

HIV training for ZCTU- NER leadership



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AG drops cases against ZCTU

BY STAFF REPORTER

AS the annual International Labour Organisation (ILO) conference get close, the government of Zimbabwe says it has dropped seven out of 11 criminal cases against the ZCTU in what many believe is an attempt to skirt sanction by the international labour body at its June 2013 conference.

Last month, the Attorney General, notified the Ministry of Labour that seven out of the 11 cases had been dropped in line with the recommendation of the ILO commission of inquiry of 2009 which investigated serious violations of workers rights in Zimbabwe.

The high level inquiry that was chaired by Judge Raymond Ranjeva of Madagascar, a former Vice-President of the International Court of Justice, Conciliator at the World Bank International Centre for Settlement of Investment Disputes found out that violation of workers' rights by the Zimbabwe government were both systematic and planned.

The commission highlighted that there was a clear pattern of arrests, detentions, violence and torture by the security forces against trade unionists that coincide with ZCTU nationwide events, indicating that there was centralized direction to the security forces to take such action. It calls for the government to drop charges against ZCTU members and leaders.

For long the government has been reluctant to withdraw the cases, but with the ILO conference looming in June it appears the government want to avoid another confrontation with the international organization and it has started to make piecemeal moves.

But the ZCTU leadership have seen through the government deception. ZCTU Assistant Secretary-General, Dickson Tarusenga said the ZCTU believes that the dropping of charges is not being done in good faith and asked why cases of top leadership have not been dropped and more so the timing of the move.

"They want to paint a picture that they are complying (with the ILO recommendations). The leaders that were



ZCTU members marching from the regional offices in Bulawayo commemorating the 2013 International Women's Day

arrested then are still on the hook. They must drop all cases unconditionally and implement all the ILO recommendations if they are serious," said Tarusenga.

The cases that the AG dropped where those were members of the ZCTU were arrested for various demonstrations countrywide. They include that of members from the State versus Isaac Thebethebe and 31 others (C.R 48/12/08; the State Vs Angela Office (C.R

435/04/03); in Kariba, the State Vs Jacob Magombedze; in Victoria Falls the State versus Stanely Dube (C.R.B No. 944-47/06); in Bulawayo the State versus Celestino Shumbairerwa and four other (CRB No. 2666-70/02) and the State versus Edias Ncube and six others (CRB No. 99-27/03); and in Masvingo the State versus Elliot Mposhi (4112-

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Management scuttling SMAWUZ operations

BY STAFF REPORTER

THE Federation of Food and Allied Workers Unions of Zimbabwe (FFAWUZ) is set for a bruising court battle on behalf of the Sugar Milling and Allied Workers Union of Zimbabwe (SMAWUZ), its affiliate, against the Zimbabwe Sugar Milling Industry Workers Union (ZSMIWU) over unfair labour practices.

SMAWUZ is facing a number of challenges from ZSMIWU which is refusing to let go defecting membership. There are two registered trade unions in the industry, SMAWUZ and ZSMIWU.

"The workers are joining SMAWUZ in droves but the employer is scuttling the moves. Deductions are still being remitted to ZSMIWU when they should be remitted to SMAWUZ. Some of the reasons for the defections are that the ZSMIWU secretary general Admore Hwarare is on the other hand an employer running sugarcane farms. He is also the Chairperson of the Zimbabwe Sugarcane Commercial Farmers Union, an employer body in the industry. This is outright conflict of interest and workers are not happy," said Runesu 'Munhurume' Dzimiri the FFAWUZ organising secretary.

Dzimiri said it is alleged that management benefitted from Hwarare's benevolence and were given with cane farms through his political influence.

"Management is reluctant to let workers leave Hwarare's union because they are using him to subdue the workers cause and concerns. ZSMIWU is the only

worker representative at the National Employment Council. However, it is being led by Hwarare who is an employer. It means that the workers are not represented at all because there is no proper representation at the negotiating table. The workers have a lot of grievances which management is refusing to address. The employers are also not accommodating SMAWUZ to handle workers' issues preferring to deal with Hwarare," he said.

Dzimiri said he recruited more than 6000 members who have since submitted resignation forms to ZSMIWU but Hwarare is refusing to sign them.

"We feel this is an unfair labour practice because workers are allowed to join a union of their choice as it is their fundamental right and a trade union cannot deny a member such choice," he said.

He said the bulk of the workers are getting a paltry \$150.00 per month and after deductions the majority will be left with less than \$90.00.

"ZSMIWU is forcing workers to pay a flat fee of \$5.00 per month as union dues without taking into consideration the workers' grades. The union also deducts a 20 percent levy to non members after every wage increment. The workers are not happy because they were not consulted on all these developments," said Dzimiri.

SMAWUZ general secretary Lovemore Zviundura said his union has been facing hurdles from management since 2009 when it broke away from ZSMIWU.

"We broke away from ZSMIWU to form SMAWUZ after realising a lot of anomalies in the

administration of ZSMIWU. There is non adherence to the union constitution, gross financial abuse and there is no democracy in ZSMIWU to the extent that the union does not hold congresses, executive members are appointed by Hwarare himself. Workers are not benefitting anything from ZSMIWU there is no membership servicing at all, no trainings and union dues are imposed unilaterally," he said.

Zviundura said ZSMIWU is refusing to let workers join a trade union of their choice and is delaying the process by seeking protection from the courts.

"The same case will be heard in court in April and we are also worried about management's bias towards ZSMIWU. Management is interfering into workers issues and has openly told us that they have been given a directive by Hwarare not to remit dues to any other union other than ZSMIWU. When we queried this with management we were advised that they could not effect dual deductions," he said.

FFAWUZ general secretary Dickson Tarusenga called on the ministry of Labour and Social Services to look into the issues of

democracy in unions.

"The minister should revisit the multiplicity of unions in industries. In this case we are talking of very few companies making up an industry and our members are being denied their democratic right to join a union of their choice by management. Our affiliate has more members than any other union in the sugar industry and more are willing

to join us but the affiliate is being treated as a non entity. The ministry of Labour should intervene and restore sanity," he said.

Efforts to contact Hwarare were fruitless at the time of going to Press.



DICKSON TARUSENGA - FFAWUZ GENERAL SECRETARY

Lyons forced to abandon retrenchment

BY STAFF REPORTER

LYONS Zimbabwe has been forced to abandon a planned retrenchment exercise after the intervention of the Food Processing Workers Union.

The company had targeted 31 employees for retrenchment but rescinded the intention after a fallout on the benefits.

After the intervention of the union, a fallout ensued on how the packages were to be negotiated and the justification of the retrenchment. Management then dispatched letters to all the targeted employees advising them of its new position.

"Following the rationalisation process, your current job ...is no longer available and as a result we issued you with an intention to retrench you. However, having relooked at the production compliment structure, you will no longer be retrenched but

instead you are hereby transferred to the production department as a ...with effect from 18 March 2013. The production manager and or your new supervisor will discuss with you your new role and job description. Your salary and other benefits will remain unchanged," reads some of the letters to the employee by Trymore Mudzi,

the Lyons Human resources and Administration manager.

Runesu Dzimiri who handled the matter said there was no need for the employees to be retrenched.

"The employer just wanted to do away with some employees. There were no special measures to avoid r e t r e n c h m e n t . T h e

redeployment is plausible employers should not just rush to lay off workers without taking exhaustive measures. Some of the employees who had been targeted for retrenchment were said to be managerial but they were not enjoying managerial benefits and were NEC graded," he said.

He added that Lyons

management was refusing representation to its employees on the retrenchment matter.

Meanwhile Dairiboard Zimbabwe has retrenched an undisclosed number of employees on a voluntary basis but however the union feels the whole process was flawed and is set to take the appropriate measures.



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HIV sensitisation training for NER

BY STAFF REPORTER

The ZCTU held an HIV and AIDS sensitisation on prevention and participatory action planning for the Northeastern region leadership structure.

Twenty-six (26) participants were drawn from the regional structure, regional women advisory council, district women advisory council and regional councillors.

The workshop deliberated more on basic facts about HIV/AIDS and various Training Strategies that could be employed in promoting Behaviour Change Communication which is centred at arresting new HIV infections.

ZCTU HIV/AIDS Coordinator, Nyaradzai Mutami, took the participants through several essential topics which included Principles and training methods, the overview of the Behaviour Change Communication (BCC) as well as the review of the HIV and Aids pandemic.

She stressed the importance of Sexual Reproductive Health in relation to HIV and Aids and reiterated that Sexual transmitted Infections (STIs) such as Chancroid, Gonorrhoea and Syphilis presented high risks of contracting HIV, adding that people should seek early treatment.

"The BCC is an integral component of a comprehensive HIV/ AIDS prevention, care and support programmes. I urge you as leaders in the trade union to be

exemplary to the multitudes of workers that you lead. Fight stigma and discrimination at the workplaces. The HIV pandemic is now general so you must demystify it and accommodate the infected and affected," she said.

The trainees were equipped with basic training principles and various training methods to prepare them to effectively share HIV and AIDS workplace best practices with fellow employees.

Mutami encouraged the participants to come up with workplace based policies on HIV and AIDS that were specific to each and every working environment.

The National Aids Council (NAC) Harare province representative Gertrude Gatsi presented on the role of her organisation in fighting against HIV and Aids.

She said her organisation was open to work with bodies like the ZCTU in fighting the pandemic adding that NAC was the country's designated statutory body that coordinates the national response to the pandemic.

"The training was so revealing and I learnt a lot about HIV and Aids, I am now capacitated with the knowledge on how I would effectively disseminate the information to other fellow workers," said Chipungu Chipungu one of the participants from the National Engineering Workers Union.

Tecla Masamba the ZCTU north eastern region paralegal officer said that the workshop was a



ZCTU HIV and AIDS Coordinator Nyaradzai Mutami demonstrates condom use to participants, looking on is Salomy Mandizvidza the ZCTU NER Vice Secretary

success.. "The training succeeded well because we managed to meet all the objectives and it was note that

the participants ardently followed all the topics. We need to have more of such programmes to cascade to the shop-floor level. encouraging to

There is still a lot that needs to be done in the area of HIV and AIDS at the workplace," she said.

AG DROPS CASES

From Page 1

No.9920-27/03.

The 2009 ILO Commission report details violations of other fundamental human rights against trade unionists and said that many Zimbabwean trade unionists have been severely beaten by security forces and others acting at the command of the regime over the past several years.

It noted that detentions and targeted violence have been used to intimidate both leaders and rank and file members of the trade union and that the Public Order and Security Act (POSA), has been used regularly as a pretext for anti-union action by the Mugabe regime.

"There was another clear pattern of control over ZCTU trade union gatherings, be they internal meetings or public demonstrations through the application of the POSA," said the report.

Other members of the Commission were Dr Evance Kalula of Zambia who is a Professor of Employment Law and Social Security and Director of the Institute of Development and Labour Law of the University of Cape Town and Dr Bertrand Ramcharan of Guyana who is a former Acting UN High Commissioner for Human Rights and UN Under Secretary-General and Commissioner of the International Commission of Jurists. Dr Ramcharan is also a former professor (Swiss Chair of Human Rights) at Graduate Institute of International and Development Studies.



NOTICE



MERGER CONGRESS

The Zimbabwe, Metal Energy & Allied Unions and the Motor Vehicle Manufacturing Workers Union do hereby advise all their members, ZCTU affiliates and other stakeholders that there shall be an elective congress to conclude the merger process

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Comment

Harmonized elections are the litmus test

MOST Zimbabweans paused in a sigh of relief after the Referendum went on smoothly without any problem.

That the Referendum would go on without any incident was not surprising considering that the protagonists in the battle had virtually agreed on almost all the provisions of the Draft Constitution. Indeed it was nothing to write home about. The playing field seemed 'level' as all political parties got some coverage, though grudgingly, on public press and space to campaign.

The real litmus test is coming with the harmonized general elections. Already signs have started to emerge of what is to come by Zanu PF's intolerance of an alternative voice through the ban of shortwave radios. Even during the campaign for a new constitution, MDC leader had one or two rallies banned by the police although the police later claimed that there was a 'mistake'. Reports of flaring of political motivated violence have resurfaced, the violence is both inter and intra party while the recent arrest of top lawyer, Beatrice Mtetwa is a sign that no one will be spared in the avalanche of violence.

Civic organizations have not been spared either, with their offices ransacked and their leaders arrested. Zanu PF is dangerous when it is desperate for power.

For all those who claimed that the elections will be free and fair as happened during the referendum will be fooling themselves. Zanu PF has all the resources at their disposal: The security forces, diamond money, radio and TV stations, and literary all important institutions under its armpit, while the opposition is enjoying the crumbs of power unaware what will hit them during the elections.

From the war of liberation, Zanu PF believes that it can win the hearts of the majority of its support through coercion. They have never extracted themselves from this archaic way of thinking. This is not surprising because the party is led by dinosaurs that have refused to change over time. Indeed the party has used violence successfully over the years and thinking that it will abandon that is foolish.

Of course, the level of violence might not reach the scale of 2008 simply because Zanu PF wants to win and get some legitimacy. Get assured that the violence will be subtle.

The opposition seems to be moving along with Zanu PF and forgetting important issues that are necessary for a free and fair election. The issue of legislative and security reform is no longer in their vocabulary. Instead of supporting SADC's position on the need to fulfill the Global Political Agreement (GPA) provisions before an elections, they are content being led to the slaughter house.

Even the European Union has also been hoodwinked. They quickly moved in and removed travel sanctions on individuals as a 'reward' for 'progress' made so far in implementing the GPA. It is surprising that for the past 33 years people have failed to learn that the leopard does not change its colours.

Indeed we are inclined to believe what others have observed that the world has got not only tired of the Zimbabwean issue, but it is well afraid of losing a stake on Zimbabwe's mineral wealth. While the EU was busy fighting Robert Mugabe, the Chinese were busy making deals and extracting the country's wealth.

Once SADC pronounces that the elections are free and fair (which they will do) the west will simply endorse that and start a new chapter with Robert Mugabe.

Our clarion call is for Zimbabweans to open their eyes and not let what happened during the Referendum make them believe that everything will be alright. The worst is yet to come.



Guarantee media freedom for best results

BY KIMION TAGWIREI

On 03 May every year we commemorate World Press Freedom, unfortunately with more disappointments than joy as the media in Zimbabwe has not yet enjoyed independence since the nation got independence in 1980.

In almost all programs conducted by Zimbabwe Union of Journalists (ZUJ) and MISA on the World Press Freedom day in Zimbabwe, speaker after speaker concurred with the rest of all journalists and concerned people that lack of freedom of expression has taken many developments in the country back.

The main roles of the media as watchdogs of the society, whistleblowers and educators for the nation have been disturbed for a long time that informed decisions that Zimbabweans could have made on life-bearing issues remained obstructed by government machinations deliberately intended to secure selfish political wishes.

Since year 2000, the media industry in Zimbabwe worsened and journalists have been operating under a disturbingly repressive environment where they are regularly harassed, detained and tortured by the police for breaching a number of draconian laws.

That eventually lowered standards as journalists work in fear, while many run out of the country for refuge, leaving room for inexperienced and incompetent journalists to fill the gaps.

The forced departure of trained, experienced and competent journalists also allowed some of our irresponsible, selfish politicians to place their spies in newsrooms as journalists to carry out their dirty political wars and that polarized and poisoned the media in Zimbabwe.

Zimbabweans are now compelled to believe news from a mixed bag deployed political spies throw their junk in the same market that a few professional journalists dish the truth and that has confused Zimbabweans so much that many people still work with wrong information.

Press freedom and freedom of expression in Zimbabwe remains a nightmare. Countless reports of victimization and harassment of journalists on duty continue unabated as well known politicians try to stop reportage of anything that shames them at all costs. ZANU PF has been repeatedly alleged to be threatening outstanding independent journalists and sources of information. ZANU PF reportedly warned many people especially in rural areas never to allow

independent journalists to access information there. This has made some areas in Zimbabwe no go areas for independent media.

Some courageous journalists who tried covering feared areas have faced the brutal hands of related thugs on murderous political assignments and all that just speaks volumes about lack of freedom.

The state still take journalists, especially those working for independent media, as enemies of the state. It makes no sense to label those who try to report the truth as enemies and label professional liars as patriotic journalists.

A number of journalists working for state media have acquired filthy riches, security and power just by praising ZANU PF and its bloody giants so much that some of them are now living above the law like their masters while truth seeking professional journalists working for independent media have lost even legal protection as they can be sued, tortured or killed for telling the truth. This is why unlawful arrests and detentions are done to independent journalists alone.

Even general, ordinary people in the streets now wonder how the law is applied in Zimbabwe. All criminals are in the independent media and state media remains clean! What a situation! Zimbabweans know the politics behind all that stupidity. This is just unbearable, unacceptable and deplorable to say the least.

Attacking independent media as MDC papers, accusing them of being funded by the West and victimizing them is a hallmark of high levels of desperation.

Political parties can be so desperate to an extreme point that does not accept reality as it seems in Zimbabwe ZANU PF and some MDC politicians are now so hopeless for power that the only option they see now is to beat every dissenting voice and force people to vote out of fear, and not out of their choice.

Zimbabweans now know the truth that ZANU PF and MDC may try to hide. There is nothing more to hide terrorizing the media is a tried and tested failure-bound attempt to lurk the truth which people always get. The little good and much regrettable ZANU PF has done, the promises of MDC and its flaws people know!

Award winning human rights lawyer, Beatrice Mtetwa who recently faced the dirty teeth of Zimbabwean politicized law once spoke out just after year 2000 February referendum

that the government crackdown on media intensified after ZANU PF believed that the referendum was lost "because of the private media which carried "NO" vote messages."

In almost every time the media carry true stories or messages that the government deems against her wishes, the affected political party comes on the media menacingly like a hungry lion and disturb operations and the whole nation at large.

The banning of independent press, brutal burning of newspapers and baseless victimization of journalists does not only affect the press but the whole nation as the public is automatically denied access to balanced information from the disturbed press.

Usually each times before, during or after critical national elections, the government threatens to shut down independent voices.

It becomes clear why that is done to deny Zimbabweans true information that they ought to know and force them to believe ZANU PF propaganda that ZBC and ZIMPAPERS are forced to disseminate.

This is unacceptable in a country where so much truth must be told to heal our political paralysis and economic meltdown!

That ZANU PF does not want MDC to be heard, ZANU PF does not want Zimbabweans to know the truth so that ZANU PF reigns Zimbabwe in any way it likes can no longer continue as Zimbabweans have now known all the truth that they can now make informed decisions in voting and in their daily lives.

The government has no option but to free the media in Zimbabwe. No more torture and murder of journalists or closure of the independent press can stop Zimbabweans from standing for their needs and wants people need democracy, they want responsible leaders of their choice, not bloody politicians who force themselves into power without the will of the people!

This environment that does not allow journalists to produce best results must be made up for the good of Zimbabwe and Zimbabweans - Freeing the media will restore professionalism and allow them to produce expected, best results.

Feedback; Email kimion21@cooload.com

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Organisers challenged to boost membership

BY ADMORE MARAMBANYIKA

THE ZCTU in partnership with ITUC Africa held a two day organising workshop for affiliates with a thrust to find new ways to boost membership recruitment and revive the unions.

ZCTU National organiser Michael Kandukutu said the focus of the workshop was on membership recruitment.

"We have targeted union National Organisers because they are the ones tasked with the burden of organising and managing junior organisers. The purpose of this workshop is to come up with fresh ideas to lure more members into our unions. The unions have registered marked decreases in union membership in recent years," he said.

Kandukutu said some unions were managing membership decline and were not even coming up with new ideas to retain members.

He said unions were failing to adapt to the changing working world hence they were being caught unawares.

Kandukutu said there were several factors affecting union membership ranging from economic to political.

"The operating environment is very unfair to unions as policy makers are making it difficult for unions to operate because they are giving concessions to investors which in most instances are not labour friendly. Governance and enforcement of laws is also lacking paving way for employers to bust unions. Labour cases and wage negotiations are taking long to be concluded and members are left at the mercy of employers. They end up taking what the employer will be offering because the legal processes will be taking long to be concluded hence diminishing the credibility of unions," he said.

ITUC Africa facilitator Joel Odigie said unions were generally becoming smaller owing to membership decline and this is seriously affecting the operations of unions.

"When unions become smaller they become weaker and start losing legitimacy because the power of unions is in numbers. Smaller unions find it difficult to raise incomes for self sustenance so we should build our power by a massive recruitment areas where there is potential," he said.

He added that the other challenge which most unions were facing was on membership servicing.

"Unions must not take its membership as clients. Members must be involved in union activities because they are the union. unions must also come up with alternatives when faced with challenges to remain relevant in the eyes of their membership and non members," he said.

He urged recruit vigorously in the service sectors which are booming.

"The services sectors are employing more people than any other industries and it is prudent for unions to target such sectors and service them vigorously because they are prone to casualisation," he said.

He said organising needs to be tackled from the political and industrial perspectives if unions are to yield the desired results. "To organise is to commit to very serious work and it's not a one time activity but a continuous process which constantly needs to be reviewed," he said.

He said ITUC Africa was committed to working with the local affiliates and would continue to render the necessary support.

The workshop was also attended by members of the ZCTU General Council sub committee on organising which promised to take up issues which were raised by organisers as stumbling blocks in their line of duty.

The organisers said they were facing resistance from union leaders who felt threatened by their roles.

"We are usually not afforded the chance to carry out our organising work. The union Presidents and General Secretaries have virtually usurped our roles. They are organising membership instead of supervising us. They feel that if we become too visible to the membership we may decampaign them," said one participant.

Zimbabwe Metal, Energy and Allied Workers Union General Council member Arbiton Malunga said union leaders should respect other employees' roles and abide within their parameters.

"It is very sad to note that some of our colleagues are usurping their subordinates' roles. To whom do you report to if you are a union President after embarking on a recruitment exercise? Our role is to supervise," he said.



Programme facilitators Michael Kandukutu (ZCTU) and Joel Odigie (ITUC Africa) take the organisers head on

Manager stabbed over deductions

BY STAFF REPORTER

A man employed as a gardener at Eastern Highlands Trust old people's home allegedly stabbed his employer with a knife after a heated salary deductions dispute before he rushed to hand himself at the ZRP Mutare Rural District Station.

Assistant Manicaland provincial police spokesperson, Assistant Inspector Luxson Chananda confirmed the incident which occurred on the 20th of February this year.

The employee, identified as Fungai Kamupira (24) reportedly stabbed his manager, Gideon Mostard 15 times around his upper body with a cutlery knife leaving him unconscious on the floor.

It was confirmed that on the fateful day during working hours the employee had approached his superior's office to make a query about his salary deductions.

It has been established that for over two years the Eastern

Highlands Trust management wrongly paid Fungai Kamupira housing and transport allowances of \$110 per month when he was not legible to receive the allowances since the institution was providing him with accommodation within the workplace.

The allowances had amounted to \$2000 when management discovered the error in October last year and the management resolved to deduct part of the employee's salary every month to recover the allowances mistakenly paid to Kamupira.

For three months, management effected the deductions and this did not go down well with the employee, who on the fateful day armed himself with a knife and approached his manager seeking redress.

The two apparently engaged in an argument and Kamupira allegedly stabbed his manager 15 times in the upper body leaving him lying unconscious in a pool of blood. He then handed himself to

the ZRP Mutare Rural Station where he was arrested for attempted murder.

Since then, has been detained at the Police where he is awaiting trial of the crime at the Mutare Magistrate Court.

The Eastern Highlands Trust acting manager, Bezuld Ehout confirmed the incident adding that the manager was rushed to Murambi Gardens Clinic where he had been recovering well.

The Zimbabwe Educational Scientific Social and Cultural Workers Union Eastern Regional Officer, Denford Chigweshe also confirmed the incident and warned members to desist from engaging in violent ways in dealing with their grievances.

"As a union, we have always reiterated that whenever members have grievances and have failed to address them at their workplace, they should report to the union where we would follow the laid down legal proceedings in dealing with the matter," he said.

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DIGITAL VERSION

Maranatha failing to pay 145 retrenched



**STEPHEN DHLWAYO
ZMEAWU-GENERAL SECRETARY**

BY STAFF REPORTER

ONE hundred and forty-five (145) workers are up in arms with Maranatha Ferrochrome in Kadoma over unpaid retrenchment packages as the employer is paying a hide and seek with them.

The workers were retrenched in January following the approval by the retrenchment board but have not been paid anything since then and are not sure if they are going to receive

anything.

The Zimbabwe Metal, Energy and Allied Workers Union (ZMEAWU) general secretary Stephen Dhlwayo said there was uncertainty over when the workers would be paid their dues.

He said the employer was not showing any

positive signs that he wants to pay. The workers were paid two months notice and nothing has been paid afterwards.

"When the employer made the intention to retrench he had the resources to finance the retrenchment but is now playing hard to get. The employer committed to re-employ the affected workers as soon as production improves and there seems to be a tendency by employers to abuse the retrenchment process because it's not legally binding," he said.

He said the Labour Act should be amended to make the retrenchment process binding on the employer once it has been approved by the retrenchment board.

Retrenchment committee chairperson Shelton Kwava said morale was very low among the affected workers as management is dragging feet in effecting their payments.

"The employer has not paid us our retrenchment packages and it has been three months since we left employment. We have only been paid our notice pay and nothing has been forthcoming. The employer has not even indicated as to when we may be paid the packages. We have registered the case with the Labour Court over the non payment of the packages," he said.

He said management refused to receive the summons to the Labour Court referring him to the managing director.

"Some of the managers refused to receive the papers and openly told me that we were inviting trouble by referring the matter to courts. We have since unearthed that the retrenchment tax deductions to the Zimbabwe Revenue Authority have not been submitted which means that nothing is being processed at the moment. The employer is buying time," he said.

UNION NEWS IN BRIEF

ILSA College ordered to reinstate

ILSA Independent College has been ordered to reinstate nine employees it had dismissed on allegations of embarking on an unlawful job action as a way to force their employer to pay outstanding salaries.

The matter was referred to the ministry of labour where the it was heard and a certificate of no settlement was issued and when the employees reported for duty, the employer instituted disciplinary hearing procedures against 14 employees in terms of the National Employment Council for the Welfare and Educational Institutions Code of Conduct.

The employees submitted that they were charged separately on the same charges but some were reinstated while others were fired.

They argued that the employer used an employment code designed to deal with individual disputes to handle a collective dispute.

"Codes are structurally meant to deal with individual disputes and face numerous difficulties if applied to strikes in terms of the numbers involved and that more often than not worker representatives, who normally sit in the disciplinary committee would be involved in strikes," reads part of the arbitral award.

The arbitrator Y. Malama ordered reinstatement without loss of salaries and benefits from the date of unlawful suspension and payment of damages in lieu of reinstatement if reinstatement is no longer possible.

Gandiya dragged to court

THE Chad Gandiya led Anglican Church of the Province of Central Africa has been dragged to the courts by employees whom it fired soon after its assumption of office following the ouster of Nolbert Kunonga from the church premises.

The church is embroiled in a labour dispute with 13 workers who continued to serve the church after 2007 when the church properties were taken over by Kunonga.

The longest serving of the employees was employed in 1977. The workers were employed by the church's parish while others worked for the Anglican Cathedral, Pax House, a property of the church and the Harare Diocese.

The workers said they were not served with any correspondence in relation to the changes that could affect their work so they continued to report for duty as usual.

The dispute arose after Kunonga's ouster by the Supreme Court which declared the Anglican Church of the Province of Central Africa the owner of the church properties.

Gandiya then moved in and fired all workers who remained loyal to Kunonga and his administration arguing that their contracts of employment had lapsed and had not been renewed.

The case is now before the National Employment Council for the Welfare and Educational Institutions.

The workers were given a 24 hour notice to leave the premises, some of them have their properties locked inside the rooms after the new church leadership changed keys to the rooms.

The affected workers have since relocated with their relatives.

GMB to retrench 400

The Grain Marketing Board has announced that it still has plans to retrench 400 more employees in addition to 829 already laid off last year.

The announcement came when the GMB is saying it has returned to profitability after recording a 101 percent increase in net profit as at March 31, 2012 from a loss position of US\$6,2 million in the previous year.

The parastatal realigned its business with staff reduction and restructuring of its operations, separating the Strategic Grain Reserve from its commercial activities last year which resulted in the retrenchment of employees.

GMB chairman Charles Chikaura said the growth in sales was a result of increased market share of Silo products.

Sales revenue for GMB was US\$11,6 million in 2010, before increasing to US\$14,7 million in 2011. In 2012, the parastatal recorded a 134 percent increase to US\$34,6 million.

Revenue increases were also seen in other income-generating ventures, with the Strategic Grain Reserve, handling and storage turning over US\$4,4 million in 2010 up to US\$29,2 million in 2011. The figure went up 33 percent in 2012 to US\$39 million although annual maize intake went down 15 percent to 212 622 metric tonnes in the period under review from 249 792 metric tonnes in 2011.

"Up to 50 percent of our revenues are now coming from the commercial division of our business and we intend to increase this figure," said Chikaura.

"We are in the process of commissioning maize-milling plants across the country and we are trying to manage costs," he said.

Occupational accidents on the rise

BY STAFF REPORTER

The government has said workplace deaths and injuries resulting from accidents had increased in spite of the economy's contraction.

Statistics show a total of 107 accidental work-related deaths and 5 141 injuries were recorded last year compared to 75 fatalities and 4 158 injuries in 2011.

Acting Labour and Social Services Minister Theresa Makone said for an economy operating at below half its capacity, the continued rise in work-related accidents and fatalities was unacceptable.

"The first two months of this year have already experienced 959 serious injuries with 30 fatalities. Same time last year there were 821 serious injuries with 17 deaths," Minister Makone said.

She said incidents of pneumoconiosis, an incurable

disease caused by inhalation of hazardous dust at workplaces, were also increasing in the country.

So far this year six cases of the disease have been reported, while 12 were recorded for the whole of last year.

"It is also for this reason that the Government of Zimbabwe, with its social partners who are labour and business, has put structures in place to safeguard the safety and social security of workers in this country," she said.

ZCTU head of health and safety department Nathan Banda said the statistics were a set back and such high statistics should not be recorded in this era.

"As labour the safety of employees at the workplace a top priority and such high accident and fatalities show that a lot is not being done in terms of ensuring the safety of employees. The National Social Security Authority (NSSA) has

a duty to monitor companies for compliance and employers sometimes relax if they are not monitored," he said.

Banda said it was the duty of everyone to ensure safety at the workplace and urged employees to report any safety concerns at their workplaces to their unions or NSSA.

Employers' Confederation of Zimbabwe representative Taps Mashingaidze, said the organisation will continue raising safety awareness among its members.

"Safety is a matter of great concern at Emcoz because there is correlation between business and safety. The better organisations adhere to safety standards the better products or services produced," he said.

Mashingaidze said companies were going through difficult a time but that should not compromise employees' safety.

ZCTU holds IWD commemorations

STAFF REPORTER

THE Zimbabwe Congress of Trade Unions (ZCTU) held its International Women's Day Commemorations in all its six regions while the main commemorations were held in Highfields Harare.

In Harare, workers gathered at Chinyaradzo Children's home for a clean up exercise where they slashed the grass, repaired broken windows, washed clothes, cleaned the rooms, harvested the home's maize crop and mended a fowl run.

The workers then went on a procession and gathered at the Zimbabwe Hall for the main commemorations which were also graced by the Minister of Labour Paurina Mpariwa.

ZCTU Women Advisory Council (WAC) secretary Barbra Tanyanyiwa who delivered the ZCTU President's speech said the day was very important for women and especially so for working women.

"Our ZCTU theme 'Women Win the War against Poverty, Inequality, Unemployment and Gender Based Violence' aptly describes the feeling and aspirations of working women in Zimbabwe. Our theme stresses the fight against gender based violence. Indeed the last few months have seen women and children being abused, beaten and even killed. The ZCTU condemns all forms of violence be it political or otherwise. Violence causes serious physical and mental damage to the victim while the family suffers serious trauma when they lose their loved ones," she said.

She said the world must take this day serious and make a self introspection exercise on its treatment of women and children and demanded that the government should prioritise the women's agenda.

"I believe that as working women, it is within our power to stand up and demand an end to violence. Currently there are calls for elections and once such calls have been made, they have a chilling effect on everyone because we all know that Zimbabwean elections are associated with violence and women are the most affected," she said.

Tanyanyiwa said ZCTU was still demanding for the declaration of IWD as a public holiday in Zimbabwe among other demands which included free maternity and health care services, free sanitary ware, decent work, domestication of all International Labour Organisation core conventions and a stop to sexual harassment.

"The ZCTU is calling upon the government to take action as this is no longer time for words but 'walking the talk'. The ZCTU urges government to meet its obligations at all levels, using appropriate means of a legal, administrative and social nature to promote and protect all human rights and fundamental freedoms. The government must exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence to protect

all people especially women and children," she said.

Minister Mpariwa said the government was looking into some of the demands that had been forwarded by WAC.

"I have noted that the demands cascade across several ministries so I will engage the relevant ministers and push for your demands to meet. Some of the demands will be addressed in the new constitution if it sails through the YES vote," she said.

She commended the ZCTU for giving back to the community by donating foodstuffs and other essentials to Chinyaradzo.

"This is very commendable that ordinary workers would give back to the community in this manner. It shows that as workers we still feel for the less fortunate in our society despite the hardships that we are faced with," she said.

She said a lot still needs to be done to improve the welfare of women and children.



ZCTU members braved the rains and marched to Zimbabwe Hall in Highfields from Chinyaradzo Children's Home for this year's IWD commemorations

"There is need for collective effort if we are to register the changes we desire it will not come

on its own. We must all do something to achieve equal opportunities at work or even at

home. Freedoms and rights of workers are critical and should be respected," she said.

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OUTCOME OF NATIONAL CONGRESS - DECEMBER 2012

The Congress was held on the 15th of December 2012 and amongst other issues deliberated on and resolved that the union extends its coverage to the entire Energy Industry in Zimbabwe

In order to give effect to the above resolution, Congress further resolved to amend the Constitution and change the name of the Union to
National Energy Workers Union of Zimbabwe (NEWUZ)

THE CONGRESS ELECTED THE NATIONAL LEADERSHIP AS FOLLOWS

National Executive Committee

President: Caleb Joboringo
Vice President: Constance Tsomondo
Treasurer: Dudzai Matarutse
Trustee: Raphael Njenda
Trustee: Douglas Nyakungu
Gender Representative: Irene Tembo

National Council Members

B.T. Rugoyi
W. Nyakudya
W. Chipendo
M. Gumbo
Ziteya
M. Madzorera
L. Mhoshiwa
M. Chuchu
N. Chipfupi
Captain Mavhura
D. Shonhiwa
J. M Sibanda

Manicaland
Harare
Masvingo
Mat North
Mat South
Hwange Power Station
Kariba Power Station
Midlands
Mash East
Mash West
Mash Central
Bulawayo

The General Secretary (Thomas Masvingwe) is an ex-officio member of both the National Executive Committee and the National Council

International women's Day pics



ZCTU President George Nkiwane addresses the crowd while Minister Mpariwa looks on



WAC leaders Miriam Katumba and Barbra Tanyanyiwa get words of wisdom from their predecessor Paurina Mpariwa now Minister of Labour



Part of the crowd which filled Zimbabwe Hall



ZCTU Leadership and Min of Labour pay attention to proceedings



Winner of the day T. K Rundodza receives a DSTV decoder, the 1st prize for the ZCTU NER raffle



Doing justice to the overgrown grass at the home



Men at work: Repairing a fowl run



Harvest time



Call for women to be pro-active

BY DICKSON CHAERUKA

This year the ZCTU Eastern Region successfully commemorated the International Women's Day (IWD) at a colourful ceremony attended by workers, veteran trade unionists, Civic Organisations and women trade unionists drawn from across different industries around the region.

Over a hundred participants convened at Zororai Old People's Home where the annual memorable celebrations were hosted under the ZCTU theme: "*Women Win the War against Poverty, Inequality, Unemployment and Gender Based Violence*".

The day, which was belatedly commemorated on the 9th of March, kicked off in style after participants engaged in a cleanup exercise at the venue. Various chores including grass cutting, laundry as well as tidying were done which left the place of the elderly beaming with smartness.

Speaking at the event, the ZCTU Women Advisory Council (WAC) member, Mrs Mbetsa who was the guest of honour said women should have a positive mindset towards their emancipation by having self esteem at own capabilities across the political, social and economic spectrum in the country.

"Every woman should be an ambassador for our upliftment in our different societies. We should rise and shun discriminating one another or looking down upon a fellow woman. If the society finds that we believe in ourselves, then it's easy for the people to believe in our capabilities. Every woman should preach the gospel of emancipation through actively getting involved in all the activities carried out in our society," she said.

Mbetsa also read the speech on behalf of the ZCTU President, George Nkiwane who stated that the Labour movement is fully committed to the cause for a better Zimbabwe where all people are equal before the law with pro-poor policies that seek to bring decency to human life.

He lambasted the inclusive government for its complacency in implementing initiatives set to improve the livelihoods of women in the country.

"Let me remind you, that when the inclusive government was established in 2009, Zimbabweans, women included had so many expectations that their lives were set to improve. Now almost 4 years down the line nothing much has

changed. Currently, there are calls for elections, and once such calls have been made, they have a chilling effect on everyone because we all know that Zimbabwean elections are associated with violence and woman are the most affected," said Nkiwane adding that it is within women power to stand up and demand an end to violence.

Addressing the same gathering, former Mutare South MDC-T Member of Parliament and veteran trade unionist, Sydney Mukwecheni said women in the country should be pro-active and have self determination to change the mind set of selfish men.

He bemoaned the absence of punitive measures on those found guilty of perpetrating women abuse in the country.

"It is sad that women and child abuse crimes including rape cases are rife in the country and many perpetrators are moving scot free on the streets at the expense of these vulnerable groups. Legislators should put in place harsh measures such as cutting off private parts of those found guilty of rape crimes as is practised elsewhere," he said.

The Zimbabwe Man as Partners Director, James Mundenda who also graced the occasion stated that women should be seen as partners not to be owned and manipulated.

"Women should be regarded as partners with equal shares in the economic, social and political sphere in the country. Something is wrong when woman are forced to regard men as monsters, a positive attitude of men is essential so as to allow a mutual relationship which involves one another in all programming." He said.

Padare Men Forum representative urged the society to champion women rights by eradicating heinous patriarchal cultural beliefs which discriminated against women in the country saying this was one of the man pillars towards their emancipation.

The ZCTU former WAC Chairperson and veteran trade unionist, Esther Munyamana hailed ZCTU for maintaining the standard of championing women rights by affording them a platform to join fellow women across the world in celebrating the day.

"We are really proud as women by the platform given to us by the labour body so that we can collectively reflect on the progress made in our plight as well as paving a way forward towards our emancipation. ZCTU with its Gender Department is typical of the

Zimbabwe Congress of Trade Unions



(ZCTU)

57 UNCSW: AGREEMENT REACHED BUT TRADE UNIONS REMAIN VIGILANT

The Zimbabwe Congress of Trade Unions (ZCTU) and the International Trade Union Confederation (ITUC) welcome the adoption of Agreed Conclusions at this year's Commission on the Status of Women (CSW). However, trade unions and others civil society partners must stay vigilant as the adoption of the Conclusions was a hard fought battle due to conservative countries who tried to damage women's basic rights.

According to the ITUC-EI-PSI-UNI Global Union federation, the elimination and prevention of all forms of violence against women and girls required a solid and concerted international response.

"This year's meeting faced a serious risk not to deliver Conclusions," explained Sharan Burrow, ITUC General Secretary, "due to countries such as the Vatican, Egypt, Iran or Russia who were responsible for shameful interventions in order to weaken language on women's rights, enshrined in previous agreements, and who opposed provisions which would have further enhanced the set of measures to stop violence against women and girls. This is intolerable, and we will hold them accountable for their damaging impacts on women's rights and gender equality."

Some of the conclusions include:

? The Commission on the Status of Women reaffirms the Beijing Declaration and Platform for Action, the outcome documents of the twenty-third special session of the General Assembly, and the declarations adopted by the Commission on the occasion of the tenth and fifteenth anniversaries of the Fourth World Conference on Women.

? The Commission also reaffirms the international commitments made at relevant United Nations summits and conferences in the area of gender equality and the empowerment of women, including in the Programme of Action at the International Conference on population and Development and the key actions for its further implementation.

? The Commission reaffirms that the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, and the Optional Protocols thereto, as well as other relevant conventions and treaties, provide an international legal framework and a comprehensive set of measures for the elimination and prevention of all forms of discrimination and violence against women and girls, as a cross-cutting issue addressed in different international instruments.

For more agreed positions log on:
http://www.un.org/womenwatch/daw/csw/csw57/CSW57_agreed_conclusion_s_advance_unedited_version_18_March_2013.pdf

The international trade union movement welcomes the determination of those governments to adopt Conclusions and the inclusion of pro-active measures to stop violence against women and girls while reaffirming previously agreed international policies and securing provisions related to contraception, safe abortion and reproductive rights. It is also pleased with the recognition of trade unions as stakeholders to stop violence against women and girls and the inclusion of workplace-related provisions such as collective bargaining agreements and women's access to full employment and decent work.

Read the adopted conclusions here:

The ITUC represents 175 million workers in 156 countries and territories and has 315 national affiliates.

Follow us on the web: <http://www.ituc-csi.org> and
<http://www.youtube.com/ITUCCSI>

For more information, please contact the ITUC Press Department on: +32 2 224 02 04 or +32 476 621 018

Update on the implementation of the ILO Commission of Inquiry

Report and status of workers violations in Zimbabwe

ILO Commission of Inquiry findings

The Commission found the violations to be both systematic (done or acting according to a fixed plan or system) and systemic (relating to a system especially as opposed to a particular incident).

Highlighted that it "sees a clear pattern of arrests, detentions, violence and torture by the security forces against trade unionists that coincide with ZCTU nationwide events, indicating that there has been some centralized direction to the security forces to take such action."

It also concludes that "there was another clear pattern of control over ZCTU trade union gatherings, be they internal meetings or public demonstrations through the application of the POSA".

That "detentions and targeted violence have been used to intimidate both leaders and rank and file members of the trade union in a systematic and systemic manner."

The Public Order and Security Act (POSA), has been used regularly as a pretext for anti-union action by the Mugabe regime.

The COI report also details violations of other fundamental human rights against trade unionists, including freedom from arbitrary arrest and detention, and the right to "security of the person". Many Zimbabwean trade unionists have been severely beaten by security forces and others acting at the command of the regime over the past several years.

ILO Commission of Inquiry Recommendations

- ? Harmonisation of the Labour Act, the Public Service Act and the Public Order and Service Act with conventions 87 and 98 as requested by the ILO supervisory body.
- ? Immediate cessation of anti-union practices.
- ? Render the Zimbabwe Human Rights Commission operational as soon as possible with adequate resources.
- ? Provision of training of Freedom of Association and collective bargaining, civil liberties and human rights to keep personnel in Zimbabwe, particularly the police, security forces and social partners.
- ? Reinforcement of the rule of law and role of Zimbabwean courts by ensuring that the courts are respected properly resourced and provided with appropriate training and support.
- ? Continued strengthening of social dialogue.
- ? Continuation of ILO technical assistance in these areas.

Current Work and Progress

RECOMMENDATION BY COMMISSION OF INQUIRY	ACTION TAKEN	CURRENT STATUS ON THE ISSUES	ZCTU COMMENT(S)
Harmonisation of labour Laws with Convention 87 and 98 POSA	Harmonisation of Labour Laws- Draft of principles completed adopted by tripartite partners pending cabinet approval POSA-Private members' Bill adopted by the House of Assembly	Harmonisation of labour laws pending cabinet approval POSA adopted by the National Assembly but the senate refused it in 2013 now pending before the GPA negotiators	Process slow Deliberate resistance by both employers and government on some issues Wrong legislative process adopted by referring to GPA negotiators, no signs of resuscitation of discussions Deliberate resistance by government to amend POSA,
Stop Anti Union Practices, finalise all pending cases	Compiled cases submitted to Ministry of Labour, Union meeting still banned in some areas	Cases still Pending in different courts	Partly complied some cases still pending. No commitment by government to stop anti-union discrimination
Establishment of the Human Rights Commission	Members of the Commission appointed Human Rights Act enacted	Human rights Act and commissioners appointed	Not yet operational due to administrative challenges, resources to operationalise not yet availed.
Capacity Building for Social partners and security forces	ILO conducted workshops for judges and some personnel on the civil service and social partners in 2012	No change of attitude in the security sector -notable progress in the Labour Court, hard liners remain in the Supreme Court	Serious problems in dispute resolution remain in the supreme court which overturns just decisions of lower courts -police attitude not yet fully changed
Upholding the rule of law and respects for the courts and resources and capacity building on Freedom of Association and civil liberties.	Workshops for judiciary officers conducted	No respect for the rule of law Lack of resources	More capacity building workshops Allocate adequate resources Labour Court under staffed, lack operating infrastructure
Strengthening Social dialogue	Draft principles to legislate the TNF adopted	Cabinet approved, pending drafting AG office	Notable progress but there is need to speed up the process
ILO to provide Technical assistance	Both Human and financial resources provided	Programmes on going	Progress noted More capacity building trainings to trade unions

May day preps advanced

Preparations for this year's Zimbabwe Congress of Trade Unions' May Day commemorations are now at an advanced stage.

The commemorations are going to be held in ZCTU's six regions and all its districts and preparatory meetings have already commenced.

ZCTU national organiser Michael Kandukutu said the labour mother body was planning to spread its visibility to all workers around the country.

"Preparations have started in all districts and regions. Meetings have already started and our various committees are embarking on their duties to make the day a success. We want to involve virtually every worker in these preparations. We are working with our organisers from the affiliate unions. The day is for our members so we would want them to take ownership of the commemorations.

He said the main commemorations will be held in Harare at Gwanzura Stadium.

"This year we are going to hold commemorations with a difference. We have a line up of guests, entertainment and all sorts of things to spice up the commemorations. ZCTU is the most representative labour body in the country and the multitudes of workers at our commemorations should show that we are leaders," he said.

Kandukutu said all ZCTU structures and members were rearing to go and urged employers to support their workers on the day.

"We urge employers to provide their employees with transport to and from the various venues for the commemorations to ease transport woes. Its not much to give employees transport for a day, it actually creates good rapport between employers and employees," he said.

He urged affiliate unions to rally their members in all corners of the country.

Zambian government seizes Collum Mine over poor working conditions

The Zambian government has emphasized that the take over is not nationalism, but due to non compliance with labour laws, safety and environmental standards and non payment of royalties at the previously state-owned coal mine.

There has been frequent industrial unrest at Collum Mine that has been under Chinese ownership since 2003. As early as 2005, submissions were made to government on poor working conditions and government considered its closure in 2006 after a delegation saw first hand the poor working conditions that workers had to endure.

In October 2010, 13 mineworkers were injured when two managers of the mine opened fire on striking workers. Workers went on strike when they were not paid and to protest poor pay and working conditions. Charges against the two managers were later dropped by the state.

Tensions continued to mount at the mine as labour

issues remained unresolved. A pay dispute at the mine after government raised the minimum wage in 2012 resulted in a spontaneous protest by workers during which a Chinese supervisor was killed and another was injured.

"Since the mine was privatized, Muz has taken up the serious concerns of workers on the violation of labour laws, health and safety issues, even implementing the bargaining agreement has been a continuous dilemma," says Joseph Chewe, General Secretary of the Mineworkers' Union of Zambia (Muz), an IndustriALL Global Union affiliated union. "Muz supports the seizure of the mine by government; this is in the best interest of workers especially since workers' jobs are secure. But the government must ensure that the new investor follows the labour laws and ensures good working conditions at the mine for these long suffering workers."

The government revoked

mining licences held by the company that owns Collum mine after no improvements had been made at the mine. The state will operate the mine until a new investor is found. Government has assured workers that there would be no job losses.

A recent study by Human Rights Watch (HRW) concludes that whilst there have been some improvements in working conditions in Zambia's mines under President Sata since 2011, much still needs to be done to ensure labour law enforcement and to improve safety standards, especially in the copper mines. Sata had promised to improve labour conditions in the mines during his election campaign.

A number of trade unions and civil society organizations in Zambia have welcomed the seizure of Collum mine, hoping that this action is a strong signal that the government will not tolerate investors that flout the law and abuse workers' rights.

Call for women to be pro-active

....Continued from Page 9

progressive forces vital to bring a change in our society and they should maintain the legacy," she said.

Participants were mesmerised with lots of entertaining activities lined up for the day. Women trade unionists exchanged the platform reciting captivating poems whilst music addicts could not leave the floor asking for more.

The ZCTU Eastern Regional structures donated boxes of groceries which were handed over to the institution by the Regional Chairperson, Francisca Gurure and RWAC Chairperson Portia Sibanda whilst each of the 23 elderly persons at the home were again given hampers as presents for the day- much to their visible unstoppable gratitude to the trade unionists.

ZCTU Eastern Regional Paralegal Officer, who chaired the event, expressed satisfaction at the attendance of workers to the event.

"This is encouraging to see workers coming in such numbers to join one another to commemorate such an event. This shows solidarity to our demands we have categorically reiterated over the years for the empowerment of women. I am also moved by the kind gesture shown by the trade unionists to the elderly, which also proved a point that besides known for demanding, we can also engage in such moves in our Corporate Social Responsibility agenda.



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Selfish opposition our greatest betrayal

THE Referendum is over. It was not a big deal, the real big deal is coming and this is elections. Frankly, Chigumura was surprised with the turnout which was higher than expected. I had predicted around two million voters, but it turned out to be more than three million.

Of particular note was the spirited efforts by Lovemore Madhuku and Raymond Majongwe to campaign for a "NO" vote. It was a lost case for the two as they failed dismally to read the signs. They ended by directing their venom towards Morgan Tsvangirai for allegedly

betraying the struggle. I am told that they want to form their political party soon after elections to rival the MDC T. Why forming a party after elections is a mystery? If they are men enough they should announce it now and contest the elections. But then, judging by the fact that less than 200 000 voted 'NO' against over three million, they had an uphill task to have Zimbabweans take them seriously.

While Zanu PF and MDC-T seemed to have been working together during the Referendum, we are going to see a different Zanu PF altogether come elections. The signs are already there as we



DUMISO DABENGWA



SIMBA MAKONI

NRZ enginemen ignore court order - down tools

BY STAFF REPORTER

IRKED by the slow court process in concluding their case, management's arrogance and biting poverty after going for eight months without salaries, National Railways of Zimbabwe (NRZ) enginemen last month ignored a court order and proceeded to strike.

The 450 workers also claimed they work under poor working conditions which endangers their lives as the locomotives do not have functioning speedometers and are way past their service time.

The strike came after the Labour Court had issued a ruling barring workers from engaging in a strike action until the litigations are over.

"The situation has gotten worse as we progressed to the present state where the National Railways of Zimbabwe owes eight months pay to all employees with no solution in sight," the workers said in a statement.

"We are appealing to landlords, schools and any other institution that are owed monies by employees of NRZ to bear with them and of course their families to understand the situation they are in."

Railway Association of Enginemen (RAE) President Norman Simba said the workers had decided to strike after noticing that their safety was at stake.

"It is saddening that management has failed to realise that our lives are now at risk since everyone is doing their work half-heartedly. Our trains no longer have functional brake pads and even the railway lines themselves are badly damaged. We can no longer put ourselves at risk," he said.

The NRZ suspended some of the enginemen who had embarked on strike but later rescinded the decision.

"We understand that suspension letters were drafted but management then decided against the idea to suspend the enginemen and engaged the unions for negotiations to end the strike," said some employees.

NRZ general manager Retired Air Commodore Mike Karakadzai said the employees' grievances were nothing new.

"In light of the fact that their grievances are being addressed at various levels, there is really no need for an industrial action. The employees have already been told by the Labour Court not to strike until the matters are settled," he said.

Rtd Air Commodore Karakadzai dismissed claims that management had not been paying salaries for the past eight months.

"We have been making sure that the employees get 100 percent of their net salaries after every six to eight weeks," he said.

"The eight months they mean are their 13th cheques from 2009, of course we have had challenges in getting income due to the low business, but we are trying our best."

Rtd Air Commodore Karakadzai urged workers to go back to work so that the NRZ does not lose more business.

see the crackdown on civic organizations, the arrest of lawyers and arrest of MDC supporters. If Morgan Tsvangirai thought that the beast in Zanu PF is dead, then he will be in for a rude awakening. Zanu PF has no permanent friends and they can do anything to win a vote.

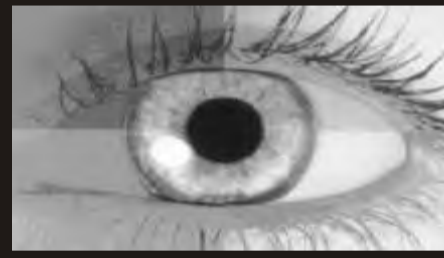
Talking of elections, if the opposition go into the elections as divided as they stand, then Zanu PF will laugh all the way to State House. The opposition are in disarray that a split of votes is imminent. It is all because of selfishness. Morgan Tsvangirai has the big brother attitude and thinks he should naturally lead the opposition; Welshmen Ncube thinks he is too smart upstairs and cannot work with an 'uneducated' Tsvangirai; Arthur lives in a dreamland where he is President of Zimbabwe; Simba Makoni thinks he is a technocrat and better placed than others; Dumiso Dabengwa thinks he is mature than the rest and that he holds the key to the Ndebele vote; and for Job Sikhala, he moves with the wind. All this is bull-dust.

In fact, the split of votes will be more than the 2008 elections because then we had only three serious contenders. But this time around there is Welshmen Ncube, Arthur Mutambara, Dumiso Dabengwa, Simba Makoni, Job Sikhala, Egypt Dzinemunhezva..... and others all vying for State House. If all these people come

together and sponsor one candidate, then Zanu PF will be in trouble. Bringing these personalities together will not happen in Zimbabwe. They fancy themselves in State House and never care a hoot about Zimbabweans.

It is a fact that the opposition

CHIGUMURA



has been our greatest betrayal of all times. Imagine what would have happened if Simba Makoni and Morgan Tsvangirai had agreed to field one candidate? Mugabe would be history by now.

THE decision by the Zimbabwe Anti-Corruption Commission (ZACC) last month to try to investigate three ministries headed by Zanu PF ministers caused a furor of unprecedented nature. ZACC had wanted to search and investigate the Ministries of Mines and Mining Development led by Obert Mpofu; the Ministry of Transport, Communications and Infrastructure Development headed by Nicholas Goche and the Ministry of Youth, Indegenisation and Empowerment which is under Saviour Kasukuwere on allegations of corruption but it

was blocked. If indeed there is nothing to hide, why block those who wanted to do searches? For a long time Zimbabweans have had questions regarding these ministries. For the mines ministry, they have been questioning the wealth of the

Minister, the opaque nature of the diamond mining and selling as well as granting of mining licences. For the Transport ministry, there has been questions regarding the use of tollgate fees, the building of substandard tollgates, the awarding of tender and so on. As for Kasukuwere, there are reports of illegal employment of party youths as civil servants and there are questions of kick backs during the process of indegenisation.

If people think that there are shoddy deals taking place, surely the ZACC must be allowed to get in. If the ministries are squeak clean as they want us to believe, why refuse? This will raise more eyebrows than necessary.

However, the Zanu PF spin doctors believe there is an effort to tarnish the party ahead of elections. They claim there are other 'documented' cases the ZACC have not investigated. These include the Prime ministers' alleged double dipping and corruption in local authorities.

I think we are heading for exciting times as elections get closer. After corruption scandals, I bet the next step will be getting into each others'

ZTEA changes to NEWUZ

BY STAFF REPORTER

A new union has been born in the energy sector following the merging of Zesa Technical Employees Association and defecting members of the Zimbabwe Energy Workers Union (ZEWU) to form the National Energy Workers Union of Zimbabwe (NEWUZ).

The union came into force in December last year after a congress which ushered in a new leadership comprising of members from both merging formations.

Thomas Masvingwe, who was elected General Secretary said the union adopted a number of resolutions at the congress which included going for an aggressive recruitment, improve service delivery and the executive was tasked to come up with innovative strategies to rejuvenate the union," he said.

"We have since submitted our papers to the registrar of labour for a change of name from ZTEA to NEWUZ and we anticipate that the process will be

through very soon," he said.

The union amended its constitution to enable it to accommodate other members who are not technical staff coming from the Zimbabwe Energy Workers Union (ZEWU) and the entire energy sector.

In an interview with The Worker Masvingwe, said the union was receiving overwhelming requests for membership from workers across the board in the energy sector.

Masvingwe said the executive had also decided to change the name of the union so as to ensure it embraced all the other employees.

"We resolved to change the union name to make it all embracing to all workers in the industry. We have embarked on an elaborate and deliberate programme and have made a resolution that we should welcome any one, because the union now represents everyone according to the conditions of our registration," he said.

The union has also succeeded in raising the minimum wage to \$474 for the lowest paid members.

The ZTEA leader said the union was now looking at broadening its scope and also to play a role in national issues, adding that the union was against the intended

privatization of Inyathi Power Station.

"We acknowledge that there is shortage of power but our view is that other players must come in and help boost production other than take over what is there," he said.

Masvingwe also revealed that in an effort to improve service delivery to its members, the union would soon be opening offices in all the regions.

They have also established a legal department, research and development department and a women and gender desk which will be under competent staff.



THOMAS MASVINGWE - NEWUZ GENERAL SECRETARY

Sakubva Mushando bar dwellers resettled

BY DICKSON CHAERUKA

VICTIMS of the infamous Zanu PF Operation Murambatsvina who have been living at Mutare Council owned Mushando beer hall located in the high density suburb of Sakubva are now proud home owners following the intervention of two international aid organisations.

The 23 families were resettled at Dream House Location situated near Chikanga Phase 3 high density suburb where they were provided with 3 roomed houses per household built on 150 m2 stands.

The Mutare City Council availed the stands for free to the dwellers in partnership with the International Organisation for Migration (IOM) and the Norwegian Refugee Committee (NRC). The two organisations' bankrolled the construction of 23 houses for the victims.

One of the beneficiaries', Susan Simbi who is a mother of nine and a widow, could not hide her joy saying that her dignity and humanity was restored by the decent accommodation provided to her family.

"I am overwhelmed with happiness, it is really a new dawn and had it not been for these organisations which intervened, we don't know what would have been our fate. The houses are perfect and there is enough space for extensions to all that space I am currently using as my garden," she said.

The relocation came after the victims had endured a total of nine years living in squatter-like refugee conditions

at Mushando beer hall where they had no proper sanitary facilities. So pathetic were the conditions that over 50 people, including parents and children, had to share a single toilet which they also used as a bathroom.

Over the years, their plight could not been made better by Mutare City Fathers who at some point in February last year wanted to evict the victims' at the bar without any alternate accommodation for them - a move which infuriated various civic human rights groups working in the country.

The families gave thumps up to the Zimbabwe Lawyers for Human Rights (ZLHR) which freely represented them at the courts and the council was interdicted from evicting the residents before decent accommodation was found for them.

The victims' group representative, Benita Gonese who is also the Zimbabwe Chamber of Informal Economy Association (ZCIEA) Territorial Secretary, said she is grateful and relieved by the kind gesture of the IOM and NRC for providing them with new decent homes saying they were given dignity.

"Ours was a horrific fairytale since May 2005 when our homes were destroyed during Operation Murambatsvina and the council relocated us at the beer hall. These new houses provide us with the appropriate rehabilitation from the diabolic memories of the past nine years. We will forever be indebted to these civic organisations. May God bless them that they may continue doing such wonderful work," she said.

Gonese further revealed that the

new residents were also promised to be given capital to start self sustaining projects by the organisations since most of the families are unemployed and had been involved in informal work.

When contacted for a comment, the ZCIEA Secretary General, Wisbon Malaya said his organisation treasures the initiative taken by the Mutare Municipality, IOM and NRC in relocating the families.

"As an organisation we really appreciate the charity work done by them. We understand most of the families are into informal work and are our members. As a body that represent informal workers, we would want to consetise the residents with basic skills to help them to manage their income projects to make them economically strong," he said.

The Town Clerk for Mutare City Council, Obert Muzawazi confirmed that the Mushando bar residents were relocated stating that the families' sufferings at the beer hall had become an endemic to the municipality.

"The Council was greatly involved in the relocation of these families. We carried all managerial and logistical duties in facilitating the new homes for the dwellers. Besides, we availed the stands for them freely through our corporate social responsibility gesture to the society. We are also gratified by the kind gesture shown by civic groups which partnered with us in facilitating new accommodation for the families. I am happy sanity is finally prevailing for the families," he said.

NEWU welcomes reopening of Chisumbanje ethanol Plant

The National engineering workers union (NEWU) has welcomed the reopening of the Chisumbanje ethanol plant.

The ethanol plant has not been operating since last year owing to fighting between villagers and plant owner Green Fuel, over among other issues, boundary disputes.

The parties have since resolved their disputes after government intervention.

"We came here to see what is causing these problems we are having at this plant. A group of women from this area came to me asking for my intervention. I saw people who wanted to reap where they did not sow and that will not be allowed to happen," Mujuru said during her visit to the plant.

NEWU general secretary Lovemore Mazenge said the reopening of the plant was a good sign adding that some of the problems that forced the company closure could have been averted had the stakeholders engaged each other in god faith.

"The workers are the ones who bear the brunt of the fights. As a union we are happy and are hopeful that the company will resume production a soon as possible.

Green Fuel production manager Engineer David Muwandi said the company was recalling all its employees back to work.

"We have started with recalling our employees and after that we will do some refresher courses because most of them have not been doing this job for a long time. We have projected to start actual production on April 4."

Basics of a contract of employment

A contract of employment establishes an employer employee relationship. It is the contract of employment together with the applicable Acts, regulations and collective bargaining agreement that will determine the terms and conditions of employment.

The contract of employment should properly define the parties to it. This means that there must be sufficient particulars of the parties such as their names and their respective addresses. The parties may choose that the addresses given in the contract will be their respective addresses for service. This means

that in the event of a dispute between the parties, any process that would need to be served will be effected on the address that would have been given. Section 12(2) of the Labour Act clearly provides that: an employer shall, upon engagement of an employee, inform the employee in writing of the name and address of the employer.

The contract should provide for the period that it is supposed run. In the absence of any specific period, the employee will be deemed to have been employed on a contract without limit of time basis. Section 12(3) of the Labour Act provides that:

A contract of employment that does not specify its duration or date of termination, other than a contract for casual work or seasonal work or for the performance of some specific service, shall be deemed to be a contract without limit of time"

The remuneration to be paid to the employee will also need to be captured in the contract as well as the method of payment. In terms of section 12A(1) of the Labour Act no payment of remuneration will however be made in the form of promissory notes, vouchers, coupons or in any form other

than legal tender. Payment in the form of liquor or drugs is also prohibited. Remuneration can however be paid in kind only in industries where such practice is customary.

The contract should also provide the grade that one will be placed into. The grade will usually be taken from the applicable collective bargaining agreement. Some companies however have grades that are above those put in place by the relevant employment council and the wages commensurate with such grades are either agreed to at the works council or by applying a particular percentage over and above that of the highest employment council grade.

The contract should also state

provisions of the national code. Currently the national code is SI 15 of 2006.

Vacation leave, sick leave and compassionate leave amongst other forms of leave should also be provided for. However, as these are already provided for in the Labour Act, their absence in an employment contract will not mean that an employee will not be able to enjoy them. In simpler terms, they are statutory rights. An employer cannot take away these rights and the best that an employer can do would be to make the rights more favorable.

Some other non statutory benefits may also be included in a contract. The wording of the contract will determine whether such benefits will be paid every now and then or whether their payment will depend on the existence of other factors such as reaching a particular level of sales or production. A good example of such a benefit is a bonus.

The above basics are not exclusive. There are a number of aspects that can be included in a contract.

An employee should however ensure that the basic aspects are included. The obvious problem is that the employee would not have the same powers as the employer and he will ultimately accept the terms of employment which are far less than the expected.

Basil Makururu is a registered legal practitioner who writes in his own capacity.



which code of conduct binds the employee. There are a number of codes of conduct that can be applicable to an employee. A company may have its own code of conduct or in its absence the company will be under an obligation to make use of the industrial code of conduct. An industrial code of conduct is a product of both the employer representative and the employee representative. In the absence of an industrial code, an employee will be bound by the

Zimbabwe Congress Of Trade Unions



(ZCTU)

AFFILIATE UNIONS

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COMMERCIAL WORKERS UNION OF ZIM	0712584067 /0774170442
FEDERATION OF FOOD & ALLIED WORKERS UNIONS OF ZIM	TELEFAX 748482
GAPWUZ	TEL: 04-762897 / 734141
NATIONAL ENGINEERING WORKERS UNION	TEL 759597-8 0773599228
NATIONAL UNION OF THE CLOTHING INDUSTRY	Fax:752064/ Tel:09-64432
RAILWAY ARTISANS UNION (RAU)	Telefax: 0964952
RAILWAY ASSOCIATION OF ENGINEMEN	Telefax: 09-67447
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Zim BANKS & ALLIED W/U	TEL: 04-703744 / 707779
ZIM CATERING & HOTEL W/U	Tel 04-758903 Fax:758902
Zim CHEMICALS, PLASTICS & ALLIED W/U	Tel:2901010 / 0773371708
ZIM CONSTRUCTION & ALLIED TRADES W/U (ZCATWU)	Tel:773953 / 750158-9 Fax: 773967
Zim DOMESTICS & ALLIED W/U	Telefax: 775813/7
ZESSCWU	Tel 700902/ Fax:704747
ZFTATU	Tel: 736649/ Fax: 737686
Zim PULP & PAPER W/U	Tel: 062-2331-9
Zim TEXTILE W/U	Tel: 770907/Fax:758233
Zim TOBACCO INDUSTRIAL W/U	CELL: 0773459343
Zim UNION OF JOURNALISTS	Tel:795609 / 0772 859 485
MOTOR VEHICLE MANUFACTURING W/U	0733737423
Zim METAL ENERGY & ALLIED W/U	0773012210 / 0773869590 0713029199
RAILWAY YARD OPERATING STAFF	Tel: 09-62852
NATIONAL MINE WORKERS UNION OF ZIM	0775038150 TEL: 09-282482
ZIM UNIVERSITIES W/U	0712917487 / 0772747387
ZIM TEACHERS ASSOCIATION	Tel: 04-795931 / Fax: 791042
TRANSPORT & GENERAL W/U	Tel: 04-702121 / 793477
ZIM SECURITY GUARDS UNION (ZISEGU)	TEL:710161 / 0773475196
PUBLIC SERVICE ASSOCIATION (PSA)	Tel: 04-704941
Zim URBAN COUNCILS W/U (ZUCWU)	04-737943 / 0773691786
NATIONAL ENERGY WORKERS UNION OF ZIM	TEL:04-792138/43

PROUD TO BE ZCTU

ZCTU condemns Mtetwa's arrest

The Zimbabwe Congress of Trade Unions (ZCTU) has condemned the country's judiciary and police's heavy handedness over the arrest and detention of prominent lawyer and human rights defender Beatrice Mtetwa.

"The ZCTU is deeply concerned with the unlawful detention of human rights lawyer, Beatrice Mtetwa, on allegations of defeating and or obstructing the course of justice. The ZCTU understands that Ms Mtetwa was unlawfully arrested at the scene of police raid at her client's home after requesting for a valid search warrant and an inventory list of the materials that had been taken by the police," said ZCTU Secretary general Japhet Moyo in a statement.

He said what was more disturbing was the reported refusal by the police to comply with a High Court Order for her release despite being advised that their actions were in contempt of court.

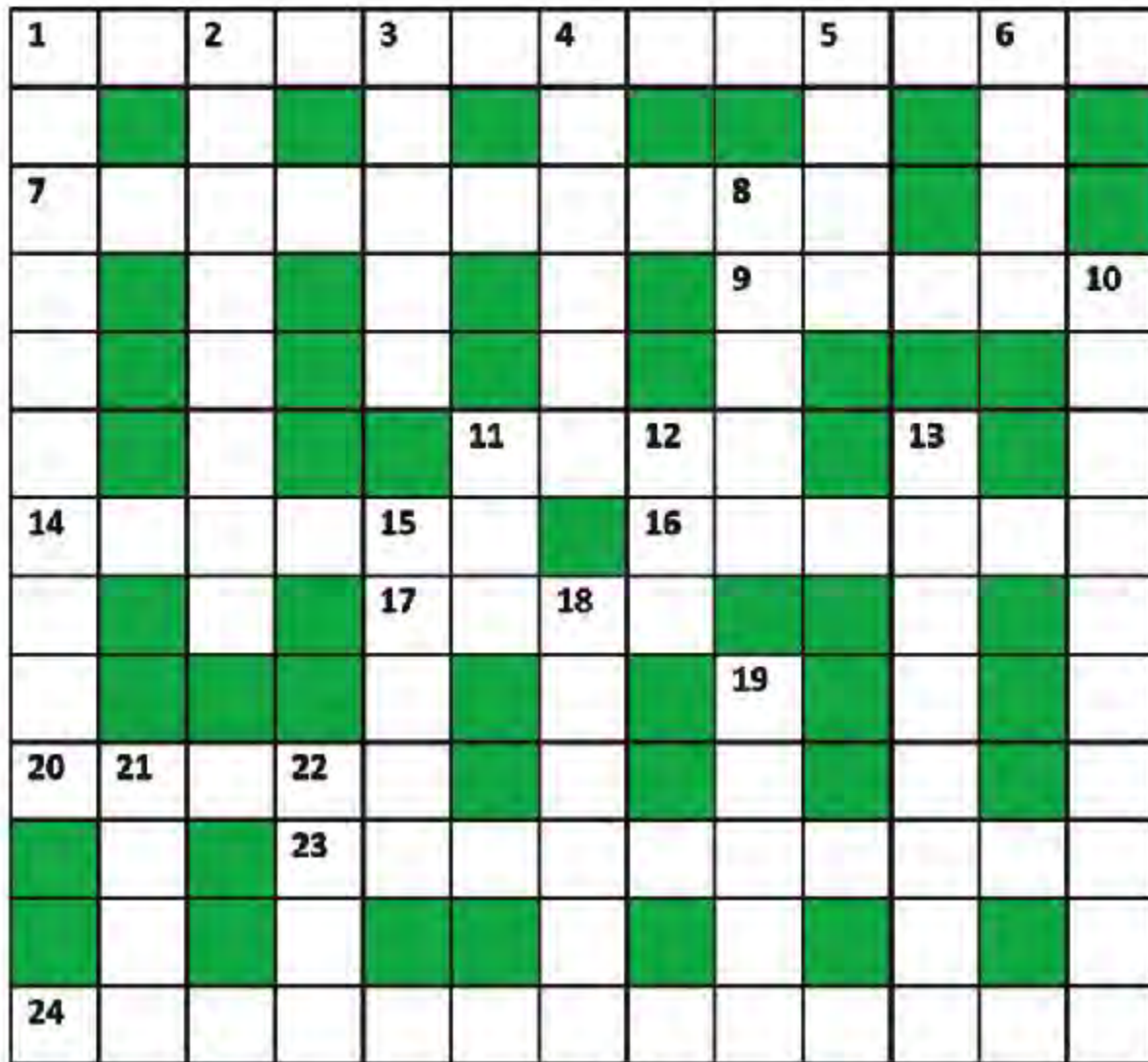
"The ZCTU notes with regret that there seems to be a pattern of harassment of human rights groups and persons as the country moves towards national elections. We call upon Zimbabweans to stand against harassment and intimidation by what appears to be an excited and partisan police force," he said.

Mtetwa has since been released by the authorities.



Beatrice Mtetwa

WORKERS CROSSWORD BY MELULEKI NCUBE



- | | |
|--|---|
| <p>ACROSS
 1.ZCTU President(6,7)
 7.Garment manufacturer(10)
 9.Encounters(5)
 11.Ishmael.....,
 Zimbabwean footballer(4)
 14.Risk(6)
 16.Reach(6)
 17.Rowing tools(4)
 20..Japanese city(5)
 23.Production clusters(10)
 24.VAT, in full!(5-5,3)</p> | <p>DOWN
 1.Zim central bank chief(6,4)
 2.Additional working hours(8)
 3.Vapours(5)
 4.Zimbabwean district(6)
 5.Metal cord(4)
 6.Tidy(4)
 8.Flame(5)
 10.Kamandama mine disaster year(7-3)
 11.Meadow(3)
 12.Existed(3)
 13.Administrative zone(8)
 15.....Cup, Zimbabwean cricket contest(5)
 18.Reimburse(6)
 19.Turning machine(5)
 21.Epic(4)
 22.Central African lake(4)</p> |
|--|---|

SOLUTIONS FOR LAST MONTH

- ACROSS:** 1.Mechanic, 5.Titan, 6.Nostalgia, 9.Tax, 10.Grievances, 12.Rural, 15.Start, 18.Cautiously, 20.Elk, 21.Permanent, 23.Wages, 24.Engineer
- DOWN:** 2.Cashier, 3.Nil, 4.Manager, 5.Tale, 6.Niger, 7.Anvil, 8.Generator, 11.Sot, 13.Unclear, 14.Arc, 15.Shona, 16.Austere, 17.Tryst, 19.Asps, 22.Mug,

Is polygamy right or wrong?

Having a husband of your own, to have and to hold, in sickness and in health, in happiness and in sadness, in good times and in bad times is not such a bad idea. Wouldn't it be ideal to have one man or woman to call your own, who cannot be claimed by another. . .just a thought.

After having done some research, I realised that different people have different perceptions about polygamy. It is interesting that some single women did not have a problem with polygamy some of which admitted they would get into a polygamous relationship without second thoughts.

I am referring to single, educated, and independent women who said they would not mind being married to men who have their own families. I quote one lady who said 'as long as I love him and he loves me and can marry me, I do not mind being a second wife living on my own'.

This is one of many single women who are willing to get into polygamous relationships living on their own as long as they have been married and there is 'love'

between the man and the woman and the man can take care of all the woman's needs. They spoke with confidence and had no shame as they explained how the relationships work. It seemed like a great idea for single women who cannot find single men to marry them in the time they want. One could almost support the idea, but should we?

In Binga, Bindura, Hwange and Mutoko, *Inomira-Here?* once witnessed the downside of polygamy; I witnessed a 15-year old mother suckling a baby, being the 4th wife because she wanted to be married to a man who had a tuck-shop and bigger land. It was clear there was tension amongst the children and lack of respect for one who is not their mother.

The mothers were at pains trying to make everything seem normal by keeping straight faces but one could detect a heated struggle for attention among the wives. The women secretly shared that there was possible witchcraft and indicated that each one had to have at least a portion to protect her family and also some love portion to give the husband to gain more attention and 'love'.

This is a clear indication that in the long run polygamy can ruin families, cause jealousy amongst the wives fighting for attention and children will inevitably develop a deadly hatred for each other as a result, a compact family will be turned into a very explosive hostile camp which is one of the best recipes of domestic violence. Moreover



to instil a semblance of respect and morality in the offsprings of a polygamous family like forcing a small spanner on a big nut. This usually occurs when women, the traditional tutors of morals and basic conduct fail to fulfil their social mandate as they will be wholly preoccupied by a fervent desire to please the man of the house

POLYGAMY IS A THORN IN THE FLESH FOR THE FIRST WIFE. Having been married to a man for many years, when you think you are

living happily with your husband, making your husband the happiest man and he brings to you a younger bride is a real thorn in the wound, a pain in the wrong place. Even when a marriage is going through a rough time, bringing another woman is like bringing death into the house as another woman describes.

When a woman tries to please her husband in different ways each day, and she tries the best that she can and then the husband brings another woman, it means she will have failed as a woman. Why on earth does a man get the guts to bring another woman when there is another who does a good job taking care of his 'needs'.....only the greedy ones. Just a thought as well!

I asked some Christians their opinion on polygamy and they quoted from the Bible Genesis 2 vs. 18 which says 'it is not good that the man should be alone; I will make him a helper fit for him'. This verse according to Christians means a man should have one helper or one wife. Another quoted Mark 10 vs. 7-9 which says 'for this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh.

So they are no longer

two but one flesh. . . ' this is a clear indication that even with God there is no place for more than one woman, so who are we to go against that!

Some religious sects actually support this idea and the men have as many wives as they want. Some of them have the practice of looking for the mature girls with firm breasts during a church service and claim God would have instructed them to marry the girls. The practice is disturbing as one man ends up with four or five wives some of which will have just finished high school.

So should we say yes to polygamy just to satisfy the greediness of some men and adulterous needs of some young desperate single women? How do we handle some religious sects that actually promote polygamy?

What *InomiraHere?* still does not understand is how does a woman sleep all night knowing her husband is being pleased by another woman? How does a woman initiate intimacy to her husband knowing well that he was in another woman's bed. . . disgusting!

Is polygamy right or wrong?

Asiagate reprieve - Zifa's boob?

By Sports Reporter

A miscarriage of justice by the Zimbabwe Football Association (ZIFA) in handling the Asiagate scandal has backfired following the quashing of the sentences imposed on the 'suspects' by the Federation of International Football (Fifa) executive committee.

Zifa failed to avail evidence to Fifa within the set deadlines resulting in the case lapsing leaving Jonathan Mashingaidze, Zifa chief executive officer, the man tasked with sending the relevant information to Fifa with an egg on his face and questions hovering over his head on his credibility to be within the Zifa setup.

The removal of sanctions imposed on all players and officials, embroiled in the Asiagate match-fixing scandal, comes as a slap in the face of ZIFA which all along had been claiming to have been handling the issue above board which has turned out not to be so despite outcries of flaws by the 'accused'.

In its a landmark declaration that an endorsement of the punishments would be a gross violation of the spirit of Fair Play the Fifa executive committee blasted the delays and the manner in which the cases were handled by Zifa.

The world football governing body's secretary-general, Jerome Valcke, was instructed by the executive committee to bring the matter to finality, "without any further prejudice to the players and officials" whose careers have been derailed by the Asiagate drama.

The Fifa executive committee also took a swipe at Zifa saying it was registering its "total dismay and unhappiness at the conduct, or lack of it, of Zifa in providing the necessary documentation in a matter they were supposed to have heard and tried, leaving us in doubt of whether the matter was handled according to the provisions of the law."

The Zifa sanctions which which have been confined to the local league had gravely affected former CAPS United coach Taurai Mangwiro, Shabanie Mine coach Luke Masomere and Dynamos centreback Guthrie Zhokinyi and Fifa's ruling that there should be "no further prejudice to players and officials" gives them their freedom to continue with their careers. The announcement is timely given that the 2013 local



SUNDAY CHIDZAMBWA

Premier Soccer League is just starting.

Those plying their trades in foreign countries were less affected because the local association has no jurisdiction to dictate matters to foreign football mother bodies. An thumbs up on the sanctions imposed by Zifa by Fifa, would have given the punishment an international binding force.

Fifa said until they advised otherwise, or Zifa complies fully with the provisions of laws that govern football in ensuring that their process was fully compliant with the provisions of the world governing body's disciplinary code, the sanctions the local association imposed on individuals cannot be enforced nor endorsed.

That means Zifa would need to revisit each case and ensure that everyone was properly cited in being dragged to a disciplinary hearing, given a chance to defend himself and the outcome of that disciplinary procedure properly communicated to him or her.

The latest developments have also thrown into turmoil, the appeal process that had been set-up by Zifa, whose hearings were set to commence soon. Zifa had racked in thousands of dollars from appeal fees and fines. It now remains to be seen if the national association will refund the players and officials after the condemnation of its processes by Fifa.

Zifa failed to furnish Fifa with evidence leaving the world football governing body to make a final request on February 18 this year by giving Zifa 10 days to forward the documents but nothing was forwarded. Documents from Zifa, were only sent on Monday, 18 March, despite several assurances earlier by Zifa that it had sent the documents.

The official transcript of the Fifa



ROBSON SHARUKO

executive committee indaba's discussion on Asiagate reads:

"Fifa Exco (executive committee) that met in Zurich on 20-21 March 2013, decided that after Zifa failed, despite repeated reminders, to furnish the Legal Affairs Department with a complete transcript of their Disciplinary proceeding against players and officials sanctioned in October 2012, the following must obtain:

(i) **Players And/or Officials' Suspension Is And Cannot Be Sanctioned By Fifa In The Interest Of Fair Play.**

Zifa Have Been Given The Opportunity To Avail All The Relevant Documentation Pertaining To The Matter, But Have Not Done So Since The First Communication Over The Issue Six (6) Months Ago, A Paper Tray Of Communication On File Show.

(ii) The matter involving three journalists Mr Robson Sharuko, Mr



METHOD MWANJALI

Hope Chizuzu and Mr Josh Munthali, who appear to have been sanctioned, is not obtainable as according to the FDC, Article 3, there is no provisional authority over them. According to the Zifa letter dated 16 October 2012, seeking clarification on the matter, Fifa legal department advised, in a letter dated December 4, 2012, that they can not act outside the provisions and scope of the law (Art 3 of FDC).

Furthermore, for the avoidance of doubt, Fifa requested from Zifa clarity on the status of the journalist (Mr Hope Chizuzu), whom they described as former Monomotapa official. The December 7, 2012 deadline, by which Zifa were to provide evidence on the above, elapsed three (3) months ago, giving the impression of doubt on the fairness of the exercise.

The Exco Decided That Fifa, And Indeed Zifa, Cannot Sanction The Banning Of Journalists As They Operate Outside Laws That Govern Football, Only Those



LUKE MASOMERE

Governed By Our Laws Can Submit To Its Provisions Such As Players, Referees And Club Officials.

(iii) Until Fifa advises otherwise, or ZIFA fully complies with the provisions of the football laws, the matter remains unenforceable.

The Exco Registreed Their Total Dismay And Unhappiness At The Conduct, Or Lack Of It, Of Zifa In Providing The Necessary Documentation In A Matter They Were Supposed To Have Heard And Tried, Leaving Us In Doubt Of Whether The Matter Was Handled According To The Provisions Of The Law.

(iv) The General Secretary of Fifa was, however, instructed to **Conclusively Deal With The Matter Without Any Further Prejudice To The Players And Officials.'**

(Additional reportage from The Herald)

PSL goes international

By Sports Reporter

SOUTH African TV channel SuperSport has announced that it will broadcast 40 live matches during Zimbabwe's 2013 Premier Soccer League (PSL) exposing the league to the international arena.

The announcement came on the eve of the start of this year's season.

SuperSport announced a four-year TV deal with the PSL towards the end of last season, which saw limited matches being beamed live across the continent.

This season, SuperSport cameras will not only cover Harare matches but will also bring action from Barbourfields in Bulawayo and Mandava Stadium in Zvishavane.

Talks are ongoing about covering

the Colliery - home to Hwange FC.

The season has already kicked off and the CAPS United derby clash with Harare City at Rufaro was the first to be beamed live.

PSL Chief Executive Officer Kenny Ndebele said the live broadcasts would bring the Zimbabwe PSL to the attention of the world and help improve standards.

"Not only will this allow our best players to market themselves but it will attract new sponsors and bring improved standards in match officiating and organisation.

It's a historic step for our league which can only bring benefits for the teams and the players," he said.

Soccer fans have also hailed the move describing it as overdue.

"We have a very competitive

league and the only missing piece was exposure. With this deal we are set to see more of our local players being spotted by scouts," said Glen Magora a Caps United supporter.

Other fans said the move by SuperSport is testimony that our local PSL is a brand.

"No one would want to invest in a mediocre league. This move will motivate our players to do better knowing the world is watching.

We have seen most of our players plying their trade in South Africa being called for trials by European teams, its all because of exposure. We have equally good players in the PSL who are likely to get the same attention. Our performance will vastly improve and the national teams will soon become a joy to watch," said another soccer fan.