given the mandate to withdraw the pending court cases if we managed to get an increment from the negotiations. The members felt that they were not getting any relief from the courts which were taking too long to come up with a ruling," he said.

Mashingaidze said housing, transport and other allowances were being negotiated at company level.

"We do not have a provision to negotiate for allowances but that is being done at company level. Some companies have made arrangements to provide transport to and from work while housing allowances varied from company to company," he said.

### NRZ employees' wives in salaries demo

**W**ives of the National Railways of Zimbabwe in Bulawayo picketed demanding an explanation from management over the non payment of salaries for over eight months. The women gathered at the train station near Raylton Club in Bulawayo protesting against the company management's failure to pay their husbands.

They were carrying placards written "We are hungry pay our husbands now", "Our Children are out of School" and "Eight months without food."

The women were however dispersed by the police but they managed to get assurance from the police and managed to stage another demonstration.

Trade unions representing NRZ employees recently met with the Prime Minister Morgan Tsvangirai in a bid to resolve the long-standing salary dispute.

They said PM Tsvangirai said he would organise a meeting with Transport, Communication and Infrastructure Development, State Enterprises and Parastatals and Labour and Social Welfare ministries and understand the root cause of the impasse and discuss strategies to resolve it.

"After the three ministries have met, PM Tsvangirai will then arrange a round table meeting between NRZ workers' unions and the three ministries and map the way forward.

NRZ public relations manager, Fanuel Masikati, in press comments acknowledged that they owed their employees. "It is not a secret that we are in salary arrears and we are doing all we can to ensure that our workers are paid their dues," said Masikati.

However Retired Air Commodore Mike Karakadzai (the NRZ boss) appeared to be unmoved by the demonstrations saying the company did not have any

# ZISEGU spreads its wings

BY CHRISTOPHER MAHOVE

**T**HE Zimbabwe Security Guards Union (ZISEGU) has spread its wings and has opened a new office in Bulawayo, bringing to three the number of offices the union now has in the country.

ZISEGU General Secretary, Philemon Nhema, said the office, which was opened in February, 2013, will serve the more than five hundred union members scattered around the Matabeleland Province.

"The office will service the more than five hundred members in Matabeleland, including those from Victoria Falls, Tsholotsho and Binga. We have made fliers and T-shirts which will be distributed to alert our members and others requiring our services of the existence of our Bulawayo branch office," Nhema said.

He said the union had identified two members who would assist with the day to day running of the office, one of them a recent graduate from the Paralegal training programme

conducted by the ZCTU, in conjunction with the Fredrick Ebert Stiftung Foundation.

Nhema said the office would go a long way in marketing the union in the region, which has in excess of 20 security companies employing thousands of security guards, all of whom are potential members of the organization.

ZISEGU was now working towards the establishment of another office in Gweru, where there was also another paralegal graduate assisting its members in that region.

In Masvingo, Nhema said, the union was having problems occupying offices offered to them by the ZCTU as the Progressive Teachers Union Of Zimbabwe, which used to occupy the offices before expulsion from the ZCTU to join another splinter group, was reluctant to remove their belongings although they had found another office in Rhodene.

Meanwhile, Nhema said the union was now geared for negotiations, adding they had

already come up with their position paper and had submitted it to the National Employment Council.

"We are ready to negotiate with the employers; and what we are simply doing is looking at the Poverty Datum Line, tariff charges being charged by the employers. So basically we are pushing for a basic salary of five hundred dollars, plus allowances such as dog handling, transport pegged at \$44 and housing allowances at \$80 per room for an average three rooms per family," he said.

The ZISEGU General Secretary expressed concern that most employers were demanding that workers pay for their uniforms, which was against the provisions of their Collective Bargaining Agreement.

"It is a burning issue which we will deal with during negotiations. We feel that it is the duty of the employer to provide uniforms, as they are as good as overalls in other industries. They must also provide soap and shoe polish," he said.

### Civil servants get salary increment

**C**IVIL servants were awarded a 5,3 percent inflation-related salary last month, which will see the least paid getting about \$315 despite their calls for salaries above the poverty datum line (PDL) which is now over \$600 per month. The increment is, however, not likely to pacify restive civil servants who did not get a salary increment last year.

Government did not hold meaningful negotiations with trade unions representing civil servants following leadership bickering among the unions.

The term of office for the Apex Council, a body that represents civil servants in salary negotiations with Government, expired in February last year and since then the body has failed to reconstitute itself because of squabbles.

Government has maintained that it was difficult to update civil servants on salaries and conditions of service because there was no one legally representing them, a move civil servants described as "hiding behind a finger".

The council tried to persuade Government to give the old Apex Council committee a three-month mandate for the sake of negotiations, but government turned down the request because it was against the dictates of the Public Service Act.

ZIMTA President Tendai Chikwore led the previous committee.

Finance Minister Tendai Biti, in his 2013 National Budget presentation last year, promised the workers an inflation-

related salary increment in January.

Public Service Minister Lucia Matibenga said the increment would be effected to most workers beginning February.

"The Budget passed through Parliament and it became law and it means no one should break the law. The money might be delayed as was the case here, but Government has a duty to make sure that it respects the laws of the country. The Constitution is very clear on what to do with people who break the law," she said.

Minister Matibenga said it was the duty of the employer, the Public Service Commission, to see how the increment would be parcelled out.

"In terms of whether the increment would go to allowances or the basic salary, the PSC as the employer, knows how that will be done and in most cases this is agreed at salary negotiations between Government negotiators and workers representatives," she said. Minister Matibenga who is a former trade unionist urged civil servants unions to put their house in order for them to get updates on their salaries and working conditions.

"There is a structure that should be followed whenever the issue of negotiations is mentioned. It does not help if the workers rush to the media without negotiating with the employer and in most cases they go there with misleading information," she said.

# All set for IWD commemorations

## STAFF REPORTER

**T**HE Zimbabwe Congress of Trade Unions (ZCTU) will join the rest of the world in commemorating International Women's Day (IWD) in its six regional centres.

Commemorations will be held under the theme **Women Win the War against Poverty, Inequality, Unemployment and Gender Based Violence**

ZCTU Women and Gender Coordinator Fiona Magaya said preparations for commemorations were at an advanced stage and all regions were raring to go.

"So far our structures have been meeting and fundraising activities are going on in preparation for the day. We have also engaged national organisers from our affiliates and regional officers who are part of the organising committees. We want to capitalize on that and the current

environment to bring a lot of people to the commemorations," he said.

She added that the day was very important for women and were expecting huge crowds for the commemorations

The main commemorations will be in north eastern region which will commemorate the day at Chinyaradzo Children's Home in Highfield, Central (Gweru) at Mkoba Poly Clinic and Southern (Masvingo) regions commemorations will be held at the Masvingo General Hospital, Northern Region (Chinhoyi) at the ZCTU offices, and the Eastern region commemorations will be held at Zororo old Peoples Home.

All regions except for the eastern region will hold commemorations on 9<sup>th</sup> March. The Western Region will hold its event on the 8<sup>th</sup> of March at the ZCTU regional office in Bulawayo.

Commemorations on the day will start with a march followed by a clean up exercise at nearby shopping centres and participants will then converge at the venues for the commemorations.



ZCTU activists prepare for a clean-up at previous IWD commemoration in Budiro in Harare

Magaya said ZCTU was getting a lot of support from our affiliate unions and organisations that deal with women's issues. The ZCTU Women's Advisory Council (WAC)

has over the years been pushing government to declare the day a public holiday and a petition has been handed over to government authorities. WAC said they had

noted that in other countries the world over, the day has been made a public holiday.

The Western region was the first to write the petition in March 2010, and had 200 signatures.

## Madhuku spearheads Vote "NO" Campaign

**T**he National Constitution Assembly is set to hold door to door "Vote No" campaigns to the draft constitution during the forthcoming referendum, alleging that the process was not people driven.

NCA chairman Professor Lovemore Madhuku said his organisation will launch the campaign though with limited resources.

He said he was hopeful to join forces with other civic organisations and students' unions during the campaigns.

"This is not a democratic and people driven constitution. Instead, this is a constitution being imposed on us by three political parties, yet the people are bigger than these three political parties. No political party or group of political parties must be allowed to give the country a constitution. It must come from the people," said Prof Madhuku.

He said the draft constitution was not about what people wanted or said, but about the selfish and personal interests of politicians and would not survive the test of time.

Madhuku said politicians spent four years and squandered over US\$50 million to produce a constitution that was not good for the country but for themselves.

"If people say yes to a constitution being imposed by political parties, they will be giving away their power permanently and politicians will never respect the people," said Madhuku.

Madhuku said there was nothing good in the draft constitution, pointing out that the Kariba Draft and Lanchester House Constitution were better off as they had some positive points.

He said the country should proceed straight ahead with the harmonized polls using the Lanchester House Constitution, with people being allowed to write their own constitution after the elections through an independent constitutional commission.

Madhuku castigated the proposed outreach programme by COPAC to conscientise people about contents of the draft constitution, claiming that would be amounting to a campaign for the draft.

"The Zimbabwe Electoral Commission should now take over everything that has to do with the draft constitution, including awareness campaigns and not politicians," said Prof Madhuku.



## MISA-Zimbabwe statement on police ban of radios

**MISA-Zimbabwe notes with grave concern recent moves by police to confiscate transistor/portable radios from members of the public especially those in rural areas.**

**Of particular concern to MISA-Zimbabwe is the criminalisation of the distribution and possession of radio sets without any basis on the laws of the country.**

**A reading of Section 38B of the Broadcasting Services Act (BSA), states that one is not prohibited from possession of a receiver as long as it is in accordance with the terms and conditions of a listener's licence as issued by the Zimbabwe Broadcasting Corporation (ZBC).**

**MISA-Zimbabwe implores the police to specifically state the relevant laws that criminalise the possession of the radio sets in question. Otherwise their conduct would simply pass as an extension of increasing arbitrary actions meant to infringe on citizens' constitutionally guaranteed freedoms.**

**The importance of a radio set cannot be over-emphasised as it is a generally affordable legal gadget used for receiving information by the public. The right to receive and impart information and ideas is enshrined in Section 20 of the current constitution as a vital component of citizens' right to freedom of expression.**

**This same right is also enshrined in Article 9 of the African Charter on Human and People's Rights of which Zimbabwe is party to.**

**This latest action is antithetical to local and regional instruments on freedom of expression and access to information and poses a grave threat to the active and informed participation of citizens in the imminent referendum and elections.**

**These two national processes cannot pass the democratic legitimacy test when arms of the state unilaterally curtail citizens' enjoyment of basic civil liberties such as freedom to freely express themselves and access information through diverse media of their choice.**

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# Cairns closes factories

BY ADMORE MARAMBANYIKA

**C**airns foods which is reeling under viability challenges has closed its canning factory in Mutare and its pasta factory in Bulawayo forcing hundreds of workers out of employment.

The Federation of Food and Allied Workers Union of Zimbabwe (FFWUZ) general secretary Dickson Tarusenga said the union was disturbed by the sudden turn of events and blamed Cairns management of running down the company.

"It is not a secret that these developments are a result of poor management. As a union we are very much concerned about the welfare and future of our members at this company who have gone for several months without salaries. Our efforts to engage management have been futile," he said.

He added that the union sought the intervention of the government through parliament and wrote some

correspondence requesting for action to avert the closure of the company.

"We write to bring to your attention that Cairns Foods employees' lives and welfare have seriously deteriorated as they are working for no remuneration. Furthermore the company is sinking on a daily basis due to what workers see as mismanagement or sabotage at its worst levels."

"It is from the foregoing that we request your good office to cause Cairns management and workers to appear before the Portfolio Committees of Labour and Social Welfare and Industry and Commerce in order to save jobs and closure of this once giant company," wrote Tarusenga to the Clerk of Parliament last year in October.

The company has since been placed under the provisional judicial management of Regis Saruchera

Tarusenga said the union's only hope for the survival of the company was with Saruchera.

"He is the only person who can

save the company from collapsing. We are in agreement with his plan of action save for one issue where he proposes to lay off some employees and the payment plan," said Tarusenga.

Saruchera has come up with a report which has proposals to resuscitate the company which include finding investors, negotiating with major creditors to convert debt into equity and disposing of non-core and obsolete assets to finance the restructuring.

"It is the considered opinion of the provisional judicial manager that the company should be placed under judicial management to allow a business rescue plan to be finalized and implemented," said Saruchera in his report.

It is believed that the food and beverages manufacturer owes suppliers about US\$3 million, another US\$15 million to banks, and considerable amounts to the Zimbabwe Revenue Authority and its workers.



Over 120 workers lost their jobs after Cairns Foods stopped operations at its Mutare factory which produced the product above ...

## ZANU PF, MDC must walk peace talk

From Page 4

two parties just fail to walk their talks – peace and life are not guaranteed and cherished in words but in action!

The dream of peace and decent life must not remain in the spirit. Mere talk therefore is just like delivering a powerful sermon on overcoming demons that ends without any action in exorcizing the demons. It doesn't help!

Zimbabweans are looking forward to a responsible government that talks and takes action to secure harmony, tranquillity and standard life like, or better than other neighbouring countries.

Zimbabwe no longer needs anything reminiscent of war. The history of green bombers and liberation war life must end. Why letting people recall the past if it sickens and wounds many, especially in times you expect people's back-up?

We thought by this time political parties would have changed from violent to persuasive politics to win support without force.

Anyone who dares to ask the incumbent political leaders real issues of governance is eventually deemed a traitor who should be punished with torture, harassment and possibly death. Ordinary Zimbabweans just fearfully watch from a distance what will happen if ZANU PF loses elections again and refuse to admit defeat!

What will happen! Some Zimbabweans say same news; reign of terror, economic meltdown, political paralysis and forced compromising negotiations which may take us back to a shared government. Whither Zimbabwe? None of the politicians want to answer, or they don't have answers too as their main objectives may just be accumulation of power.

Unfortunately, young and promising politicians who have joined the poisoned team have turned to the only political tradition they have known; violence, threats and insults! And it seems any move towards peace and harmony in main political parties in Zimbabwe is taken as weakness.

My plea is for all political parties to go beyond merely calling for a peace amongst their members. It is time to go beyond by actually walking the talk, we need peaceful elections. We say no political coercion, no to any form of violence, no to harassment, no to intimidation. A big YES to peace during elections and beyond.

Feedback ; email  
kimion21@cooltoad.com

## Zimbabwe Tobacco Industry Workers Union



Women win the war against  
Poverty, Inequality, Unemployment  
and  
Gender Based Violence

**ZTIWU is proud to be part of the ZCTU family which firmly believes that it is the duty of every member of society to uphold and defend the rights of women from homes to the workplace.**

**Women rights are human rights.**

**Let us all take the initiative to accord women and girls their due respect to make this world and the workplace better places**

**Shinga Mushandi Shinga Qina Sisebenzi Qina**

**Kwira Mudzimai Kwira - Pachigaro**



# Employers' bid to nullify CBA crumble

BY DICKSON CHAERUKA

A section of the Independent Schools Sector employers association's effort to have the 2011 Collective Bargaining Agreement (CBA) for the Welfare and Educational Institutions set aside recently hit a brick wall after the labour court dismissed its appeal on the grounds that it had not been properly instituted.

It emerged that the Zimbabwe Educational, Scientific Social and Cultural Workers Union (ZESSCWU) which was cited as the respondent, won the minimum wages dispute after the Independent Schools solely and unilaterally appealed against the gazetted CBA out of over 15 sectors subscribing to the union which had already endorsed the wages agreement.

It has since been reported that the Welfare Educational Institutions Employers Association (WEIEA) and ZESSCWU had a dispute over minimum wages in 2011 which was referred for compulsory arbitration. The arbitrator issued an award which was acceptable to both parties and was ratified by the Association's majority members.

The arbitration results apparently culminated in the publishing of Statutory Instrument 14 of 2012 covering the period January to December 2011 which recommended a minimum wage of \$253,50 for the sector.

It was revealed that the Independent Schools Sector is the only member which was aggrieved by the decision and they appealed against the CBA at the labour court masquerading as the whole Employers Association appealing.

In its submissions before the labour court tribunal, ZESSCWU argued that the appeal was not properly instituted in that it is only

the Independent Schools who decided to challenge the award when the Employers Association as a whole and the majority of its membership had decided to accept the award.

"If the Independent schools are unhappy, they should appeal on their own and not drag the whole association into their dispute," read part of the submission.

ZESSCWU further submitted that the appellant (Independent Schools) had ratified the arbitral award it was appealing against as a CBA since their representatives had already appended their signatures to the statutory instrument.

The union said the Independent Schools had approached the Court with dirty hands in that they had neither complied with the award nor sought to have it legally suspended by an interim award while waiting for its appeal to be determined.

In its response, the Independent Schools Sector argued that they had not ratified the award and their supposed ratification was awaiting resolution of the labour court judgement after the dispute.

In analysing the evidence adduced from both parties, the Labour Court Judge President E. F Ndewere acknowledged ZESSCWU's submission that the appeal had not been properly instituted because the entire Employers Association (WEIEA) never intended to appeal and had not authorised the appeal.

"The only Authority which would satisfy the court in instances of such a challenge would be a valid Resolution by the Employers Association to the effect that they are appealing against the award. I therefore agree with Respondent (ZESSCWU) that the appeal has not been properly instituted; there being no authority for the Independent

Schools to file an appeal on behalf of the Welfare and Educational Institutions Employers Association against the award by Honourable H. Muzondo of 26 September 2011," stated President Ndewere in dismissing the appeal.

The ZESSCWU General Secretary Sylvester Mutindindi said it was surprising that most independent schools charge students between \$1 500 to \$6 000 a term yet they were appealing against a minimum salary of \$253.00.

"If you look at the morality of the appeal one could just conclude that these employers are not sincere at all because the amount in dispute is less than \$30.00," he said adding that this was just a way of trying to frustrate good industrial relations in the sector and it is part of a grand plan to weaken his union.

It was further established that the Independent Schools Sector had since formed an employers association identified as the Association of Trust Schools (ATS); an allegedly bogus body which the workers revealed had been instigating its members to snub their NEC set minimums since the inception of foreign currency in the country.

ZESSCWU had since been conducting a massive country wide blitz on defaulting independent schools to ensure that all its members are given their outstanding wages as was ordered in the labour court judgement.

It has been reported that many schools in the sector such as Hillcrest College located in the eastern border town of Mutare owed the workers over \$200 000 in outstanding wages.

## National Engineering Workers Union



### 2013 WAGE AGREEMENT

*This Wage Agreement Shall Be Deemed To Have Come Into Operation On The 1st March 2013*

#### Schedule 1 - Skilled Worker Category

	<b>Hourly Rate</b>	<b>Weekend Equivalent</b>	<b>Monthly Equivalent</b>
Class 1	3.21	141.24	613.11
Class 1	2.65	116.60	506.15
Class 1	2.27	99.88	433.57
Class 1	1.94	85.36	370.54

#### Schedule 3 - Graded Worker Category

	<b>Hourly Rate</b>	<b>Weekend Equivalent</b>	<b>Monthly Equivalent</b>
	<b>US\$</b>	<b>US\$</b>	<b>US\$</b>
Grade C1	2.65	116.60	506.16
Grade B4	2.19	96.36	418.29
Grade B3	2.00	90.20	381.60
Grade B2	1.67	73.48	318.97
Grade B1	1.57	69.08	299.87
Grade A3	1.51	66.44	288.41
Grade A21	1.43	62.92	273.13
Grade A1	1.41	62.20	270.00

#### Schedule 3 - Skilled Worker Trainee

	<b>Hourly Rate</b>	<b>Weekend Equivalent</b>	<b>Monthly Equivalent</b>
Trainee Class 1	2.75	121.00	525.25
Trainee Class 2	2.35	103.40	448.85
Trainee Class 3	1.97	86.68	376.27
Trainee Class 4	1.78	78.32	339.98

A Statutory Instrument setting out the agreement will be published soon

**The Union That Educates, Fights And Cares**

## ZESSCWU on regional planning and training workshops

BY DICKSON CHAERUKA

THE Zimbabwe Educational Scientific Social and Cultural Workers Union (ZESSCWU) has embarked on a country wide regional planning and training programme for its members.

30 trade unionists comprised of its Mutare regional committee cadres and workers committee's chairpersons drawn from various institutions around Manicaland Province gathered at the Zimbabwe Congress of Trade Unions (ZCTU) Eastern Regional Training Centre where the one day induction course was conducted.

Speaking at the workshop, the ZESSCWU National Head of Education Department, Joyce Nyamundura stated that their main objective was to acquaint the trade unionists with the concept of study circles.

"Our main thrust is conscientising participants with the principles of study circles. We formulated this education methodology after realising that there was a great need to decentralise our education programmes. In Study Circles, workers are privileged to come up with curriculums they need knowledge on and this concept when implemented well would go

a long way to capacitate members. You see, this is a contrast with a situation whereby the union Head Office is always suggesting educational activities for the members," she said.

Nyamundura stated that the union wanted to have ongoing educational activities and the setting up of Study Circles was noble to pursue the vision.

"This is the best way to empower our members since knowledge is power. The Concept of Study Circles corresponds well with workers because they are very economical."

She further said that all participants who were at the workshop automatically formed a circle adding that the union will closely monitor the groups activities and catering for the resources needed as well as engaging ZCTU centre whenever the training needs arise.

The participants were also taken through fundamental topics which included; the Trade Union Organisation, National Employment Council (NEC), HIV and ADS awareness as well as Collective Bargaining.

The ZCTU Eastern Regional Paralegal Officer, Adrian Mugwanju amongst other

topics enlightened the cadres on the trade union organisation which he said its primary function was to educate its members.

"A good union is a union which educates members. It is a right of members to be educated by their union. Education empowers members and it keeps the union intact. Trade unions should be voluntary, independent and democratic organisation with permanent interest to fight, defend and advance workers rights as well as interests," he said.

The NEC for the Warfare and Educational Institution (NECWI) Designate Agent for Manicaland, Jacob Charowa also graced the training and enlightened the participants with the duties, roles and functions of the NEC.

ZESSCWU Eastern Regional Officer, Denford Chigweshe encouraged the participants to champion the trade union agenda at their respective workplaces.

"We need you to be true ambassadors of the union. Cadres are not selfish but dedicated members who should impart knowledge to others as well as recruiting non members for there is power in numbers," stated Chigweshe in his closing remarks.

# Zimbabwe Congress of Trade Unions



## Strength and Weaknesses of the COPAC Draft Constitution in Labour Relations

*The COPAC draft constitution in summary has the following strengths and weaknesses in labour relations:*

### 1. Strength

#### 1.1 Recognition of Socio-economic Rights

For a long time, the ZCTU has been demanding for the recognition of socio-economic rights. These are now provided in the final draft as follows:

- ? Right to food security and water (s48 and 77)
- ? Right to education (s27 and 75)
- ? Right to shelter (s28)
- ? Right to health services (s29 and 76)
- ? Right to social welfare (s30 and 82)
- ? Employment creation (s14)

#### 2. Work and Labour Relations

The draft now recognise the following fundamental rights of workers: (s24 and 65)

- ? Opportunity to work in a freely chosen activity, in order to secure a decent living for workers and their families.
- ? full employment;
- ? the removal of restrictions that unnecessarily inhibit or prevent people from working and otherwise engaging in gainful economic activities;
- ? Vocational guidance and the development of vocational and training programmes, including those for persons with disabilities; and
- ? The implementation of measures such as family care that enable women to enjoy a real opportunity to work.
- ? right to fair and safe labour practices and standards and to be paid a fair and reasonable wage.
- ? right to form and join trade unions and employee or employers' organisations of their choice, and to participate in the lawful activities of those unions and organisations.
- ? right to participate in collective job action, including the right to strike, sit in, withdraw their labour and to take other similar concerted action
- ? every employee, employer, trade union, and employee or employer's organisation has the right to
- ? engage in collective bargaining; ?

organise; and  
? form and join federations of such unions and organisations.

? right to equal remuneration for similar work.

? Right of female employees to maternity leave (s65)

? Right to an environment that is not harmful to health or well-being (s73)

#### 4. Domestication of International standards

? The State must ensure that all international conventions, treaties and agreements to which Zimbabwe is a party are incorporated into domestic law.(s34)

#### 5. Dispute resolution

? Right to fair hearing (s69)

? Recognition of the Labour court as a court of record with jurisdiction over matters of labour and employment (s172)

#### 6. Other Fundamental Human rights

? Right to life (s48)

? Right to personal liberty (s49)

? Right to human dignity (s51)

? Right to personal security (s52)

? Freedom from torture or cruel, inhuman or degrading treatment or punishment

? Freedom from slavery or servitude  
Freedom from forced or compulsory labour (s55)

? Equality and non-discrimination (s56)

? Right to privacy (s57)

? Freedom of assembly and association (s58)

? Freedom to demonstrate and petition (s59)

? Freedom of conscience (s60)

? Freedom of expression and freedom of the media (s61) occupation (64)

? Freedom of movement and residence (66)

#### 1. 30 Social welfare

A wider construction has been adopted and now reads 'The State must take all practical measures, within the limits of the resources available to it, to provide social security and social care to those who are in need.

*We had initially proposed for the inclusion of the unemployed and orphaned children on the list of persons entitled to social welfare but the use of the word 'to those who are in need' addresses the concern..*

#### Weaknesses of the COPAC Draft constitution

*This is a commentary of what we submitted*

#### 2. 34 Domestication of International instruments:

Provision requires state to domesticate international instruments. Practice has proved this to be contrary. We prefer a direct application of international law which Zimbabwe has ratified than waiting to domesticate. And that where there is an ambiguity between domestic law and international law, the principles of international law shall take precedence (*no changes were made*)

#### 3. 48 Right to Life

Section 48 (2) (b)(i) (ii) and (c):

Provision restates death penalty which is no longer internationally acceptable, in such circumstances, life imprisonment is preferred. Death penalty should left to the almighty God. The constitution preamble 'Acknowledge the supremacy of Almighty God, in whose hands our future lies',. Furthermore, provision now exempts a woman, and persons of less than 21 years and more than 70 years old from death penalty. (*there is a need to seek justification on the*

? Freedom of profession, trade or exemptions)

#### 4. 65 Maternity Leave:

Section 65 (7) Women employees are granted maternity leave of **at least 3**

months. This minimum period is below the international labour standard convention 183 which provides for 98 days and the current Labour Act provides for 98 days. The constitution does not recognise the right to **paternity leave**. This is contrary to section 34 which requires domestication of international treaties and conventions. *However, the use of the word at least 3 months maternity period for a woman can be argued as only providing a minimum, it does not put a ceiling on the number of days a female employee can take, but an employer who grants exactly 3 months will be in compliance with the constitution. On the other hand, the Labour Act provision of 98 days is in line with the constitution since the constitution only set a minimum standard of at least 3 months. The two provisions are ambiguous*

#### 5. 50. Rights of arrested and detained persons

**Section 50 (5)** provides for communication and visitors allowed to see the detainee. The visitors were limited to spouse or partner, next of kin, and religious councillor, legal or medical practitioner. We propose to include any person of the detainee's choice or his or her organisation. (*the final provision now recognise anyone else of their choice subject to reasonable restrictions*)

#### 6. 82 Right of the Elderly

Section 82 provides that people **over** the age of **seventy years** have the right to receive reasonable care and assistance from their families and the State; to receive health care and medical assistance from the State; and to receive financial support by way of social security and welfare.

*It is our view that the qualification for such assistance must start from the age of 60 for a woman and 65 for man respectively The normal retirement period is 60 for women and 65 for men.*

*Providing social security to a person over seventy years is a high qualification standard and will leave a lot of people destitute.*

#### 7. 104 Appointment of Ministers and Deputy Ministers:

Section 104 (3) These are appointed from Members of Parliament, ambiguity in that like the current status quo, there is no clear cut between the Executive arm and Parliament as the executive members are also members of Parliament. Ministers and Deputy Ministers must be appointed outside parliament and on merit. (*the final new provision now recognise up to 3 people from 7 who can be appointed outside parliament because of their professional skills and competency*) proposal partially taken on board

#### 8. 129 Tenure of seat of Member of Parliament

Section 129 (2) provides that a member who has filed an appeal against conviction may continue to hold seat until the court finalise the case. In such scenario it will be fair for the court to give priority to the matter as a constituency cannot continue to be represented by a convict. It has been a practice in Zimbabwe where people makes frivolous appeals taking advantage of the delays of the courts and continue to hold office until the term of office expires (see the Chiredzi case of Baloyi, judgment was granted after the elapse of the tenure of office). (*no changes were made in this respect*)

#### 9. 169 Jurisdiction of Supreme Court

(1) The Supreme Court is the final court of appeal for Zimbabwe, except in matters over which the Constitutional Court has jurisdiction. *It is our belief that there must be a Labour Appeals Court or that the Supreme Court must have a labour division to*

**Continued on page 12**

# Mutare Council clash with unions on trading licences

BY DICKSON CHAERUKA

**T**HE cash strapped Mutare City Council is embroiled in a legal dispute with trade union officials operating in the eastern border town after the City fathers threatened trade unions for not purchasing trading licences for their operations.

It was reported that in January this year the Municipal Police Officers abruptly conducted a blitz on trade union offices around the city demanding trading licences. It was revealed that the council had not given any communication prior to the operation but the Police Officers were blatantly giving out \$50 tickets as penalty charges for failing to obtain the licences.

The trading licences for the trade unions was marked at \$500,00 per year and the unions were categorised with accountancy firms, surgeries as well as legal practitioners firms amongst other entities.

It was reported that the trade unions offices which the municipality police ransacked included the Zimbabwe Construction and Allied Trades Workers Union (ZCATWU), Zimbabwe Security Guards Union (ZISEGU), Commercial Workers Union of Zimbabwe (CAWUZ), Zimbabwe Catering and Hotel Workers Union (ZCHWU), National Engineering Workers Union (NEWU) and the Zimbabwe Congress of Trade Unions (ZCTU) Regional Offices.

The Region's Trade Union Officers have queried the criterion with which the municipality gazetted the trading licence by-laws arguing that trade unions are not into economic trading activities should therefore be exempted from paying the fees.

"While it is a noble idea for the City Authorities to have by-laws on fees for services that they

provide, it must be done within the confines of the laws of the land. By laws are enacted through the Urban Councils Act Chapter 29:15 and therefore other Statutes that supersede the provisions of other enactment; in this case, the Labour Act and the Company Act, which clearly exempt trade unions from the categories of commercial enterprises entities should be taken into cognisance," read part of the letter drafted by the trade union officials to the City's Town Clerk.

An Official within the Municipality who decided to remain anonymous disclosed that the council had been financially crippled and the City fathers were leaving no stone unturned in coming up with desperate ways of fund raising for

the blooming Councils debt.

In his response to the trade unionists, the Local Authorities' Town Clerk, Obert Muzawazi asserted that trade unions organisations are legally obliged to obtain the trading licences as the Mutare (Trading) by-laws, 2010 have a force of law in the Municipal area of Council's Jurisdiction." I wish to advise you that in terms of Statutory Instrument 165 of 2010 cited as Mutare (Trading) by-laws 2010, Trade Union Organisations conducting business in City of Mutare are required to obtain trading licences like any other service providers carrying out business. The Trade Unions are fined for contravening Section 8 of Sub Section 2 of the above cited by-laws," read part of the letter.

## Ncube faction hit by defections

**I**t never rains but pours for Professor Welshman Ncube's Movement for Democratic Change (MDC). Two councilors from Bulilima West Constituency in Matabeleland South have defected to the MDC-T led by Prime Minister Morgan Tsvangirai. In a letter addressed to MDC Secretary General, Priscilla Misihairabwi, dated February 12, 2013, councilors Thamani Ncube and Nduna Moyo respectively "of Ward 11 and 9" in Bulilima West said they wanted to see a united MDC.

"In our Wards there is an encouraging spirit of uniting and supporting the candidature of Morgan Tsvangirai," wrote the councilors.

The resignation letter also states that, "Democratic forces need to close ranks as a divided front will never bring freedom and democracy to the generality of the Zimbabwean population."

ZimEye went to the offices of the MDC seeking comment on the defections but was not attended to. Later ZimEye sent a text message to MDC National Spokesman, Nhlanhla Dube's phone asking for comment on the departure of the two councilors. No comment was forthcoming.

A similar request was also made to MDC Bulawayo Spokesman, Edwin Ndlovu. Again there was no comment except a reply that asked, "Which Councillors are these comrade?"

Despite the failure to get comment from the MDC, the letter reveals disenchantment with the party's leadership. The councilors stated that their resignation "has been necessitated by the prevailing political dynamics in our wards and in Zimbabwe in general."

The document goes on to castigate Professor Welshman Ncube's leadership saying, "Your party does not resonate with the electorate in our wards, evidenced by the lack of structures and difficulty to communicate with top leadership."

In words echoing a sentiment held by a large number of veteran MDC members the note stated, "Your party does not value grass root supporters as it focuses on urban elites."

The communication concludes by saying, "A must win election is looming, to afford Zimbabweans a realistic chance to win against Zanu PF in the next general election, we are left with no choice but resign from your party MDC and join MDC-T."

After the harmonized elections of 2008, the Professor Welshman Ncube led MDC had seven councilors in Bulilima West. Today only one councilor remains after six defected. In the same year, the MDC had five councilors in Bulilima East. Again only one councilor is left after four other councilors saw greener pastures in the MDC-T.

In Umzingwane District, the MDC had 11 councillors after the last 2008 plebiscite. November 2012 saw 10 councilors defect to MDC-T, leaving Ward 10 Cllr. Kenneth Ncube as the only loyal MDC member. A significant number of legislators have also jumped ship and landed on board the MDC-T deck.

## National Union of the Clothing Industry (NUCI)



The National Union of the Clothing Industry joins the Zimbabwe Congress Of Trade Unions (ZCTU) and its affiliates in commemorating International Women's Day under the theme:

**Women win the war against  
Poverty, Inequality, Unemployment  
and  
Gender Based Violence**

*Workers in the clothing sector  
say **NO** to  
all forms of violence against women*

**Kwira Mudzimai Kwira - Pachigaro**

**Shinga Mushandi Shinga Qina Sisebenzi Qina**

## Strengths and Weaknesses of the Copac Draft constitution in labour relations

.....From Page 10

*adjudicate in labour matters. Judges appointed in the labour division must have specialised in Labour matters. No changes were made in this respect*

### 10. 176 Inherent powers of Constitutional Court, Supreme Court and High Court

The Constitutional Court, the Supreme Court and the High Court have inherent power to protect and regulate their own process and to develop the common law or the customary law, taking into account the interests of justice and the provisions of this Constitution.

*Propose to include the Labour Court and Labour Appeals court under this provision. We envisage the Labour court or Labour Appeal court to have inherent power to protect and regulate its own process and to develop the common law or customary law taking into account international labour law principles and the interest of justice. This point was not taken on board.*

### 11. 179 Qualifications of judges of High Court, Labour Court and Administrative Court

**Apart from the stated provisions, an additional clause (3) must be added after clause (2) to read:** *for judges of the Labour Court and Administrative court one must possess a qualification in Labour law and Administrative law respectively coupled with two years experience in such field.* These courts are specialised courts so recognition of specialised adjudicators must be emphasized. *No changes were made*

### 12. 203 Functions of Civil Service Commission

Paragraph 1(b) provides that the commission has power to 'fix and regulate conditions of service, including salaries, allowances and other benefits, of members of the Civil Service' *This is contrary to international labour law principles that recognise the aspect of engaging in collective bargaining with employees' representatives in regulating conditions of service. The Commission must be compelled to engage in collective bargaining, see ILO convention 151. Labour Relations (Public Service Convention) 1978 article 7 which provides 'Measures to be taken,..... to encourage and promote the full development and utilisation of machinery for negotiation of terms and conditions of employment between the public authorities concerned and public employees' organisations, or of such other methods as will allow representatives of public employees to participate in the determination of these matters'* However Section 65 (5) grants collective bargaining rights to every employee except members of the security services. There will be interpretation problems as the later provision normally takes precedence. *No changes were made.*

### 13. 231 Functions of Prisons and Correctional Service Commission

The International Labour Organisation (ILO) in 2002 recommends that Zimbabwe must give the right to freedom of association to correctional service employees and for a long time now the government has been arguing at the ILO that the correctional service is a constitutional organ and granting such rights require a constitutional amendment. This is the time to comply with the ILO recommendations. So in section 231 (1) (b) the prison and Correctional services is given unilateral power to **fix and regulate conditions of service**, salaries allowances and other benefits. We submit that the conditions *must be negotiated with employees' representatives once the right to form their organisation is granted by the constitution. In line with ILO convention 151 Labour Relations (Public Service) Convention, 1978, the commission must engage in collective bargaining in setting salaries, allowances benefits and conditions of service. No changes were made in this respect.*

### 14. 243 Functions of Zimbabwe Human Rights Commission

provides for the protection against abuse of power by State, public institutions and its officers. There is also the need to **include private institutions or companies** that direct or indirectly violates human rights, eg sponsoring the commission of violation of human rights in order to secure a certain benefit for their interests which could be a direct benefit or indirect benefit. *This has been covered under clause (1) ( f) which provides 'to investigate the conduct of any authority or person, where it is alleged that any of the human rights and freedoms set out in the Declaration of Rights has been violated by that authority or person'; since companies are juristic persons, we believe they are covered by the use of the term 'or person'*

# Be wary of opportunists, MORGAN

Dear Morgan

It has been long since I wrote a letter to you. Once again, as the country moves towards an election, I am compelled to write to you from this side of the universe. It is a shrill plea from one of your forgotten constituency-the workers. This is because it is a constituency in despair and I must add, very, very unhappy.

I recall those years back I wrote you two open letters and I must hasten to say this is a follow up to them.

In case you have forgotten, my name is Chigumura, that little fella you left behind in the trenches of the labour movement. Don't be surprised; yes I am still here carrying on the torch of workers' struggle that you left behind. I also have not yet forgotten why you and Gibson Sibanda were deployed into the world of politics. Sadly it did not work between you and Gibson (may his soul rest in peace) after I do not know what got into Gibson's mind to be sweet-talked by that 'divisive character' called Welshmen Ncube, to ditch you, but still I loved you both as sons of the labour movement.

In case you have conveniently forgotten, when you were deployed into the political trenches, the major aim was to democratize the political landscape. You were to breathe fresh air into the politics of the country and in the process, carry out the working people's agenda. You do not need reminding that some workers lost their lives and limbs to create this party that curiously now bears your surname. I think this has to be corrected as workers are against creating a cult culture. It is supposed to be a people's party not a Tsvangirai's party, full stop. After all, leaders come and go. In fact, this is the same cultism workers have been fighting in Zanu PF where there is no distinguishing between Zanu PF and Robert Mugabe. In fact, yours is a notch higher because when Zanu split into Zanu PF and Zanu Ndonga, the leaders of those parties did not name them Zanu- M (for Mugabe) and Zanu -S (for Sithole). They looked for better names. But because you are our son, everyone was prepared to forgive you on this. We understood the dynamics of the situation and stood by you.

Another notable mistake was that you let hyenas take over the running of the party. Slowly and surely, they started to weed out anyone connected or had origins from the labour movement. The so-called technocrats and those with fat purses became your close friends. They elbowed out anyone with links to labour. I remember at one time our own Lucia Matibenga had a torrid time at the hands of Theresa Makone. We all watched in disbelief when she was chucked out of the Women's Assembly despite her popularity. Of course we are glad that you made amends and appointed her Minister and hopefully, it was not under any pressure.

I don't need to remind you that the issue of the Constitution has been at the heart of workers. In fact you are one of the founders of such



Morgan Tsvangirai

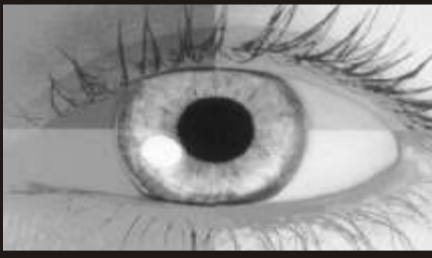
organizations like the National Constitutional Assembly (NCA) during your time at the ZCTU. You were at the forefront demanding a 'people driven' constitution. To be frank Morgan, we are not happy at all with the way you handled the issue of the Constitution. We know deep down your heart you also realize that the current draft is far from 'people driven'. The labour movement, as you might know, refused to take part in the process. However, because we trust you, we gave you the benefit of doubt and in the interest of progress, endorsed the draft constitution in the hope that a new government will relook into the

that has caused so much consternation among the working class.....

Despite these setbacks, workers cannot abandon you. NEVER! That they all love you is not in question. Surely no father or mother would throw their child through the window for mistakes that they make. That is why I am writing this letter to you. Zimbabweans have been traumatized for long to forgive you for your sins, transgressions, omissions and mistakes.

This clarion call is for you to be at your best as the country moves to elections. Hyenas are sharpening their teeth, both inside the party and outside. So many opportunists will come your way in the hope that they will be accommodated. Most of them want to join the gravy train. Be wary of hyenas in sheep's clothing.

## CHIGUMURA



issue. Yes, the positives outclass the negatives. But we still believe you could have done better by remaining principled.

Thirdly, if you look at the pronouncement of the party policies, sometimes one is ashamed of calling it 'a labour backed' party. There are overzealous ministers like Tendai Biti who are openly capitalists. They advocate for repealing of labour laws to make it easier for employers to hire and fire. They claim that giving workers Poverty Datum Line linked wages would cause inflation. Some of them go as far as cancelling collective bargaining agreements saying employers are unable to pay the agreed amounts!

Morgan, this is sickening coming from a so-called labour backed party. While one of the issues the party had to fight was corruption, I am afraid the party can win an Oscar Award for being the most corrupt. Look at how MDC councilors have become filthy rich in a short space of time while service delivery has plummeted to levels that cannot be accepted. Morgan, this is a disaster.

In terms of practicing democracy, I am afraid, the party is moving in the opposite direction. To be frank, in the near future it will overtake Zanu PF if you do not act. For instance, there is so much disgruntlement over primary elections that if you are not careful, it could be the party's Waterloo.

I cannot even go into your love life

I even hear that a group of people who were involved in serious clashes and divisions in the ZCTU have joined the fray to represent the MDC both in Parliament and Councils. If you accept them, you will regret it. You will be digging your grave. Workers have accepted that the MDC is not the same party they

wanted. In your words, it has become 'broad church'. I think calling it a workers' party is a misnomer now. But still you are a product of workers and we will back the party to the hilt. Our plea is for you to make sure that the party is not walloped in the election simply because you will have accommodated dubious characters. That will be the end of our dream, the workers' dream.

Workers are also worried with what appears to be a cozy relationship with Zanu PF. You seem to be equally agreeing to everything they propose when it comes to elections. The breakneck speed with which you want elections to take place before major reforms is unsettling. Presently the terrain is heavily tilted in Zanu PF's way.

The need for security reforms, a clean voter's roll and electoral reforms is paramount if we are to have free and fair elections. There is danger that elections will be massively rigged right in your face. Please Morgan, move with caution. Put on some brakes. Look left and right before proceeding. Don't say you were not warned.

I trust you will read this letter without prejudice.

Yours in workers' struggle

Chigumura.

## TM Supermarket ordered to pay

THE High Court has ordered TM SUPERMARKETS to pay some of its managers for underpayments made as punishments for refusing to work on a holiday.

Judge Martin Makonese has ordered the chain supermarket to pay three of its section managers who refused to work on Unity Day in 2009 over \$2 000 each as back pay.

Itayi Nkomo, Thembinkosi Nyathi and Nicholas Khumbula Tshili raised the issue with management but they did not reach an agreement. A dispute arose and the matter was referred for arbitration where an award was made in their favour.

"It is ordered that the arbitral award of the arbitrator dated October 23 2012 be and is hereby registered as the order of this Honourable Court. The total amount of the award in United State Dollars, 2 390 each," ordered Makonese.

The arbitration award read: "I therefore hold and order the following: that the claimants be paid a total of \$ 2 390 each for underpayments. That the respondent normalise the compensation system for the claimants in order to ensure equity, fairness and objectivity. This should be done 30 days before receiving this award," reads the judgement.

However, TM management approached the Labour Court appealing against the arbitrator's award and on January 10, president of the Labour Court, Selo Nare, suspended its operation.

Nare's ruling was, however, overruled by Makonese's

# Plantation workers take case to court

**D**ISGRUNTLED Employees of Triangle Limited, Hippo Valley, Mwenzana and Mkwazine protesting over the decision to bar them from joining a union of their choice to the Labour Court after the registrar of labour refused to register a union of their choice.

The workers renounced their membership with the Zimbabwe Sugar Milling Industry Workers' Union led by Admore Hwarare arguing that it was not fully representing them and constantly raising subscriptions which are now at \$5. The impasse has been ongoing since 2010 when the workers formed the Sugar Production and Milling Workers' Union (SPMWU) which the employer and the registrar of labour are refusing to recognise. The

employer continues to deduct union dues from the workers' earnings and remits them to the rival union.

In their submissions filed by their lawyer, Advocate

Caleb Mucheche, the Registrar of Labour in the Ministry of Labour and Social Services, Nelia Simango, refused to register SPMWU despite having more than 4 000 members.

The workers submitted that in this regard, Simango misdirected herself and erred at law by failing to conduct herself in terms of Section 45 of the Labour Act (Chapter 28:08).

"Simango refused to register a trade union of the workers' choice with more than 4 000 members, yet her office has registered trade unions with less than 400

members," it was submitted.

"She even registered a second trade union (Sugar Milling and Allied Workers' Union)

in the industry with far less membership and held that 'employees have two trade unions to choose from'."

The workers argued that this leads to reasonable suspicion of mala fides on the part of Tongaat Hulett Sugar, which has continued to administer the check-off system on behalf of ZSMIWU and remitting their contributions.

They argued that other organisations like the National Railways of Zimbabwe and Zesa Holdings had up to four unions each with a membership of less than

600.

Also submitted were the reasons by Simango for refusing to register the SPMWU.

"There is need to pay due consideration to the need to limit the number of entities the employer negotiates with. The addition of another trade union would not add any value to the industry at the moment. On the basis of the observations, application for the registration of SPMWU is declined," said Simango.

The workers argued that employees have to register trade unions to choose from which guarantees that they have representation.

The Labour Act provides for the registration of trade unions after satisfying certain requirements however, the legislation has its shortcomings where it states that the registration is at the discretion of the registrar.



judgment five days later in which he registered the arbitrator's order as that of the High Court.

The misunderstandings between TM and the managers arose after the supermarket refused to pay them bonuses choosing to buy posh vehicles and the three retaliated by refusing to work on a holiday.

## Masvingo council fights attachment of property

Embattled Masvingo City Council has filed an application at the High Court contesting a recent Labour Court ruling that gave its workers the green light to attach and auction council property to recover salary arrears amounting to US\$3,5 million.

Masvingo City Council Workers' Committee, Zimbabwe Urban Council Workers' Union and Labour Court President Loice Matanda-Moyo were listed as respondents in the matter.

President Matanda-Moyo was the one who rescinded an earlier order she gave in error.

The "erroneous" order had been made in favour of the municipality and it had an effect of stopping the sale of council property in settlement of the US\$3,5 million debt.

In the High Court, council argues that the Labour Court had no power to rescind its own earlier decision.

"She (President Matanda-Moyo) purported to exercise a common law power to rescind a judgment made in error, which power cannot be exercised by the Labour Court or a President of the Labour Court.

"Such power can only be exercised by a court of inherent jurisdiction, which the Labour Court is not," read part of the application.

City of Masvingo argues that it was never granted an opportunity to be heard in the proceedings that led to the rescission of the judgment.

It is also council's argument that the whole process was riddled with irregularities and that it should also be rescinded.

Masvingo has so far lost several urgent chamber applications to stop execution of the US\$3,5 million award at the High Court and it had turned to the Labour Court through a different application.

## National Engineering Workers Union



**(NEWU)**

Women win the war against  
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The Union That Educates, Fights And Cares

# Turmoil in food unions, NEC

## STAFF REPORTER

**T**HERE is turmoil in the union which represents the Baking Industry Workers Union affiliated to the Federation of Food and Allied Workers Union of Zimbabwe (FFAWUZ) as members have leveled allegations of financial mismanagement against their leadership. The members who visited The Worker accused union president Paul Twawanda Chapisa of conniving with some of his executive members in looting union funds and running down the union.

The workers alleged that Chapisa working in cahoots with his vice Moses Hwingwire were running down the union following Chapisa's decision to cede power to his deputy after assuming the FFAWUZ presidency.

"Chapisa delegated duties to his deputy who is no longer employed and should not be within the union

structures at all. Hwingwire resigned from Victoria bakery last year in September but is still within the union executive," they said.

They added that Hwingwire was also made a signatory to the union account and has been making transactions since October last year.

"The president and the secretary are supposed to be the two co signatories but the system was manipulated because the secretary is based in Bulawayo and is not readily available so Hwingwire was also added to the signatories. We are no longer sure of what our money is being used for and we understand there have been several transactions that have been made so far," said the union members.

Chapisa said he was not aware of the allegations and the authenticity of the members concerned.

"I am not aware of the allegations they are leveling against us and I am not even sure if these are our members.

If they are our true members they know the channels to use if they have issues that need to be addressed," he said.

ZCTU Secretary General Japhet Moyo said he expected unions to conduct their business professionally.

"In the trade union we expect all unions to conduct their business in accordance with their constitutions. If unions fail to adhere to their constitutions and start doing otherwise they risk inviting the attention of the parent ministry which is the ministry of labour and they risk being probed which may result in some unions being deregistered. We do not anticipate any unions to deviate from the cause of workers," he said.

Meanwhile a dogfight for positions in the NEC for the food sector is ensuing following revelations that some unions which have seats in the NEC are not registered while some unions do not even have membership

in the constituencies they are representing.

FFAWUZ organiser Gift Maoneka said the fight for positions in the NEC started after some unions demanded more seats.

"The issue started when UFFAWUZ applied for more seats to the NEC and the matter spilled to the registrar of trade unions in the Ministry of Labour. All parties were called to attend and it was during deliberations that the issue of registration certificates arose because unions were allocated seats in a 'gentlemen's agreement' and the parties were ordered to bring their certificates to the Registrar. However, the prosecuting union UFAWUZ then reneged and asked for the issue to be returned to the NEC for an amicable solution among the parties," he said.

Maoneka said FFAWUZ was not going to let go the situation as it is and will insist on all unions represented at

the NEC to bring their certificates of registration. We understand UFAWUZ is not registered in the baking industry where it is demanding more seats and it is actually violating the law by operating in an industry where it is not registered. It is a federation and a federation is not a party to the NEC.

"FFAWUZ gave a condition that parties will only review the seats upon the provision of certificates and declaration of membership. We should stick to the legal requirements on the composition of the NEC so that we can do away with a political arrangement that was put in place by the then registrar of labour to accommodate some unions," he said.

He said UFAWUZ had a tendency to bar ZFTU representatives from sitting in the NEC for the Brewing and Sweets sectors something he said was not professional.

## Zimbabwe Congress of Trade Unions



ZCTU

### ZCTU Affiliate unions

UNION	CONTACT DETAILS
Cement & Lime Workers Union (CLWUZ)	Tel: 09884700 / 884710 Fax: 09-884709
Commercial Workers Union of Zimbabwe (CWUZ)	Cell: 0712584067 / 0774 170 442
Federation of Food Workers Union (FFWUZ)	Tel: 748482 / 757600 Fax: 798482
General Agriculture Plantation Workers Union (GAPWUZ)	Tel: 762897 / 734141
National Engineering Workers Union (NEWU)	Tel: 759597-8 / 0773 599 238 Fax: 759598
National Union Of Clothing (NUCI)	Fax: 752064 Tel: 09-64432
Railway Artisans Union (RAU)	Telefax: 09- 64952
Railway Association of Engineering (RAE)	Telefax: 09- 67447
Zim Amalgamated Railway men's Union (ZARU)	Tel: 09-70043 / 09-786001 / 0960948
ZIM Banks & Allied Workers Union (ZIBAWU)	Tel: 703744 / 707779 Fax: 706874
Zim Catering & Hotel Workers Union (ZCHWU)	Tel: 758903 / Fax: 758902
Zim Chemicals & Plastics Allied Workers Union	Tel: 2901010 / 0773 375 708
Zim Construction Workers Union (ZCATWU)	Tel: 773953 / 790158-9 Fax: 773967
Zim Domestic & Allied Workers Union (ZIDAWU)	Telefax: 775813/7
Zim Education Scientific & Allied workers Union (ZESSCWU)	Tel: 709092 Fax: 704747
Zim Furniture & Timber Allied Trade Union (ZFTATU)	Tel: 736649 Fax: 737686
Zim Pulp & Paper Workers Union (ZPPWU)	Tel: 062-2331-9
Zim Textiles workers Union	Tel: 770907 Fax: 758233
Zim Tobacco Industrial Workers Union (ZTIWU)	Cell: 0773 459 343
Zim Union of Journalist	Tel: 795689 / 0772 858 485
Motor Vehicle Manufacturing (MVMWU)	Cell: 073337423
Zim Metal & Allied Workers Union (ZMEAWU)	0773 012 210 Dhilwaya 0773 859 590 / 0713 029 199
Railway Yard Operating Staff (RAYOS)	Tel: 09-62852
National Mine Workers Union of Zimbabwe	Cell: 0775 038 150
Zim State Universities	09 282842 0712 917 467 / 0772 747 387
Zimbabwe Teachers Association (ZIMTA)	Tel: 795931 Fax: 791042
Transport and General Workers Union	Tel: 04-702321 / 793477
Zim Security Guards Union (ZISEGU)	0773 475 196 Nhema 710161
Public Service Association (PSA)	
Zimbabwe Urban Councils Workers Union (ZUCWU)	
ZESA Technical Employees Association (ZTEA)	0772684118

## Suggested Amendments to the Labour Act [28:01]

**This article, unlike the previous ones, does not seek to explain any aspect of Labour law but to provide some possible amendments to our Labour Act [Chapter 28:01]. Outlined hereunder are some of the areas that need to be looked into.**

One of the main problems of the Labour Court is that it has no power to enforce its own decisions. It has to rely on other courts for the enforcement of its decisions. In terms of section 92B of the Labour Act, a party to whom a decision, order or determination relates may submit for registration a copy of decision, order or determination to the court of any magistrate or High Court which would have jurisdiction to make the order had the matter been determined by it.

What this means is that a litigant has to approach either a Magistrates Court or the High Court when armed with a decision of a Labour Court. This is rather unfair on a litigant both in respect of the time that it will take to have his matter finalized and also in respect of legal fees if he is represented by a legal practitioner.

The position in South Africa is different. A decision of the Labour Court will be enforced by the Labour Court itself. Section 163 of the Labour Relation Act of South Africa provides that service and enforcement of orders of the Labour Court may be served and executed as if it were a decision, judgment or order of the Supreme Court.

There is no provision in

the Labour Act which states how one may deal with a situation whereby a party fails to honour a certificate of settlement. One is therefore unaware as to whether he should have the matter conciliated again so as to have a certificate of no settlement or whether he should have the certificate revoked. Another question is whether one should approach the High Court or Magistrates Court to register the certificate even though there is no provision for that. It must be pointed out that there has to be a clear provision on how one can deal with a certificate

or a negotiable instrument. In terms of the Prescription Act of South Africa, with certain exceptions, a debt prescribes after a three year period as provided for in section 11(d) of the said Act. It is thus clear that the two year period is very The Labour Act also provides for voting by secret ballot when a trade union intends to embark on a collective job action. The process of voting is further elaborated in Statutory Instrument 217 of 2003. As it is difficult to conduct the voting owing to a number of problems such as the shortage of Labour Officers or Designated Agents, the right to strike has always remained a pipe dream as one would not venture to embark on the strike without complying with the requisite procedures.

The Labour Act does not have a provision for secondary strike as is the case with the Labour Relations Act of South Africa. In terms of section 66 of the said Labour Relations Act, a secondary strike means a strike or conduct in contemplation or furtherance of a strike that is in support of a strike by other employees against their employer but does not include a strike in pursuit of a demand. It appears that the reason behind having no secondary strikes in Zimbabwe is to try and isolate the striking workers as a means of stifling their job action. It is suggested that the Labour Act should provide for secondary strike to allow workers to strike in solidarity with their colleagues.



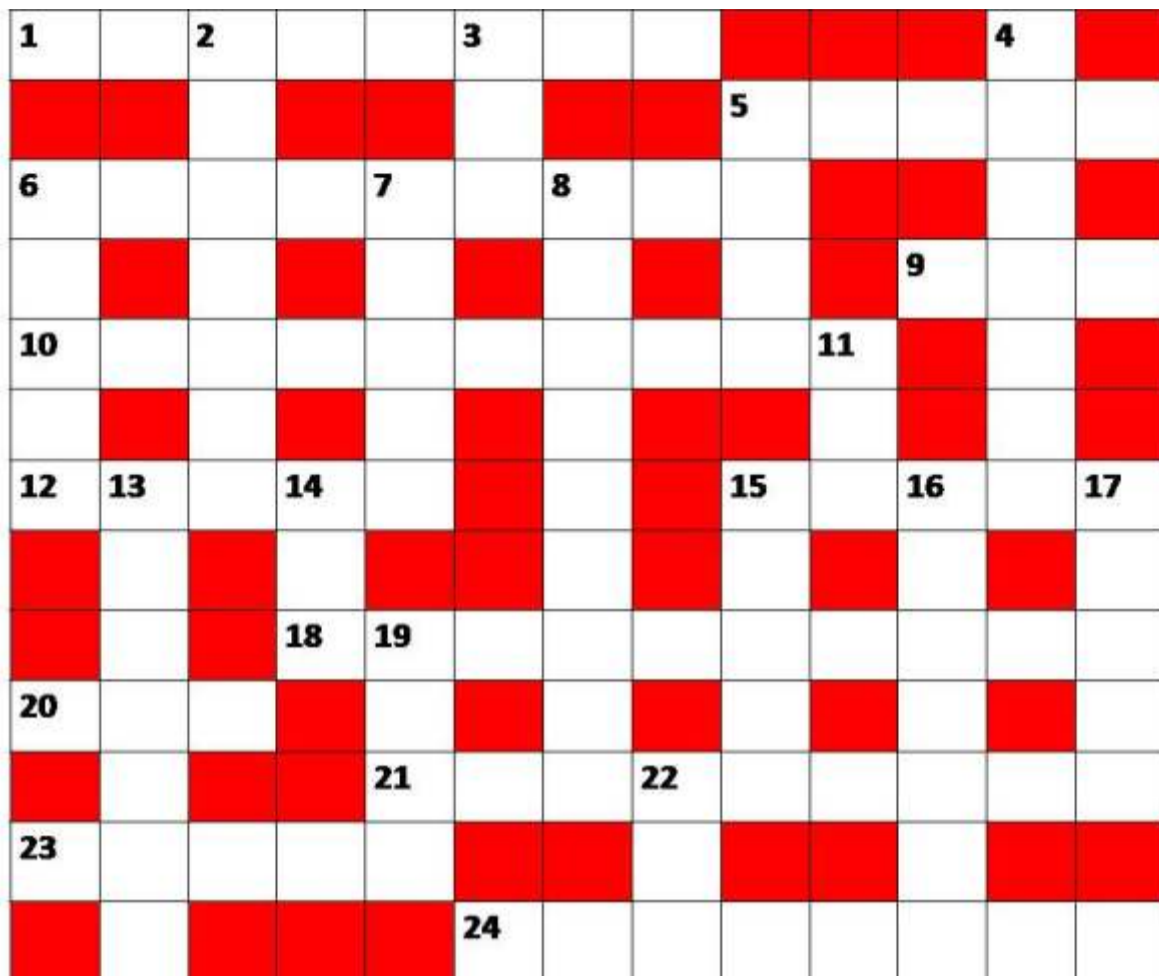
# WORKERS CROSSWORD BY MELULEKI NCUBE

ACROSS

- 1.Vehicle technician(8)
- 5.Giant(5)
- 6.Yearning(9)
- 9.State revenue source(3)
- 10.Workers' complaints(10)
- 12.Rustic(5)
- 15.Commence(5)
- 18.With much care(10)
- 20.Wapiti(3)
- 21.Not temporary(9)
- 23.Salaries(5)
- 24.Artisan(8)

DOWN

- 2.Teller(7)
- 3.Zero(3)
- 4.Boss(7)
- 5.Story(4)
- 6.African country(5)
- 7.Smith's block(5)
- 8.Power source(9)
- 11.Drunkard(3)
- 13.Hazy(7)
- 14.Semi-circle(3)
- 15.Zimbabwean language(5)
- 16.Tough(measures)(7)
- 17.Lovers' encounter(5)
- 19.Serpents(4)
- 22.Drinking vessel(3)



SOLUTIONS FOR LAST MONTH

ACROSS: 1.Constitutional, 5.Interview, 6.Abuse, 7.Toss, 9.Aspiring, 10.Statutory bodies, 17.Drier, 18.Mutirikwi, 19.Industrial site

DOWN: 1.Clients, 2.Spins, 3.Towns, 4.Aluminium, 6.Amigo, 7.Tradition, 8.Set, 9.Agree, 11.Utter, 12.Bet, 13.Service, 15.Emmet, 17.Rural

# Legalise Prostitution?

**N**DINE nyaya yangu: Prostitution pays and it should be legalized in our country. Lets discuss. The following posts (edited) came from comments on a social site they are independent views and not of the writer or the publication

• Follow Posts .....  
I say prostitution has seen most women being able to take care of their families without any problems. Those that know where the rates are higher live post lives.

Uummm, I have seen it on TV, and it does pay *chaizvo* when done professionally, but hey, cant there be other ways of earning a living..personally I'm highly against it.

Armed robbery pays but that doesn't mean it should be legalized Prostitution is not only socially acceptable but it breaks up families, encourages spread of STIs and HIV. These women should be empowered to do other business if they are so enterprising.

There are condoms and most prostitutes know that no condom no service. If you go to some bars in town some get \$20 some \$10 by the end of the night she will have made a decent buck to cover some costs. Two three nights of getting a good buck and she will have enough for rent or children's fees.

So if she has such amazing selling skills why not employ her as an insurance sales person and earn on commission and be able to take care of the children. Any woman can prostitute but only the lazy ones actually take it up..any fool can do that.

There are single women who when their husbands died or were divorced vanga vasina kana fundo. Some are thrown into the streets nemurume woshaya zvekuita.

Having her best assets she uses them the best way she could, and she yes she can do it well. I say if you do it clean, it should not be a problem and police should not arrest these women for trying to make a straight buck.

It might pay but ini ndofunga kukurudzira husimbe. There are other ways of making money.

Hausi husimbe, ibasa guru askana munozviziva and kana achizvigona why not do it and get a buck for it?

Yes zvakangofanana, you being a sales person me being a commercial sex worker.

Husimbe. Like I said chipfambi hachidi any sort of qualification. Just the anatomy nezvivindi.

Am I allowed to explain in shona lol

Hahahhahaha wandipedza

ehe Jim explain in shona kanozoita translate..imi I went to Murombedzi wana wewanhu wechibhadharwa between \$3 and \$5 just so they can buy bread for kids kumba, some havana chekubata. Think of the child headed families, musikana asvika 20yrs ane vanin'ina 3 and akafoira form 4 and no-one to assist. Anotogezwa husiku kuti anopihwa \$5 iyoyo. I tend to ask or observe kana ndasvika pane nyaya. The men mubhawa imomo vaitoti haaa nomupa kana \$5 inotenga mafuta.

Chekutanga chii chambokonzera kuti munhu aite chipfambi? (A) pane magenuine reasons like ataurwa naMimi padenga apo. Kufirwa nevbereki vana voshaya hama inobatsira muupenyu hwavo ,umwe anoona zviri nani aite chipfambi oendesa vamwe vake kuchikoro tingamuti aresva here? She is trying kureducer poverty apa tinenge tava kuti hunherera hwapera coz pava nemuriritiri wemhuri.

Pfambi ndovanhu vanoziwa kudzivirira zvirwere manje kudarika varimudzimba,vakadzi vakawanda havakwanisi kutaura nezveprotection

kuvarume vavo and chipfambi che boyfriend ne girlfriend vashoma vanoshandisa protection.

Hell nooooo!! It is morally, socially and economically wrong. All of us have had tough times in life to sell ..... is wrong and for those who do it let it be done murima...zvkwambo zvinopa mari wani so toita legalize here rituals nekuti you can make a living from it...no no no..ndaramba..husimbe full stop women need empowerment and survival strategies not easy options....



I'll give another scenario when I travelled to some remote places of Zimbabwe where families have one meal a day because that it what they can afford, they are not like you and me, both parents will have passed on, vana variparuzevha, mukuru ipapo anenge apedza form 4 at 18years, afoira and no relatives to assist. Minda inenge yatorwa nehamaka zvonzi munouya muchitorawo. Some of these kids end up walking long distances vakawanda kuenda kugrowth point to earn money to send vanin'na kuchikoro, food and other needs. They have no noone to assist. I say police should not arrest them.

Hatisi kuramba kuti chipfambi chiri kupa vanhu cheuviri asi ndiri kuti se huremende hatisi kuzokurudzira kuti vanhu vaite chipfeve pachena...as a

country we cant legalise it..tiri isu veZanu tobva tati vanhu ngavauye tivape minda...hapana anodya chemusana ..munhu achazodya cheziya...pasi neusimbe...

yoweeee Shava muri pahasha nhasi hapana anodya chemusana euww kikikikii

kiiikkkkk hanti I debate imma stick to my side till tha end..

ehe kikikiki, we were promised land for all, education for all, jobs for all, but wana awa havazive kuti vano gogodza pamusuwo waani kuti ko munda uya? if it cannot be legalised then jus let them be, mapurisa ngaamire mire to make sure hapaita bongozozo kana muri mustreet and they should not arrest them kana tout richisungwa kuti raita noise parank richideedzera Mbare Mbare .....pfambi yosiiwawo mustreet imomo here. Ngavasungwe. lol

....Maface aye aye anozovuitisa, but vanga varongeka wani vakagadzira ma boards which is the best thing ndakazviyemura ini: ngasiya vashoma vachiita, u know it never used to be like that kare unozviziva iwee. ma tout were there but zvaingaita easy easy pa rank. izvi zvakatotanga zvekutsvaga vanhu pakati petown ndozvakakonzeresa. ma tout epa rank anovhunza kuti murikusvikepi should not be arrested.

.....When we talk of prostitution , we dont just look at the act but other factors surrounding it . I will not waste time telling you the obvious , AIDS will kill all of you are quite aware and some will choose to say its no problem because of condoms , but lets all understand . We have quite a number of cases where prostitutes proved that non use of protection means more money for them, and as mentioned these people are in search of a way to sustain their livelihoods , do we think it shall come a time wen one sees that she has to stop this , I have made my money and

am done ....highly unlikely and for as long as there seems to be an opportunity to make more money they will continue operating ...opportunity ...including such a case where not wearing a condom gives them more money. What are the chances that at least half of them will embrace such opportunity...will let u answer ..... and by the way to contract or pass HIV does not need a series of unprotected sexual acts, 1 is bad enough , and because its prostitution and its legal , what are the chances of HIV circulating amongst the prostitutes and further to households where married people hire prostitutes .

Yes its happening now but we condemn it, have always and will e v e r .

.....Moving forward there are other issues like child sex, child abuse , child pornography , human trafficking , Social issues like breaking of marriages , Economic issues like tax. For instance we say hire a prostitute but make sure she's above 18...oh it makes sense ...but how? ....prostitutes please carry your ID's as you go to work , or hey man check ID before you enjoy ....or all prostitute must be issued with Prostitute certificates by the registrar and guys check for certificates before you enjoy, oohh and police officers please be on patrol.....RIDICULOUS .....to be continued.....

....kikikkkkk and enter ...Kuku waendepi...

Certified Commercial Sex Worker with a water mark at the to prove it's real. The back has my rights which include the time within I can work, that I should use protection and my rates....

.....zvaaaaakunakidza... Kkkkkkkkk ndikuuuya

# Local is lekker

The International Federation of Football History and Statistics, a German-based organisation that considers the history and records of national football associations has revealed that the Zimbabwean Premiership is ranked better than the South African, ABSA Premiership.

The IFFHS bases its rankings on all national championships, cup competitions and inter-continental club competitions to produce its list of the Club World rankings.

While the idealists celebrated that the IFFHS put the Castle PSL 14 places above the South African league, realists did not ignore the facts that punched many holes in the organisation's theories.

Obviously, a system that puts America's strong Major Soccer League behind the national



leagues from Angola, Botswana and India, should not be trusted. Those who still based their celebrations on the IFFHS statistics also ignored the fact that the same organisation put the ABSA Premiership (51st) 21 places above the Zimbabwean league on its list of the strongest Leagues of the 21st Century.

To be fair, Zimbabwean clubs have of late done better in continental competitions than their South African counterparts, but that is more attributable to the

fact that the business-minded South African clubs have seen it better to cut their losses than chase tournaments with less reward than their domestic competitions. The winners' prize for the CAF Champions League translates to less than R9.5 million and put against the high costs of travel and hosting away clubs, the net amount can be less than half that figure – R4.75million.

That could be a fortune for Zimbabwean clubs, but remains peanuts to super-rich South African clubs with mega millions in their bank accounts.

Orlando Pirates, continental league champions in 1995 and semi-finalists in 2007, had taken

a back seat in the same competition recently, arguing that the prize money

did not make sense. To prove that, clubs like Nigeria's Enyimba, which have won the prize more than two times, have still not been able to hold on to their players against the power of South African clubs.

Players like Onyekachi Okwonko, who captained Enyimba to one of their continental triumphs, saw it better to be an ABSA Premiership star than be a continental champion again, when he signed for Pirates



*Dynamos players celebrate after scoring. Dembare is one team that contributed immensely to the ranking of the local league through its participation in continental championships.*

soon after winning the Champions League.

This has largely been because of the rich pickings in the South African leagues, which have seen their clubs shun continental competitions. It pays R10 million to win the league in South Africa, R4 million to win the Telkom Knockout, R6 million to win the Nedbank and R8 million to bag the MTN8.

In the two seasons that they won a treble, Orlando Pirates raked in a total of R44 million. It would take more than 10 Caf Champions League triumphs to make that money.

The "Battle of Zimbabwe" between Highlanders and Dynamos does not exist in that world, let alone the Harare Derby between DeMbare and Caps United.

Professionalism is also another judging factor and, unlike in Zimbabwe, ABSA Premiership clubs live by the league's laws, which are also strictly and fairly applied.

In Zimbabwe, Highlanders supporters can stone a Chicken Inn player during a game, Dynamos can refuse to fulfil a

## Zimbabwe Congress of Trade Unions International Women's Day Venues



Please note that all commemorations start at 08:45hrs. For any clarification you may require please contact the Organising and the Women and Gender Departments.

District	Venue	Date	Activity
Harare	Magamba Hall(Highfield)	9 <sup>th</sup> March 2013	Clean up at Chinyaradzo Children's home
Bulawayo	ZCTU Bulawayo Office	8 <sup>th</sup> March 2013	March around Central Business District
Gweru	Mkoba Poly Clinic	23 March 2013	Clean up, sexual harassment campaign and gathering
Mutare	Zororai Old Peoples Home ( Sakubva)	9 <sup>th</sup> March 2013	Clean up and gathering
Masvingo	Masvingo General Hospital	9 <sup>th</sup> March 2013	Clean up and gathering
Chinhoyi	ZCTU Chinhoyi office	9 <sup>th</sup> March 2013	TBA