

Marvo, workers in 13 month salary dispute



Meet the new CWUZ President

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\$6 million ICC loan mismanaged

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Goche, Chinamasa clash over LMF



Minister of Labour - Nicholas Goche

BY STAFF REPORTER

THE Minister of Public Service Labour and Social Services, Nicholas Goche says that he will not support the adoption of the concept of labour market flexibility during his tenure of office.

Goche revealed his sentiments on the concept which is being fiercely resisted by labour to the visiting International Labour Organisation high level technical delegation which was in the country last month to review progress on the implementation of the recommendations of the ILO commission of inquiry.

Labour market flexibility is being championed by Finance Minister Patrick Chinamasa who claims that the concept will boost investment in the

country. Chinamasa claims that the country's labour laws are too friendly to workers such that they scare away potential investors.

The visiting ILO technical delegation of Cleopatra Doumbia Henry (ILO director of International Standards) head of delegation and Oksana Wolfson revealed Goche's remarks on the concept to the Zimbabwe Congress of Trade Unions (ZCTU) leadership in a consultative meeting.

"The strongest statement that he made during the meeting was about labour market flexibility when he said 'not under me'. He said he would not sit and watch workers being hired and fired randomly," said Doumbia.

ILO country director Tabi Abodo said Goche gave them a political commitment without a deadline during

the meeting.

"He was quite sensitive to some of the issues such as labour market flexibility but he gave us a political commitment. The government has shown willingness to work towards the fulfilment of the recommendations," he said.

The revelation by Goche spells discord in government circles over the concept which was introduced in cabinet by the former finance minister Tendai Biti but was shelved after it failed to garner enough support.

Sources said the concept was not supported by the then Minister of Labour Paurina Mpariwa, Minister of Public Service Lucia Matibenga and President Robert Mugabe despite being supported by many.

The ILO delegation also discussed other issues on the implementation of the recommendations which the ZCTU said was taking too long.

Doumbia said the social partners need to work together in mapping out implementation strategies such as the training of the military and the police on dealing with trade union activities.

"Joint activities would be necessary to validate the trainings. We want all partners to feel ownership of the tools so that they work. It will take time to see real change on the ground but you need to be vigilant and keep pointing it out to the government that there is need for transformation," she said.

She added that the ILO would continue to render its technical assistance to Zimbabwe after realising that social partners were willing to work towards a common goal.

"We hope the number of incidents will drop to zero from now. We have noticed that the government is trying to implement all the recommendations but there is a problem of resources. They have made progress but the pace of implementation is not very pleasing," said Doumbia.

The ZCTU leadership expressed dismay at the lack of pace by government in implementing the recommendations citing continued violation of trade union rights.

ZCTU President George Nkiwane said the ILO needs to closely monitor the government on the implementation of the recommendations.

"We are still seized with the police

who continue to disrupt or refuse to sanction most of our activities using the Public Order and Security Act which should not be applied to trade unions. The police have made it very clear to us on several occasions that they do not take their orders from the courts but from above," said ZCTU secretary general Japhet Moyo.

"The ZCTU is of the view that the ILO needs to remain seized with this matter until the government fully complies with the recommendations. The government is not fully committed to satisfy the recommendations although there are some few trainings which have been done after the ILO had availed funds. The legislation is still limiting the freedoms of workers despite some provisions of the new constitution which guarantee our freedom. We have to go to the courts to enjoy our right which is costing the trade union unnecessarily," he said.

Nkiwane added that the ZCTU is open to engagement by all social partners in working towards the full implementation of the recommendations.

"Our desire is to see things happening on the ground. We have had a lot of motions going nowhere but we hope and expect that this time around the process will be speedy. We hope we will be honest with each other and assist one another in the implementation process," he said.

The government withdrew all outstanding cases against the ZCTU save for two which are at the Supreme Court.

The ILO delegation met with several stakeholders including the Prosecutor General, Attorney General, the Labour Court, the Police, Judiciary Services Commission, Human Rights Commission and the Civil Service Commission

The ILO commission of inquiry came to Zimbabwe in 2009 after reports of workers' rights abuse by labour and employers.

After its visit the commission found out that there were systematic and systemic patterns of arrests, detentions, torture and violence against trade unionists by the state countrywide.

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Cost of justice rises for underpaid workers

By Christopher Mahove

Arbitrator and Zimbabwe Congress of Trade Unions Legal Advisor, Zakeyo Mtintema, says the two Practice Directions issued by Chief Justice Godfrey Chidyauyiku directing that all notices of set down be served by the office of the Sheriff are a big blow to dismissed workers who are already hard pressed for cash.

Chief Justice Godfrey Chidyauyiku issued two Practice Directions, Practice Direction Number 1 of 2014, on Standard Directions for Services of Notices of Set Down and Practice Direction Number 2 of 2014 on Appeals from the Labour Court to the Supreme Court, both effective from the first of February 2014.

In a letter addressed to Registrars of the High Court, the Labour Court, the Administrative Court, the Sheriff and the Deputy Registrar of the Supreme

Court, the Acting Chief Registrar of the Supreme Court, Walter Chikwana, said all courts were now required to put in place mechanisms to operationalise the two Practice Directions.

"Subject to the provisions of the Constitutional Court, Rules of the Supreme Court, Rules of the High Court, Rules of the Labour Court and Rules of the Administrative Court regarding the service of process, with effect from 1 February 2014, all notices of set down shall be served by the Sheriff.

"At the time of filing an appeal, application or a pre-trial conference request, as the case may be, a party shall deposit with the Sheriff an amount as determined by the Sheriff as security for costs of service of all notices set down," reads part of the Practice Direction 1 of 2014.

The practice direction stipulates that an appellant has to first furnish the court with proof of payment before

their case can be ready for set down. If the appellant fails to deposit the money with the Sheriff, their case will be deemed abandoned and will be dismissed.

The same goes for failure to file appeal papers within the stipulated time frame directed by the Order of the Court or within five days from the date it is filed with the registrar of the Supreme Court, or to comply with the Practice Direction.

"If no arrangements have been made for the preparation of the record within the time limits specified, the appeal shall be deemed to have been abandoned and shall be dismissed," read part of the Practice Direction.

Mtintema said the two directives set the cost of justice beyond the reach of the poor workers, most of whom would have been dismissed while already underpaid and not able to save any penny.

"These directives make life

difficult for dismissed workers who can not afford the huge amounts demanded by the Sheriff. It effectively means that workers will not be able to appeal their cases and this is likely to lead to a drastic drop in appeals by workers at the Labour Court and Supreme Court. Only employers will be able to appeal against Arbitrators and Labour Court decisions," he said.

He said in making his decision, the Chief Justice should have considered that the Labour Court was for the poor workers who were currently earning far below the Poverty Datum Line.

"This is taking away justice from the poor workers and giving it to the rich employers.

Imagine a farm worker earning US\$65 a month and the sheriff requires a deposit of US\$100-00 for a distance of more than 5km from the court house, where do you expect such an employee to get the money?

He said Chidyauyiku should have



Zakeyo Mtintema

consulted other stakeholders, adding that this was tantamount to reducing the backlog at the Labour Court in a negative way.

Rationalise parastatals' salaries

BY STAFF REPORTER

THE Zimbabwe Congress of Trade Unions (ZCTU) is set to embark on a campaign to lobby government to rationalise and publicise salaries in all state enterprises to curb looting and corruption.

This follows revelations of massive looting and obscene salaries in state enterprises which have rocked the nation.

"The ZCTU, since 2010, has been vigorously campaigning that salaries of executives be made public as most are earning obscene salaries compared to what ordinary workers are taking home but until recently the calls have been falling on deaf ears. Despite recent revelations of scandalous hefty salaries and benefits at the Zimbabwe Broadcasting Corporation, Public Service Medical Aid Society, Harare City Council and a host of quasi government owned institutions and parastatals, the state response has been ambivalent signalling connivance in some quarters," reads a ZCTU statement.

The calls by the ZCTU are not isolated as the general public is also demanding transparency and accountability in state enterprises which are largely funded by tax payers money.

The Speaker of Parliament, Jacob Mudenda also weighed in by saying the august house should come up with a remuneration commission to

rationalise state enterprises salaries.

Mudenda said during the constitution-making process, a clause that governs salaries of those heading parastatals was included only to disappear in the final draft adding that there is need for the legislature to revisit that clause as a way of dealing with the now publicised salary gate.

"During the constitution-making process, there was a lot of debate around salaries and the draft had that clause but with the time element, in the final draft it was lost and we were surprised and we don't know how. I believe we need to go back to that clause to rationalise salaries of everyone," he said.

The National Assembly speaker said there is need to strengthen the Office of the Auditor General as it is constrained, hence it's failure to bring out salary structures, adding that there is no transparency in the appointment of boards since positions are not advertised.

"Posts of board members are not advertised, hence a major weakness which leaves the Minister looking around for the people he knows. There is need for strengthening the Office of the Auditor General to ensure that salaries are exposed," Mudenda said.

The office of the President and Cabinet directed all parastatals to submit their salary structures and the state is expected to act on the salaries.

Remunerate workers well - Mugabe

BY STAFF REPORTER

President Robert Mugabe has added his voice on calls for employers to pay Poverty Datum Linked remuneration despite his government's failure to award the least paid civil servant a living wage in the first round of the 2014 negotiations.

Mugabe revealed his wish during an interview on the eve of his 90th birthday.

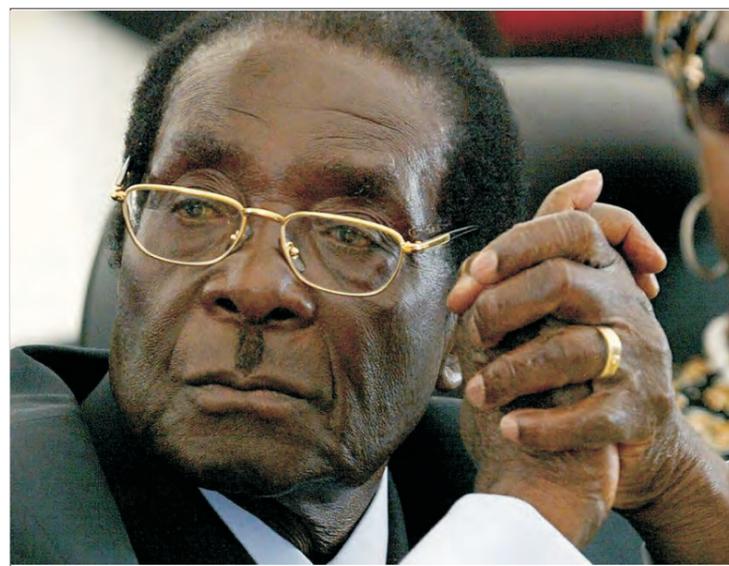
He said he wanted the government to deliver and ensure that civil servants got decent salaries and urged the Finance Minister Patrick Chinamasa to pull up his socks when he appeared to be dragging his feet on awarding civil servants salaries in line with the poverty datum line.

"I have said our Government must not repeat the ills of the Government of National Unity of yesterday, therefore, it must not even have the shadow of it," he said.

"It must work as a Government that is in control of full resources that takes into account the fact of the hardships the people have gone through all along, the loss they suffered through hyperinflation and the difficulties imposed not just by sanctions, but even by the traumatic conditions by the drought and so on and so we must have normal salaries.

"Yes, we cannot have them from day one, but we must have them on paper for a start and work towards their being fulfilled in practice and that is what Chinamasa is doing.

"First, he was saying we could not do it and I said well, if you cannot do it then tell me we can get someone who can do it. That is why I announced that salaries have got to be slightly above poverty datum line. You know, let us think about their situations also. A person gets US\$200-00, US\$250-00, US\$300-00 or so, taxes, a portion goes and ndiyo yokunge yaidiyawo nanaCuthbert



President Robert Mugabe

Dube ikokowo kuPSMAS and he has got marates and rents to pay, transport to pay even though maybe a little given by way of those charges and mafees kuchikoro, medical fees when people get sick, food.

"Ndaimbobvunza (Tendai) Biti kuti nhaiwe Biti do you think we can really make a living nemasaries aya zvichinzi aah ndinomboenda kumasupermarkets neUS\$100 ndinodzoka nechange? NdiBiti uyu. Hanzu ndinenge ndazadza kutenga zvemumba. (I asked Tendai Biti (Former Finance Minister) if people could make a living on the meagre salaries and he said he goes to the supermarket with \$100-00 and buys all basics and could afford change from that).

"Aenda neUS\$100 and (Elton) Mangoma was there to say yes yes, but that is nonsensical. Even the President wants to be paid well now so let us pay our people the salaries they deserve.

"I am glad they have gone some three-quarters way in meeting the

poverty datum line requirement and I hope by June they will have come there, but that is alright and our workers are understanding."

Although he pointed out that it was not necessary to have demonstrations and strikes, President Mugabe ruled out the possibility of unleashing the military on demonstrating workers especially civil servants demanding salary increments.

"We do not also want unnecessary demonstrations and strikes. When they are well based with grievances that are genuine, well, do we have to say totuma mapurisa to quell them when they have genuine grievances? You cannot do that.

"Ya, this might affect adversely our capacity to undertake maobjectives eZim-Asset, but we will be trying to derive capacity from our mining sector and other areas which can yield some monetary capacity for us."

Mugabe's remarks come at a time when most workers in the private sector are earning salaries in the range of \$150-00 to \$400-00 a month when the PDL is

ZCTU calls for a holistic approach to curb corruption

BY STAFF REPORTER

THE Zimbabwe Congress of Trade Unions (ZCTU) has called for a comprehensive approach to issues of corruption and obscene salaries.

Speaking at a civic society press conference, ZCTU 3rd Vice President Peter Mutasa said there is no political will in government circles to decisively deal with corrupt individuals bleeding the economy by plundering public sector institutions.

"As the ZCTU we have been calling against and exposing obscene salaries in the private sector since 2011 but nobody took our campaign seriously but now it has become an issue. Labour has been disclosing these obscene salaries but we had a challenge of lawsuits whenever our members disclosed such information. We currently have cases before the courts because

the workers do not have adequate legal protection after whistle blowing. What we are now demanding is that the authorities take action on corrupt individuals," he said.

Mutasa said the ZCTU started by exposing corruption in the private sector because it had challenges in accessing the public sector utilities.

"ZCTU views corruption as corruption both in the public and private sectors. We want thorough investigations on the boards and management to find out who did what before any action is taken because the small fish may be sacrificed on behalf of the big fish," he said.

He said the state needs to put in place credible institutions and systems well grounded to deal with corruption.

"We are facing a big challenge from our members when it comes to the disclosure of corrupt activities because the reporting authority is also corrupt which eventually leaves the whistle

blower vulnerable to management and the authority," he said.

Other civic organisations like the Combined Harare Residents Association, Zimbabwe Human Rights and the College Lecturers Association of Zimbabwe also condemned the corruption plaguing the nation calling for holistic measures to bring sanity.

In their joint statement the organisations said they were alarmed and concerned by the reckless behaviour, uncaring attitude, corruption and bad governance that is being exhibited in local government, parastatals and quasi government bodies.

"We deplore such levels of corruption, which are a manifestation of lack of corporate governance and a disservice to the public. We would like to register our

disapproval of the breakdown of public accountability, widespread corruption in public institutions and death of conscience in public officials who have become shockingly parasitic on the state by siphoning large millions of public funds through obscene salaries, and shadowy transactions," read the statement.

The organisations are also demanding an urgent institution of a commission of inquiry to further investigate the obscene salaries, tenderpreneurship and other underhand dealings in the public sector as well as dismissal and punishment of those found guilty.



Peter Mutasa

Marvo, workers battle over 13 months salary arrears

BY MUSA MAKINA
in Bulawayo

BULAWAYO based Marvo Stationery Manufacturers has gone for 13 months without fully paying about 170 of its struggling workers as the court battle between the two parties continues.

The company started having challenges with paying its workforce in February last year.

However, this comes against the backdrop of the organisation being one of the 31 companies that received a loan of more than \$750 000 under the Distressed Marginalised Areas Fund (Dimaf) at the beginning of 2013.

The situation on the ground suggests that nothing notable improved as a result of the Fund injection.

In October last year disgruntled workers went on strike in protest over the company's decision to send them on a two months forced leave without pay.

In a memorandum dated September 12 2013 seen by The Worker the company's managing director Soul Mashamba said: "Due to non-availability of raw materials within the factory employees are advised that they will be

placed on a short time effective from Thursday to the end of October 2013 as granted by National Executive Council Retrenchment Committee".

While the strike was not that effective, workers at the company have endured the worst.

One of the workers representative Mbonisi Gumbo told The Worker in an interview that there lacked utmost will on the part of the employer.

"The situation is just dire at this company, the employers are just stubborn and they are not willing to settle the arrears. We have engaged them several times but nothing positive seems to come out all they can do is to promise," Gumbo said.

"All they have done this year is to pay us \$50 each per month and who can survive on that. As you can see we have all been reduced to vagabonds despite having worked and contributed to the growth of the company for years.

"Here we have all the equipment to manufacture all the required quantity and quality of products but instead the company is merely importing from South Africa. We wonder if money from Dimaf was ever put to use," Gumbo added.

The workers further

claimed that the few stationary items they have manufactured were taken to Marvo sister company Browns Wholesalers for sale.

Currently at least six former workers have taken the beleaguered organisation to court over its failure to remit pension contributions to the National Social Security Authority (NSSA).

When The Worker visited Marvo premises the Managing director Soul Mushamba refused to attend to this reporter.

In March last year, workers approached the Labour Court with a view to force their employer to settle salaries back dated to 2009 but Marvo through its lawyers Majwabu and Partners contested arguing that the arbitrator appointed by the Ministry of Labour was biased.

The court granted them the right to an independent arbitrator and workers won the case with Marvo being ordered to pay them in full before July 31 2013 but it has not done so.

The dispute comes at a time when several companies in the second largest city have either shut down or relocated to Harare resulting in a massive unemployment rate in the region.

NATIONAL ENGINEERING WORKERS UNION



2014 INTERNATIONAL WOMEN'S DAY

*The National Engineering Workers Union executive, members and union staffers joins the rest of the Zimbabwean workers in commemorating the globally celebrated International Women's Day which is being held under the theme **WONEN UNITE AND NSPIRE CHANGE**. NEWU wishes that the commemorations will be celebrated peacefully without fear of arrest, intimidation or harassment through the Zimbabwe Congress of Trade Unions organised gatherings. For the achievement of equal opportunities, access to education, democracy and decent work, women should play their equal part. As we celebrate this day lets us do so with **INSPIRING CHANGE** in mind. The time has come now to do away with all forms of discrimination against women, but to take every measure towards socio-political and economic empowerment of women*

KWIRA MUDZIMAI KWIRA-APACHIGARO

The Worker

Voice of the Labour Movement

Comment

Act on obscene salaries

AFTER what appeared to be an effort to combat corruption by exposing outrageous salaries and packages earned by chief executive officers of parastatals and government linked companies, it appears Zimbabweans were taken on a garden path as the individuals involved will get scot free after all.

This is because most of these people appointed to parastatals and government linked companies are political appointees placed there to serve the interest of the ruling party and *chefs*. It was not surprising that at party events, these companies fell over each other making donations. These companies were at the forefront of supporting the ruling party materially and financially.

While some Ministers expressed ignorance of what was happening, it is the highest point of stupidity to think that Ministers that were responsible for those companies were not aware of the hefty salaries and packages these chief executive officers were receiving. They were accomplices and beneficiaries in the looting of resources for their selfish end.

It appears the whole issue behind the exposure had to do with the succession fights in the ruling Zanu PF. No wonder why Vice-President Joice Mujuru, though putting her reputation at stake, tried to defend the looting chief executives, exposing the factional fighting in Zanu PF.

What we find immoral is that after the exposure nothing happened. It is as if its back to business as usual.

The issue of hefty salaries of chief executives is not new. The ZCTU started the campaign in 2010 during May day celebrations and no one took them seriously. Some laughed it off as a political gimmick, while the Employers Confederation of Zimbabwe (EMCOZ) dismissed it out rightly. Interestingly, a company called Industrial Psychology dismissed the ZCTU figures which had the highest executive earning US\$11 000 in addition to a wide range of packages. But what is coming out is shocking with heads of some companies earning over US\$200 000.

What is disheartening is that these companies pay peanuts to their employees, with some workers getting as little as US\$200 per month. They refuse flatly to pay PDL wages claiming that the companies are in dire straights. The PDL stands at close to \$600 and how many workers would \$200 000 pay? And what so special would someone earning that money be doing?

Some of these companies always used sanction as an excuse for their poor performance.

What is needed now is to have a paradigm shift in the manner in which heads of government institutions and boards are appointed. Currently the Ministers are too powerful when it comes to the appointment of heads of parastatals and boards. These appointments cannot be left to an individual who can be biased or can appoint someone on the basis of how much he or she knows him or her. There is bound to be nepotism in such cases. In other countries, these people have to go through public scrutiny before being appointed. They can go through parliamentary scrutiny and even have their names published in papers for anyone with objections to do so.

Let words be turned into action. Those who are known to have looted the country's resources must be made to account for them. The government must be seen to be serious in fighting graft and greediness among its workers. If there is no action taken against those who have been awarding themselves hefty wages, people will slowly lose faith in the system and will always see this as a way of trying to cover up for the government failure.



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Service delivery will get Zimbabwe working again

“Delivery! Delivery! Delivery...!” reads an interesting part of a high grade speech done by the once exuberant, promising politician Arthur Mutambara whose most public speeches can be remembered as some of the powerful messages Zimbabweans want to hear from leaders in Zimbabwe today.

Professor Arthur Mutambara deserves some honour for his loud voice on service delivery for Zimbabwe.

Zimbabwe is currently in dire need of a government that is committed to deliver services which make up the quality of citizens' lives. Our quality of life and the nation's position in today's uncertain and competitive world depend on the government's service delivery.

If the government remains still on water, electricity and health challenges affecting the nation, Zimbabweans' suffering will continue and the constitution cannot work as expected. I used to pay close attention to Mavambo President Simba Makoni when he voiced about “getting Zimbabwe working again”. He seems to argue that Zimbabwe is not 'working' and it is “us” (all Zimbabweans) who must make it work again.

Our leaders must deliver needed services and lead us to work towards the Zimbabwe we want. We are not concerned with party infightings and masqueraded voices against endemic corruption

that is ruining the nation. We need serious action on service delivery.

Our national infrastructure silently demands renovations. Our industries loudly demand action. Zanu PF must stop wasting time on party politics, propaganda madness and act on service delivery.

We are tired of mere words of mouth Zimbabwe needs serious action! We are not oblivious that the turnaround of our economy cannot be done overnight. Zimbabweans just expect leaders to work hard towards that, and eventually results

problems are rooting from Whites. Zanu PF wants to make us think that we are suffering because of Britons and Americans.

Fortunately Zimbabweans are intelligent enough to know that our problems root from Zanu PF's ill governance, not Whites' hands! Zimbabweans know their situation better than there is no need for anyone to try to hide behind fingers that whites or sanctions took our nation aback.

Zimbabwe needs high quality service delivery. Images of Botswana president emerging out of a cave opening in Gcwihaba caves recently in Ngamiland district, Botswana still shine in my mind as I think of service delivery. President Ian Khama toured his country's nature reserves, observing what his government can do to improve Botswana's tourism sector, and to boost his country's economy.

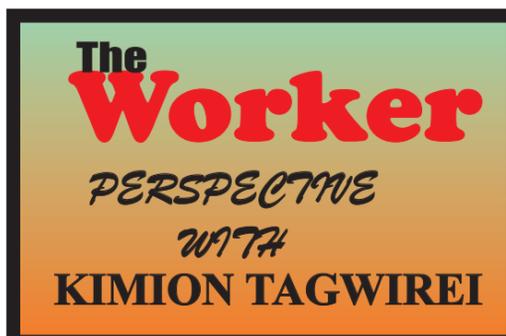
As I watched president Khama on Botswana television, I got tempted to ask myself if our president can do that in Zimbabwe today. And I quickly dismissed myself from such thoughts, remembering that boring talks about how sanctions ravaged our nation may rise if such tours are done in Zimbabwe. Zanu PF blames everything on sanctions.

Where will we go with such helpless blame-shifting? Why don't we focus on what we need to do than wasting time on pointless politicking?

of hard work will make up Zimbabwe.

Recently I questioned Zanu PF national spokesperson about the government's position on service delivery. Cde Rugare Gumbo promised that Zanu PF will do well for the nation, “Things are shaping up, Britons and Americans tried hard to denounce us but we didn't fall, we are working well for Zimbabwe and soon everything will get clear that we are here to serve our people”

What worried me from his words is that it appears Zanu PF is not repentant on blame-shifting. Zanu PF wants us to believe that our





Press Statement

8 March 2014

ON INTERNATIONAL WOMEN'S DAY, EQUALITY FOR WOMEN MEANS PROGRESS FOR ALL

IN OBSERVANCE of International Women's Day, Zimbabwe Lawyers for Human Rights (ZLHR) joins the women's movement around the world and reaffirm our commitment to the equality, freedom from discrimination, dignity and advancement of women's rights.

Celebrated under the theme "Equality for women is progress for all", International Women's Day is an opportunity to celebrate the economic, political and social achievements of women, also highlighting the plight of women in the private and public spheres.

On this day we also celebrate acts of courage and determination by the extraordinary women in Zimbabwe and around the world who have labored to transform their own societies creating the foundation of a more peaceful and prosperous world for all of us.

We hold these long suffering women who have achieved substantial advances politically, socially and economically as examples of hope, strength and compassion. With or without awards or acknowledgement, women have taught us about hope, perseverance, courage, leadership and determination.

ZLHR notes with concern that in Zimbabwe women continue to suffer social and economic injustices perpetuated by acts of omission or commission of state and non state actors. Women have been deprived of their shelter after callous demolitions of their houses leaving their children exposed to the harsh elements of weather, deprived of education, health and sanitation.

Overzealous police officers have also continued to disregard fundamental rights and freedoms by arresting, and detaining women together with their babies on flimsy charges and without any reasonable suspicion of commission of an offence. Peaceful members of Women of Zimbabwe Arise have been at the receiving end of this brutality, and being targeted for simply expressing themselves through peaceful protest marches against the growing scourge of corruption, and continued disregards of social and economic rights of citizens. In broad daylight, police have breached the nation's new Constitution by breaking up peaceful demonstrations although the Constitution guarantees freedoms to demonstrate and gather.

In Hwange, some women are still nursing the scars of police assault after they were bludgeoned for peacefully demonstrating against their spouses' employer's failure to pay them their wages.

There has been continued disregard of the right to maternal health with evidence of some hospitals taking the law into their hands by

detaining female patients for failing to settle their medical bills and thereby violating their right to personal liberty.

In the rural areas, women continue to bear the brunt of human rights violations; they are continuously discriminated against especially by the cultural and traditional practices that hinder them from enjoying and asserting their rights.

Development is crippled if women are deprived of economic opportunities. Without education women and girls cannot pass knowledge to their children and the next generation.

We remind the government that women are vital to any solution to the myriad problems that Zimbabwe is encountering and as a country we will not sow the seeds for a brighter future or reap the benefits of the change we need without the full and active participation of women and girls.

The enfranchisement of women can no longer be a simple aspiration. We believe that women are essential agents in bringing about change and are often overlooked as a resource in the preservation of human security, managing threats arising from oppression as well as alleviating diseases, hunger and poverty.

We remind the government that realising human rights and equality should not be just an aspiration; but an obligation that government must fulfill.

ZLHR demands for legislative reforms that will advance the rights of women as enshrined in the new constitution to create an environment that recognizes the genuine advancement of women's rights in Zimbabwe. The government should have the political will to advance principles of equality and non-discrimination.

ZLHR urges men and boys to play their part, shun patriarchy by protecting and upholding the rights of women as all of us profit when women and girls are assisted to realise their full potential. Equality for women means progress for all.

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ZESSCWU embarks on job evaluation exercise

UNION NEWS IN BRIEF

Ministry of labour intervenes in NMWUZ leadership wrangle

BY STAFF REPORTER

By Dickson Chaeruka

The Zimbabwe Scientific, Social and Cultural Workers' Union (ZESSCWU) has embarked on a comprehensive job evaluation exercise across its member sectors which is set to be completed by this year end, *The Worker* has been informed.

The exercise, which began last year, is being carried out by the industry's National Employment Council (NEC).

In an interview with *The Worker*, soon after addressing hundreds of members who had gathered at the Zimbabwe Congress of Trade Unions (ZCTU) Eastern Regional Centre, ZESSCWU General Secretary; Sylvester Mutindindi said the exercise was the union's inaugural job evaluation within its sectors.

"I can safely say this is the first comprehensive job evaluation exercise across the sectors of our representation. For over the years, we have been relying on an ad hoc job grading system which now have numerous shortcomings," he said.

He said the job evaluation was triggered by the need to update the industry's Collective Bargaining Agreement (CBA) to accommodate

new developments arising in the industry.

"There was great need to categorically realign our job grading system so that they correspond with developments in the industry. Of late, we realised that there had been a host of occupations falling within our scope of coverage which had not been covered by our CBA. These new job descriptions without identity in our current CBA include welders, mechanics, builders as well as electricians in various institutions. The evaluation exercise we have embarked on would accommodate all these trades," he said.

Mutindindi said they were also in the process of engaging a specialised consultant towards the exercise and they had resolved to employ the Patterson job grading system which marks the highest grade of non-managerial employees at grade C5 in the system's 13 grade descriptions.

He revealed that orientations of members across all sectors to do job evaluations at their respective workstations were conducted last year and these were expected to scout and report back to the union on all job descriptions existing at their workstations which ostensibly have not been covered by the industry's

CBA.

"We need to establish all the job descriptions before coming up with grades across the sectors because there had been a lot of members who had been subscribing with the union but were not aware of their job grading," he said.

The ZESSCWU Administrator warned workers of some employers who have tendencies of manipulating the job grading exercise through under-declaring job descriptions at the respective institutions.

"It's unfortunate that there are some employers who want to cripple the smooth sailing of this exercise. Workers should be vigilant to alert the office as soon as possible where there are such problems with the employer," he said.

ZESSCWU sectors' of representation included non teaching staff members at Government & Independent Schools, Mission Schools and staff at Ware fare Institutions, Religious Organisations as well as staff at Non-Governmental Organisations (NGOs).

Mutindindi said they were working hard towards the new comprehensive job evaluation exercise with a target to implement it next year.

Detergents union holds congress

By Christopher Mahove

The continued harassment of trade union leaders at the workplace and the closing down of some companies has seen a number of executive members of the Detergents, Edible Oils and Fats Workers Union being retrenched from their respective companies.

General Secretary of the Food Federation and Allied Workers Union of Zimbabwe (FFAWUZ), for which the union is an affiliate, John Peter Gwatiringa, said this had necessitated the holding of an early congress at the union.

The congress was held on the 8th of February, mainly because of the retrenchment of the union President, Matthias Dziki, who had served at Olivine Industries since 1971 and other

members of the executive.

"This is a congress with a difference held not as per constitution but out of developments that unfolded within the executive. We know because companies are closing down, workers are being victimized and this has resulted in many gaps that needed only another congress to fill," he said.

He urged those elected into the new executive to work hand in hand with his office so that their members also benefited from various programs implemented by FFAWUZ. Outgoing President, Dziki said the detergents union had benefited a lot from the shop steward training conducted by FFAWUZ in conjunction with the ZCTU in partnership with 3F of Denmark.

"I am happy to see that most of the delegates here present are products of such training programmes," he said.

Dziki said he was available to offer any advice and guidance to the union when required.

FFAWUZ National Organiser, Runesu Dzimir, reiterated the need for the new executive to be wary of bogus unions trying to hoodwink members into joining them.

"If you want your members to get good salaries you have to fight for it, but if you let bogus unions into the industry you will continue to suffer," Dzimir said.

He said disunity among workers remained the biggest contributor to poor wages as employers took advantage of that to delay negotiations and pay slave wages.

Simplisio Madzongo was elected President, with Stephen Gwatikunda retaining his position as the union's Vice President.

Thinkwell Fundira landed the

Continued on page 12

OK Zimbabwe bid to dismiss worker flops

BY ADMORE MARAMBANYIKA

The Labour Court has ordered the reinstatement without loss of benefits of an OK Zimbabwe Buying Assistant who had been dismissed for incurring a shortfall when he relieved till operators.

The supermarket had dismissed Persuade Chigame in January 2012 for incurring a shortfall of \$40.26 because the company has a policy which states that till operators are liable for dismissal if they incur a shortfall above \$30.01.

In his appeal against dismissal Chigame submitted that he could not be dismissed for lack of skill as a till operator when he was not employed as a till operator and only relieved at the till in times of crisis but his contract with the employer was that of a buying assistant.

He also submitted that though he had been trained and worked as a till operator between 2004 and 2006 when he initially joined the company he was using manual tills so he did not possess the requisite skills to operate a computerised till.

However, the employer submitted that by agreeing to operate the till

Chigame implied that he was capable of performing the tasks and to carry them out with reasonable efficiency.

"The appellant incurred a shortfall he could not explain and that is evidence of the fact that he failed to perform his duties with reasonable efficiency," read the employer's submissions.

The court noted that it is the position of the law that a worker should not be terminated for unsatisfactory work performance unless the employer has given the worker appropriate instructions and written warning and the worker continues to perform unsatisfactorily.

"An employer has the prerogative to set the standards that employees are expected to meet. The court will not interfere with such standards unless it is a 'grossly unreasonable' standard."

"The employer set the standard of 'no shortfalls above the upper limit of \$30.01 and asked the till operators to sign an agreement that any shortfall above \$30.01 would result in dismissal, as stated, the court cannot intervene with this standard. No allegations have been made that the standard set was grossly unreasonable," the court noted.

In setting aside the dismissal the court noted that adequate evaluation, instruction, training, guidance and

counselling must be provided to the employee to meet the set standards before dismissal can be justified.

"The employer in this case submitted that the appellant was trained in 2002 as a till operator. He was therefore expected to meet the set standard....this was several years back when he was initially engaged and operated as a till operator. Now, the manual tills for which he was trained had been replaced by computerised tills and he had received no training to operate those. He was now engaged as a buying clerk and would only be called to assist at the tills in crisis times."

"The employee in this case is alleged to have failed to perform to an expected standard. He is not alleged to have acted dishonestly. He has shown that he was never trained or supervised to perform up to the standard. The law provides that under such circumstances, dismissal would be unfair and unjustified," said Labour Court Judge Lilian Hove in dismissing the case.

Chigame was represented by Jokonia Mawopa of the Commercial Workers Union of Zimbabwe while OK Zimbabwe was represented by R.T.L Matsaka of Wintertons legal practitioners.

All set for IWD commemorations

ALL is set for the International Women's Day commemorations worldwide on the 8th of March under the theme *INSPIRING CHANGE*.

The Zimbabwe Congress of Trade Unions will be holding localised commemorations in its six regional centres and preparations are underway with meetings and fundraising activities taking place in the six centres.

The main commemorations will be held in Harare at Kuwadzana Poly Clinic where labour activists in the Northeastern region will hold a clean-up exercise and donate wares to the clinic for use by patients.

ZCTU Northeastern regional

officer Tecla Masamba said preparations were underway.

"We have secured the venue and everything is in order. We are only waiting for the day. We will hold a clean-up exercise and donate the goods that we have sourced. We go out to the communities as a way of interacting with people to give them a clear understanding of our core business and activities as a trade union," she said.

The southern regional officer Elliot Mposhi said the region is holding its preparatory meetings and is ready for the commemorations.

In the eastern region, commemorations will be held at the Mutare Remand Prison where labour activists intend to donate various goods to the prisoners.

Protect whistle blowers ZCTU

BY STAFF REPORTER

THE Zimbabwe Congress of Trade Unions (ZCTU) is urging government to come up with legislation that protects whistle blowers if it is serious in fighting graft and looting.

In a statement the ZCTU said blowers are exposed and left at the mercy of company authorities in the event that they expose unethical and unlawful practices.

"The ZCTU is concerned that there is no protection of workers who act as whistle blowers in the current efforts to expose corrupt top officials who are involved in both the private and public companies. Unlike in other countries where whistle blowers are protected, in Zimbabwe whistle blowers, particularly workers who raise concern at their workplaces, risk victimisation, recrimination and dismissal," said Japhet Moyo, the ZCTU Secretary General.

Moyo said protection of whistle blowers was key to the fight against corruption and can bring confidence on those who disclose malpractices at the workplaces.

"Without legal protection, workers and individuals will be too intimidated to speak out on malpractices they note," he said.

Proton workers complain for transport allowances

By Kimion Tagwirei

MARONDERA - Proton Bakery's workers are raising noise against their employer to pay transport allowances which were cut early 2011 due to unconfirmed reasons, *The Worker* can reveal.

Instead of addressing workers' needs, Proton management is reportedly silencing voicing workers.

Proton workers committee chairman Godfrey Mautsa said, "We are disgruntled with our managers. We are paid peanuts. Currently the main issue seriously affecting us is of transport allowances which was scratched in 2011, we made noise and the employer bought two buses which cannot transport all of us to work. I must make it clear that workers need transport allowance. One of us faced a bloody robbery while walking to work at night. It is disturbing that our employer remains inconsiderate like that."

The workers said shift workers are risking their lives as they walk to work every night because the company's two buses are not transporting all workers.

"The two buses are only transporting workers from very far locations. Managers told us that those from around two kilometers radius must walk to work. Why can't they just give us our transport allowances so that we come to work safely? We are risking our lives as we walk to work every night!" complained Godfrey Mautsa.

Meanwhile the bakery dismissed more than 100 permanent workers and hired almost 800 contract workers whom managers allegedly fire or demote easily when they complain against poor remuneration and working conditions.

"This company has dismissed more than 100 permanent workers to pave way for contract workers whom managers can fire any time without hustles. Any worker who voices against poor working conditions and financial gets victimized," said one of the workers' committee members.

Proton Human resources manager, Thomas Rugoho refused to be interviewed.

"I am sorry I cannot meet you, I am very tired, I am just from a meeting

with directors. But no one is being underpaid at Proton. For other details talk to the workers, they will confirm that we are doing well. You can even see their pay slips," he said.

"You see. We are not allowed to show anyone our pay slips, kana ukangonzwika kuti waratidza anyone pay slip basa rapera pano!" said one of the workers.

Mautsa accused management of conniving with the employer because it is well paid.

"These managers are working tirelessly to silence us because they are covered. Managers pocket more than \$2000-00 every month as basic salary. They get more other benefits which we do not enjoy. What we just want is Poverty Datum Line linked wages and all allowances we deserve," he said.

Meanwhile dismissed catering workers of Buffalo-24 have dragged their employer to court over unpaid overtime allowances and underpayment.

"We raised complaints last year and our employer just ignored our grievances. Some of us eventually got fired and this is why we have taken our case to Labour Court. We are just waiting for a hearing date and our case will take off," said one of the



Proton Bakeries

employees who requested anonymity to avoid victimization.

Buffalo-24 hour food outlet workers said they work overtime almost every day.

"We are very few. We cannot manage to withstand high service demands here and that automatically force us to work overtime. We therefore deserve overtime payments but our employer just takes us for granted," they said.

Buffalo 24 General Manager, Godfrey Dube denied that their

employees were complaining.

"I am aware that some former employees are taking this company to court. None of those currently employed have raised any complaints. It happens when one is fired," he said.

Asked if Buffalo-24 is paying workers well, the manager said he is oblivious of his workers' salaries.

"I am not aware of how much our workers are being paid. Here wages are a secret between each employee and the employer," he said.

9500 jobless as 75 companies fail to open

MORE than 9500 workers have been rendered jobless as 75 companies have failed to reopen for business in 2014 after the 2013 annual shutdown while 149 companies have so far applied for liquidation.

The Zimbabwe congress of trade unions (ZCTU) said the affected companies are in the clothing, engineering, tobacco, textiles, chemicals, commerce, food, agriculture catering, pulp and paper and metal sectors.

"The ZCTU notes with concern that a number of companies failed to open for 2014 after they closed business in December 2013. A survey by the ZCTU among its affiliates noted that from reports of the 15 out of its 30 unions affiliated to the ZCTU, 75 companies closed shop throwing 9617 workers out of employment. Once again the ZCTU calls upon the government to move with speed to avert a disaster as more workers lose their jobs under a very harsh economic environment," said Japhet Moyo the ZCTU secretary general in a statement.

Union general secretaries who spoke to *The Worker* said they were not satisfied with some of the reasons by employers over their failure to reopen.

Smaller companies in the tobacco sector have seen some workers going for several months without salaries but have not proffered solid reasons.

The Zimbabwe Tobacco Industries Workers Union general secretary Emson Sibanda said workers were on the receiving end as employers were reluctant to pay them.

"It's a few small companies in the sector

which are giving us problems especially on payment of salaries. Workers have gone for more than five months without salaries and we are not even sure that the companies will be reopening. The union has written and engaged with management of the companies but they have not been forthcoming," he said.

The sector has more than 250 workers who were affected by the failure to reopen for business by the companies.

Another sector which has been hard hit by the closures is the construction sector which has more than 2000 affected.

Nicholas Mazarura the general secretary of the Zimbabwe Construction and Allied Trades Workers Union said most companies in the sector were closing.

"We are seized with company closures while those afloat are claiming that they are failing to get contracts and are also not being paid by contractors. Workers are being sent home with nothing as employers only promise to pay them when they have been paid by contractors."

"The challenge that we are facing is that these workers are failing to claim their benefits as most companies which are closing shop have not been remitting deductions to the pension fund, national social security authority and others. We are engaging the employers with a few to make compulsory deductions at the national employment council for onward submission to the relevant bodies to avoid prejudicing the workers," he said.

Mazarura added that the union will soon be approaching the ministries of labour and finance to find a way in solving the hiccups of non-remission of dues.

Female security guard raped on duty

By Dickson Chaeruka

An unknown assailant recently pounced on a female security guard who was manning a mobile telecommunications booster and raped her once before disappearing into the secluded bushy area situated near Marymount Teachers' College in the eastern border town of Mutare, *The Worker* can reveal.

The incident occurred on Sunday the 5th of January around 9: am.

Manicaland provincial police spokes person Inspector Enock Chishiri confirmed the incident revealing that the rapist was still on the run and the case was being investigated.

He said that the female guard, 25, who resides in Sakubva high-density suburb was

approached by an unknown man who produced a knife before demanding to sleep with her.

"The guard refused and tried to run away, but the man gave chase and grabbed her. He ripped off her pair of trousers with a knife and raped her once," he said adding; "the rapist vanished into the bushes around that Marymount booster."

Inspector Chishiri said the guard sent a please call me back message to her employers, but she got no response.

"She had to wait to finish her duty after which she reported the case at Sakubva Police Station," he said.

It was confirmed that the medical examinations she went under on the 6th of January tested negative pending another round of tests after a period of

three months.

Zimbabwe Security Guards' Workers Union (ZISEGU) Eastern Regional Officer, Justin Muwonda said the union was appalled by the incident adding that it was imperative for employers to consider the security of their workers first before any deployment.

"This is an unfortunate incident that has befallen our industry. Employers' ought to consider the security of the guard first before effecting deployments. In this case, it was reported the victim send message alerts to the employer and got no respond. This essentially shifts the blame to the employer for not being alert at such a desperate moment. I said and always say that security systems in all security firms should always be water tight," said Muwonda.

ZIMBABWE CHEMICALS, PLASTICS & ALLIED WORKERS UNION (ZCPAWU)

2014 INTERNATIONAL WOMEN'S DAY

THEME: WOMEN UNITE AND INSPIRE CHANGE



The Zimbabwe Chemicals, Plastics and Allied Workers Union wishes all women of Zimbabwe, especially the working woman a fruitful commemoration of their global day.

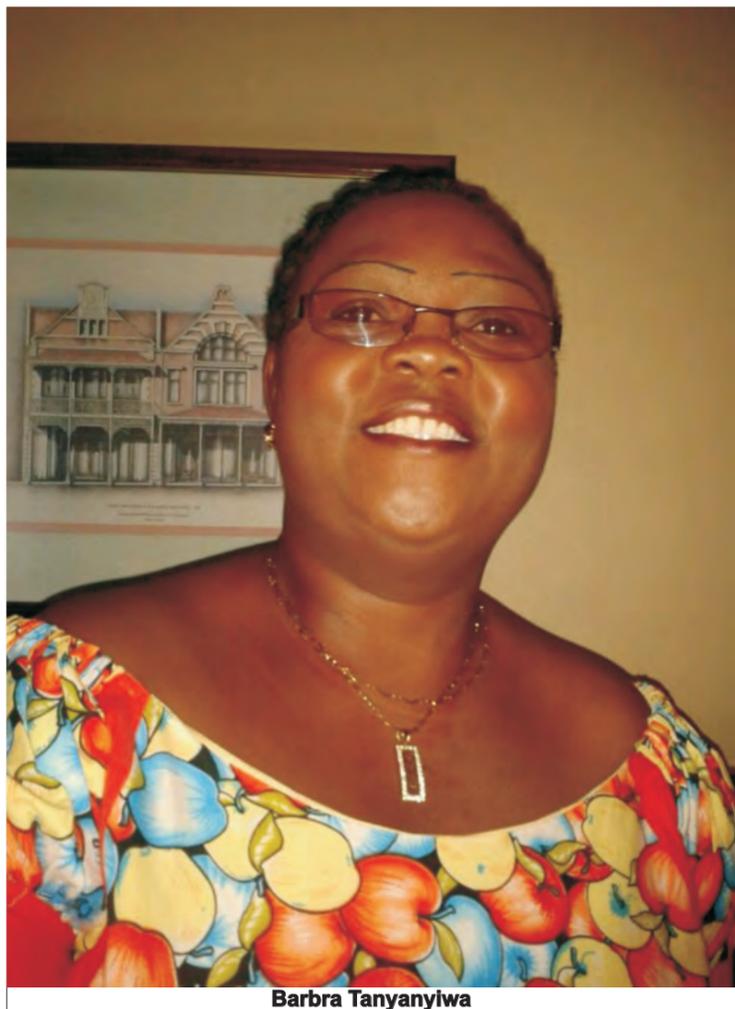
It is time to take stock of achievements and map the way forward in achieving goals. The women and the girl child are the backbone of every nation, the barden bearer and the mother of the nation.

May all the women of this country INSPIRE CHANGE on each and everyday of their lives and make a difference.

The season for change is now and should be grabbed and embraced

Kwira Mudzimai Kwirapachigaro

Tanyanyiwa vows to revive CWUZ



Barbra Tanyanyiwa

The Commercial Workers Union of Zimbabwe, (CWUZ) has been characterised by squabbles, factionalism, and non payment of subscriptions to the mother body among other matters. For long the union has been in shambles but now that they have finally held a congress. People wonder if there is hope for better. The Worker's Jacqueline Mbayiwa (JM) caught up with the newly elected President of the union, Barbara Gwangwara Tanyanyiwa (BGT) for an overview of the plans that she has for the union.

JM: Congratulations on your election as CWUZ President.

BGT: Yes thank you so much

JM: You could start by telling readers about your plans for the union?

BGT: My plans are to revamp CWUZ, the theme of our last congress was, "Revamping CWUZ to a membership driven union." Why that theme, I suggested that theme and it was adopted, it was my vision to restore the union to what it was in the past. The crisis at the union is because of the full time staff that is interfering with members in the day to day activities of the union.

JT: The union has passed through the hands of people like Chifamba and Lucia Matibenga, who sustained it when it seemed to be going down, how are you going to run it yourself?

BGT: We are going to educate our members who are not even aware of what is in the constitution, from there we will strengthen the structures, branches and regions are the only active ones, women and young workers are docile so we are going to make them come to life.

JT: CWUZ has been facing some problems which include failure to pay its own workers, how are you going to address this?

BGT: It is not that they were not being paid but the problem has to do with our frozen accounts which we believe will be unfrozen soon. When that happens we are definitely going to pay the staff.

JT: How about union subscriptions to the mother body, they are lagging behind, what strategies do you have to clear the backlog?

BGT: We had made a provisional plan of paying a minimum of \$500 per month but we are planning to pay 35 cents per member to ZCTU depending on the remission of union dues to us. We are going to try and clear the debt as we go as it also was our congress resolution, we will supervise the secretariat and make sure that the resolution is fulfilled.

JT: So when do you plan to do this?

BGT: We are planning a strategic workshop at the beginning of March, we will see then how we will move forward.

JT: The headquarters of the union offices are occupied by members of another formation of CWUZ do you have any plans to repossess the offices?

BGT: We are going to deal with it at the strategic workshop which will be held at the CWUZ official offices. The property is ours and we are going to repossess it. We have the provisional order from the High Court which is still valid, granted to us on July 12, 2013. We did not want to fight them all along because we were busy preparing for the congress but now that we are done with that, we are going to concentrate on getting what belongs to us.

JM: How are you going to convince membership and employers that you are the bonafide leadership of CWUZ?

BGT: The case is going to be heard on the 6th of March and it is going to be very easy for us to convince them. In

the meantime we are using the interim order granted to us which states that we are the legitimate CWUZ, but after the case has been heard I am sure everything is going to work out for us.

BGT: JM: You held a congress which elected a substantive leadership, so are you going to unfreeze your bank accounts?

BGT: Yes in the meantime we opened another bank account which we are using, but since our case is to be heard soon, we are surely going to see our accounts unfrozen. If the case takes too long we may involve the labour minister if anything fails to come up so we believe soon the accounts will be unfrozen.

JM: Administratively, you have been facing resistance from some of your employees in cahoots with rival formation leaders, are you going to take any disciplinary action against the full time staff members?

BGT: Yes because the auditors recommendations stated that appropriate disciplinary action has to be taken. They also have to pay back the money that they took from the union.

JM: What is the procedure to congress, does not your constitution require you to hold Young Workers Council (YWC) and Women's Advisory Council (WAC) congresses before the main congress, which you did not hold first, is that not an anomaly?

BGT: No those two come as sub committees of the national executives, so financially we could not hold the WAC and YWC

congresses. We however held those councils' secretaries at the main congress, we also managed to amend our constitution as the secretaries and chairpersons of the above mentioned councils could not sit in the national executive council, before the amendment only the chairpersons could sit in the executive councils.

JM: How are you going to deal with factionalism in the union, do you think since you are now the president, you will end it?

BGT: I do not think squabbles will continue because I believe I will unify both sides. Factionalism is between full time staff and members of the union of which we will take action against the full time staff. As for members, we work well with them and it is only that they do not know their rights and what trade unionism is, so they are being led astray. We therefore have a task to educate them so that we become one. We have handed the education department to March Makanya who is an experienced trade unionist; we know he is capable of making a change to the union.

JM: Are you up to the task of being president considering the gender inequalities and attitudes in the trade union movement?

BGT: I am hundred percent up to it, I was contested by three men and I beat them all, not because I am a woman but because people believe in me, people were looking for capability and not at gender. If you work hard as a woman, men will see that you are capable.

JM: What strategies do you have to make CWUZ the vibrant trade union of the past?

BGT: I am going to get into membership recruitment drive, ours is an industry that still is functional in

Zimbabwe and has the potential to grow. We will then train the recruited members and strengthen our organising department which has been lying idle for long; they have been concentrating on politics and infights instead of doing their jobs. We will also strengthen our branches because that is where people are found. We will visit shop floor members and train them, including workers' committees. We will come with a project to run the CWUZ house to generate income for us because it has not been fully utilised also. We will come up with strategies to give back to members like funeral plans so that we regain members. We will also make sure that every ZCTU function is fully attended and that members from the other faction are involved in our programmes and catch up as a way of motivating members.

JM: Do you have any burning issues that we might have left out?

BGT: I would like to assure our members that CWUZ is still alive and kicking, I would want them to trust me as I promise to make CWUZ a union of their choice and I still need their support.

JM: And your last words to readers?

BGT: To the union, the sky is the limit, they must not fear anything but participate and contribute wherever they are and make sure that their voices are heard. People have ears and if we talk they will listen to us. I would also like to thank the ZCTU for capacitating me to get this position, I thank Fiona Magaya for grooming me, and ZCTU Vice President Thokozile Siwela has been my inspiration and mentor, the WAC as a whole for the support and encouragement. The achievement is not mine alone, but theirs too.



ZCTU affiliates say no to LMF

By Christopher Mahove

Presidents and General Secretaries of affiliate unions of the Zimbabwe Congress of Trade Unions (ZCTU) have unanimously agreed to take the government head-on in their fight against the proposed Labour Market Flexibility.

The union leaders, who met in Harare to discuss the principles of Labor Law Reform, rejected most of the government's proposals for the reforms of the legislation governing worker relations saying they pointed to labour market flexibility, which would take away their rights and dignity. The union leaders agreed that any reforms to the country's labour laws should be bench-marked with the provisions of the new constitution, which guaranteed fundamental rights

for workers and trade union leaders. Speaking at the one day workshop, Labour and Economic Development Research Institute of Zimbabwe (LEDRI) Economist, Nyasha Muchichwa, said government's proposal for production linked wages was not feasible as it posed a number of challenges.

"The problem with productivity linked wages is that we cannot aggregate what everyone does in the production chain as we will be valuing output to every worker," he said. Muchichwa said it was also difficult to tell whether the productivity referred to was national, sectoral or enterprise based since some sectors, like security, did not produce tangible products. He said, therefore, the definition of productivity, which was the rate at which goods and services were produced over output per single unit,

was not helpful in determining what workers would get as productivity would differ depending on value.

"So productivity cannot be used in wage determination in Zimbabwe because of the complications that come with it. It is highly subjective," he said.

ZCTU Legal Advisor, Zakeo Mtimema, said the Zimbabwean government was now under obligation to domesticate all international treaties, adding that the labour body had the right to take the government to court if it failed to comply.

The major principles that came under discussion included the Right to Maternity Protection, registration of awards by arbitrators, the right to organise, collective bargaining, protection against child labour among others.

Minimum wage rise 'insufficient'

VERNON SMALL AND STACEY KIRK

NEW ZEALAND -Labour has joined unions in attacking the Government's 50 cents-an-hour hike to the minimum wage.

Prime Minister John Key yesterday announced the decision to lift the minimum wage from \$13.75 to \$14.25 from April 1.

However the raise has been criticised by unions as "unfair" and Labour leader David Cunliffe called it "insufficient".

"We've been saying at least \$15 for quite a while, and I've said yesterday not only will we raise it to \$15 in our first hundred days, but we'll raise it again six months later in our first year - April or May," he said on Breakfast.

Cunliffe said the second increase would be another "significant raise", but he would not say how much it would be.

"What's clear is working New Zealanders will be far better off under Labour," he said.

Cunliffe said it was important the living wage - currently defined as about \$18.80 an hour - remained separate from the minimum wage.

The living wage is defined as the minimum income necessary for a worker to meet their needs that are considered to be basic.

"The minimum wage applies to everybody, the living wage is a very good and useful thing to have, and we're going to require that for the core state service and we're going to make it easier for companies who are living-wage employers to sell

to the Government.

"It's a strong incentive to the market, but we won't make it compulsory."

Council of Trade Unions economist Bill Rosenberg said the increase, announced yesterday, was unfair given several years of stagnating wages, an economy that was starting to grow, and widespread concerns about how that growth would be shared.

The first step should be an increase to \$15.50 this year.

"The minimum wage is the only way, other than through the tax and benefit system, that the Government has to ensure wage and salary earners, and particularly people on low incomes, benefit from a growing economy," he said.

"Instead, almost half of employees are getting no wage or salary increases at all. This minimum-wage increase goes little distance to addressing the inequalities in society."

Key said the decision to lift the minimum wage was made against the background of an improving economy, with a fall in unemployment to 6 per cent.

The rise would have a negligible effect on jobs, although it was estimated 2300 would have been lost if the minimum wage had gone up to \$14.50, he said.

"I accept people will always want more."

Green Party co-leader Metiria Turei said the rise represented an increase of just \$2.25 an hour in six years under National, or \$4500 a year for a fulltime worker.

Ad Feedback

"That compares to the \$35,500 a year increase in the prime minister's salary over the same time," she said.

Labour's associate spokeswoman for labour Darien Fenton said Key had missed an opportunity to send the message that "in his 'rock star' economy, the low paid can expect a fair share".

"While salaries at the big end of town might have continued their upward trajectory under this government, in real terms the minimum wage has actually decreased," she said.

Turei said the Greens would also lift the minimum wage to \$15 immediately and work quickly towards a living wage for all workers.

"Well-paid CEOs might claim that a fair minimum wage would cost jobs but evidence from around the world shows that is just not true," she said.

"A higher minimum wage puts more money in families' pockets, giving them more money to spend, and that creates jobs."

Rosenberg said more than 100,000 people were on or close to the new minimum wage and well over 200,000 would have benefited from an increase to \$15 according to official figures from 2012.

Meanwhile, Minister of Labour Simon Bridges said the starting-out and training minimum wages would also increase, from \$11 an hour to \$11.40 an hour - 80 per cent of the adult minimum wage.

The increase keeps the minimum wage at about 50 per cent of the average hourly rate.

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Tazara workers form trade union

BY THE GUARDIAN REPORTER

THE Tanzania-Zambia Railway Authority (Tazara) has signed a Recognition Agreement with Tazara Workers Union-Tanzania (TAWUTA) - a new body that has been formed within Tazara to represent the interests of Tazara workers in Tanzania.

TAWUTA effectively became the fourth union to be officially recognised as a body representing Tazara workers after Tazara Acting Managing Director Eng Ronald Phiri and the Union's Chairman, Johansen Lwekamwa signed a Recognition Agreement over the weekend.

Speaking at the signing ceremony, Eng Phiri said in view of labour laws permitting the existence of multiple unions in an industry, he was bound to accept and welcome an additional union that has been legally registered to represent the interests of the workers.

"I therefore, take this opportunity to welcome TAWUTA and look forward to positively interacting with the Union for the betterment of Tazara," Eng Phiri said.

He said since TAWUTA was a Tazara-specific union, he hoped that TAWUTA would contribute more significantly on Tazara-specific issues for the benefit of Tazara.

For his part, Lwekamwa said workers are happy that now they have a union to deal entirely with Tazara-specific issues, in an apparent reference to their decision to break away from the Tanzania Railway Workers Union (TRAWU), which represents interests of workers in both Tazara and the Tanzania Railways Limited.

The leadership of TAWUTA comprises Lwekamwa, Equipment Controller (Chairman), Waziri Bakari, Locomotive driver (Vice Chairman), Benedict Mwakuyasa, Statistician (General Secretary) and Abdallah Sumbizi (Vice Secretary).

The formation of TAWUTA implies that about 2,800 Tazara workers now have four unions to represent their interests.

Initially, all Tanzanian workers were represented by TRAWU whilst those working in Zambia were represented by the Workers Union of Tazara, Zambia (WUTAZ). In Zambia, a second union, the Crews and Allied Workers Union of Zambia (CRAWUZ) was formed in 2012 after breaking away from WUTAZ.

SOURCE: THE GUARDIAN

Union sues for freedom of association of workers

LAGOS - The National Union of Shops and Distributive Employees (NUSDE), yesterday urged employers of Labour to allow their employees to join any union of their choice.

The General-Secretary of NUSDE, Mr Sule Babatunde, told newsmen in Lagos that "it is the legitimate right of the worker to associate freely."

"The freedom to associate is guaranteed in the Nigeria Constitution and the Labour Laws of our country," he said.

According to him, once workers have expressed the desire to join a union, it is compulsory for the management to allow them to join and the union must be given recognition.

"It is unfortunate that some managements have aversion for unionism; they always oppose the idea of bringing their workers into the fold," he said.

Babatunde urged employers to jettison the idea that once the union was introduced into the work place, the management will start having problems, stressing that "It is a wrong assumption".

"Employers must see the unions as partners in progress, because apart from agitating for improved welfare for their members, they also help the management.

"Our role as a union is dual as we always try to protect the interest of the management because we see the company as the goose that lays the golden eggs," he said.

Babatunde urged the Ministry of Labour and Productivity to always act promptly when disputes were reported, stressing that "it will help in averting most crises in the work place".

Trade Unions lodge complaint over 'excessive' working week

By Noel Baker - Senior Reporter

Trade unions representing residential staff looking after children, the elderly and others have lodged an official complaint with the European Commission over excessive working hours.

It has been claimed that some staff offering residential care are working 63-hour weeks, way above the legal maximum of 48 hours.

Impact and Siptu have lodged the complaint and said health employers and management in some cases were continually breaching the 1993 EU Working Time Directive and were also failing to respect a decade-old European Court of Justice ruling on working time.

The official complaint lodged with the EC is primarily over union claims about the substantial hours workers spend on-call while they are in situ at residential facilities overnight.

Impact and Siptu claim health employers are not treating these hours as working time, meaning staff working overnight receive a "sleep-over" allowance of just €5.40 an hour, below the statutory minimum of €8.65.

The unions want staff to work only one sleep-over a week and only then as part of the contractually obliged 39-hour working week. The unions also claim any sleep-over duties beyond this should be treated as overtime, with workers paid accordingly.

Impact national secretary Louise O'Donnell said: "It is neither fair on the staff nor sustainable for the service. It's not unusual for staff to work a full shift, then work an interrupted overnight 'sleepover' before immediately coming on shift again in the morning.

"This is not safe for staff or the vulnerable clients they serve."

Siptu health division organiser Paul Bell said: "Managers are ordering staff to work as many as seven sleep-overs a fortnight, in flagrant breach of Irish and EU working time laws and for less than the minimum wage. It's an insult to the staff and the people they serve."

As part of the complaint, the unions have cited the 2002 European Court of Justice 'SIMAP' judgment, which ruled all time spent on-call must be regarded as working time if a worker is required to be at their place of employment. They also claim there is a breach of the Irish Organisation of Working Time Act, which put the EU legislation into Irish law.

The Labour Court this month directed both sides in the row to return to LRC-facilitated talks no later than May 31.

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Service delivery will get Zimbabwe working again

Continued from page 4

Zimbabweans always question if Zanu PF really doesn't know where and what the Zimbabwean crisis shoots from, or it just swelters on power-keeping as the late Eddison Mudadirwa Zvobgo once said. This is why Zimbabweans cannot take Zanu Pf serious on talks of service delivery. We are tired of mere talks. Leaders must walk their talks.

What can we do about the fallen industries, after scaring away investors? What can we do to restore investors' confidence? What needs to be done to professionalize parastatals, after militarizing them for political reasons and affecting service delivery? These are some questions Zanu PF must act on.

Zimbabweans will continue shouting for new leadership when the current fails. We must never forget that public noise for

new political leadership is motivated by the need for service delivery. High quality service delivery is what people need. History talks can only frighten, but cannot help Zimbabwe.

Zimbabweans are grateful of liberation sacrifices that made us independent, but pointing backwards when the future demands service delivery now cannot get Zimbabwe anywhere ahead. Pointing backwards will only get us backward!

Zimbabwe currently needs leaders who can point and lead citizens to the future. The government must do away with many Muecheteres and Dubes who are just milking instead of serving this struggling nation.

Let irresponsible opportunists go home and open doors for new blood to serve Zimbabwe!

F e e d b a c k ; e m a i l



INTERNATIONAL WOMEN'S DAY - INSPIRING CHANGE

History and origins of IWD

The majority of women in Africa have remained largely marginalised crowded in the informal sector and lowly paying formal sectors of the economy



International Women's Day (IWD), originally called International Working Women's Day, is marked on March 8 every year. In different regions the focus of the celebrations ranges from general celebration of respect, appreciation and love towards women to a celebration for women's economic, political, and social achievements. Started as a Socialist political event, the holiday blended in the culture of many countries, primarily Eastern Europe, Russia, and the former Soviet bloc. In some regions, the day lost its political flavor, and became simply an occasion for men to express their love for women in a way somewhat similar to a mixture of Mother's Day and Valentine's Day.

In other regions, however, the political and human rights theme designated by the United Nations runs strong, and political and social awareness of the struggles of women worldwide are brought out and examined in a hopeful manner.

This is a day which some people celebrate by wearing purple ribbons.

The earliest Women's Day observances were held on many different dates: May 3, 1908, in Chicago; February 28th, 1909, in New York; and February 27, 1910, in New York. In August 1910, an International Women's Conference was organized to precede the general meeting of the Socialist Second International in Copenhagen. Inspired in part by the American socialists, German Socialist Luise Zietz proposed the establishment of an annual 'International Woman's Day' (singular) and was seconded by fellow socialist and later communist leader Clara Zetkin, although no date

was specified at that conference. Delegates (100 women from 17 countries) agreed with the idea as a strategy to promote equal rights, including suffrage, for women. The following year, on March 19, 1911, IWD was marked for the first time, by over a million people in Austria, Denmark, Germany and Switzerland. In the Austro-Hungarian Empire alone, there were 300 demonstrations. In Vienna, women paraded on the Ringstrasse and carried banners honouring the martyrs of the Paris Commune. Women demanded that women be given the right to vote and to hold public office. They also protested against employment sex discrimination. Americans continued to celebrate National Women's Day on the last Sunday in February.

In 1913 Russian women observed their first International Women's Day on the last Sunday in February (by Julian calendar then used in Russia).

Although there were some women-led strikes, marches, and other protests in the years leading up to 1914, none of them happened on March 8. In 1914 International Women's Day was held on March 8, possibly because that day was a Sunday, and now it is always held on March 8 in all countries. The 1914 observance of the Day in Germany was dedicated to women's right to vote, which German women did not win until 1918.

In 1917 demonstrations marking International Women's Day in Saint Petersburg on the last Sunday in February (which fell on March 8 on the Gregorian calendar) initiated the February Revolution. Women in Saint Petersburg went on strike that day for "Bread and Peace" - demanding the end



Women pick the tea and then have it weighed and get paid by how much they pick.

of World War I and an end to Russian food shortages. Leon Trotsky wrote, "23 February (8th March) was International Woman's Day and meetings and actions were foreseen. But we did not imagine that this 'Women's Day' would inaugurate the revolution. Revolutionary actions were foreseen but without date. But in morning, despite the orders to the contrary, textile workers left their work in several factories and sent delegates to ask for support of the strike... which led to mass strike... all went out into the streets."

Following the October Revolution, the Bolshevik Alexandra Kollontai persuaded Vladimir Lenin to make it an official holiday in the Soviet Union, and it was established, but was a working day until 1965. On May 8th, 1965 by the decree of the USSR Presidium of the Supreme Soviet International

Women's Day was declared a non-working day in the USSR "in commemoration of the outstanding merits of Soviet women in communistic construction, in the defense of their Fatherland during the Great Patriotic War, in their heroism and selflessness at the front and in the rear, and also marking the great contribution of women to strengthening friendship between peoples, and the struggle for peace. But still, women's day must be celebrated as are other holidays."

From its official adoption in Russia following the Soviet Revolution in 1917 the holiday was predominantly celebrated in communist and socialist countries. It was celebrated by the communists in China from 1922, and by Spanish communists from 1936. After the founding of the People's Republic of China on October 1, 1949

the state council proclaimed on December 23 that March 8 would be made an official holiday with women in China given a half-day off.

In the West, International Women's Day was first observed as a popular event after 1977 when the United Nations General Assembly invited member states to proclaim March 8 as the UN Day for women's rights and world peace.

Actress and human rights activist Beata Pozniak worked with the Mayor of Los Angeles, the Governor of California, and members of the U.S. Congress to achieve official recognition of the holiday in the USA. In 1994 Pozniak spearheaded introduction of the first bill in the history of the U.S. Congress (H.J. Res. 316) to recognize International Women's Day in the United States.

Energy sector 2014 negotiations stalled by employers

By Staff Reporter

Employers in the energy sector are seeking to delay collective bargaining negotiations for 2014 because the boards in the major companies have been dissolved.

In a letter to the unions, the National Employment Council (NEC) for the Zimbabwe energy industry wrote to unions in the sector advising them of the development.

"The NEC would like the trade union to take notice that Employers' Association advised on the 25th of February that it is currently not in a position to engage for collective bargaining negotiation for 2014.

The association argued that its members do not have boards. Moreover, the Employers' Association indicated that the non existence of the boards meant they could not get a mandate which is crucial for negotiations. As a result engagement will only be possible once the boards are in place," reads the letter to the unions.

The National Energy Workers Union (NEWUZ) has said the employers are giving flimsy excuses to delay negotiations at a time they are still seized with fulfilling the 2012 CBA dispute.

NEWUZ general secretary Thomas Masvingwe said he believes that the employers still have a mandate because they still have authorities which they are

reporting to.

"Employers are corporate bodies and the absence of the boards does not stop them from functioning. They are reporting somewhere to some principals and they should get their mandate from whoever they are reporting to in the meantime. The move is in breach of the constitution and we are going to resort to collective job action if they remain adamant. We are currently mobilizing our structures for an effective job action," he said.

Masvingwe added that there are many contentious issues which need urgent attention such as casualisation of labour and issues with occupational health and safety.

"We are at war with employer

over the non payment of allowances to contract employers when the CBA does not exclude them, the employer is just evading responsibility but we will fight them to the end," he said.

Meanwhile the 2012 CBA dispute in which the Zimbabwe Electricity Supply Authority is refusing to comply with the grading system is still raging and parties have appeared before the High court and resolved that a consent order setting aside the arbitral award be filed on condition that a retired judge be appointed to arbitrate within a specific timeframe and failure to agree on the arbitrator the matter be referred for commercial arbitration.

"Zesa is arguing that its grades start from A3 instead of A1 as well as that it does not have money to pay. ZESA invited us to be part of the delegation to the ministry of labour in which it sought us to support its position that the 2012 CBA cannot be implemented because ZESA has no money but we turned it down.

"We want to assure our members that the union shall continue to discharge its constitutional mandate of protecting the rights and advancing the interests of its members. In executing this mandate we shall act professionally, diligently and lawfully without fear or favour," said Masvingwe.

KNOW YOUR UNION KNOW YOUR UNION

GAPWUZ



History of GAPWUZ

History is not a collection of dead facts about the past, but a story of how the GAPWUZ came to exist; it is a record of the struggle. The sad story about Agricultural and Plantation Workers in Zimbabwe is that before independence they were not regarded as workers. Farm workers were excluded for the definition of "employee" as was contained in the industrial Conciliation Act. This was the only Act that provided for some rights of workers during the rule of the colonial regimes. Instead, the farm workers were regarded as servants and therefore were governed by the Master and Servant Act. Under the Act, the employers were the Masters and workers were servants. This meant, farm workers laboured at the mercy of Master without any rights. After Independence, the plantation and agricultural workers formed their first trade union in April 1980, known as the Zimbabwe Agricultural and Plantation workers union (ZAWU). In November 1982 a group led by Michael Mawere split from the union and formed the General Agriculture and Plantation workers union of Zimbabwe (GAPWUZ). ZAWU suffered a natural death and disappeared. GAPWUZ was registered as a trade union in June 1985 and certified in 1986. At registration, GAPWUZ had only 15 000 members.

GAPWUZ is a voluntary, democratic trade union organization that represents the rights and interests of Agriculture workers in Zimbabwe.

Overall Goal the overall goal of the union is to promote and protect workers' rights and to improve the living and working conditions of workers in the agriculture industry.

Vision : "An agriculture industry in Zimbabwe where Agricultural workers are free from all forms of exploitation, discrimination and victimization, where they enjoy good living and working conditions.

Mission Statement : "To provide quality and efficient service through empowering, protecting and enhancing the living and working conditions of agriculture workers"

Aims and Objectives : These are laid down in the Constitution of GAPWUZ;

- To regulate the relationship between members and their employers and protect further the interest of members in relation to their employment,
- To promote or establish provident fund and other benefit schemes for members
- To encourage the settlement of disputes by conciliatory methods
- To promote, support or oppose by lawful method any proposed legislative or other measures affecting the interest of members
- To use lawful means to induce all persons who are eligible for membership to be members.
- To assist members in obtaining employment
- To provide when deemed necessary legal assistance to members on matters connected with or arising from employment.
- To do such other lawful things as may appear to be in the interest of members.

Why should one join GAPWUZ now?

GAPWUZ has collective bargaining power which enables the union to win better working and living conditions. It has enough resources to run the union and represent you in any employment matter, at any level. GAPWUZ provides Legal assistance, offers education, trainings and skills development.

Trainings carried out by GAPWUZ

Trainings on; Human rights, Collective Bargaining, Women and gender, Organizing skills, Health and safety, Para-legal, Grievance Handling, Governance

GAPWUZ is present in all the country's provinces divided into three regions,

1. Eastern Region covering Manicaland, Masvingo, Mashonaland East
2. Northern Region comprises Harare, Mashonaland West and Central
3. Western Region covers Midlands, Matabeleland North and South

GAPWUZ has 15 offices and 2 satellites offices spread through out Zimbabwe and have its Head Office

Bulawayo Office
105 Robert Mugabe Way

Elite Bulawayo
Cell: 0773 248 825
Gweru & Kwekwe Development House
Office 403
4th Floor
Gweru
Cell: 0772 306 781

Chegutu & Kadoma
44 Abercon Street
Chegutu
Cell: 0772 625 458
0772 895 842

Norton Office
Ngoni Hall
Cell: 0773 057 062

Karoi Office
Stand 758
Industrial Site, Karoi
Cell: 0772 556 073

Mutare Office
23b 3rd Floor
Cecil Chambers, Mutare
Cell: 0773 285 847
0773 792 391

Rusape Office
Matambo Garage
Opposite Dairiboard
Rusape
Cell: 0773 412 707

HEAD OFFICE
Room 20 4th Floor Sanders House
First Street, Harare
Tel-04 762896/7
Cell: 0772 588 684/ 0774 164 357
Email: gapwuzinfo@gmail.com
giftmutisamas@yahoo.com

Marondera Office
Stand No 249
The Green
Marondera
Cell: 0773 884 003

Chippinge Office
Stand No 9
Main Street
Chippinge
Cell: 0774 711 809

Bindura Office
Kushinga Driving School
Room 99
Jason Moyo
Bindura
Cell: 0774 129 112

Mvurwi Office
Community Hall
Mvurwi
Cell: 0773 465 193

Ruwa
Cell: 0772 560 865

Beatrice
Cell: 0772 206 373

Kariba
Cell: 0772 225 017

ZIMBABWE TOBACCO INDUSTRIES WORKERS UNION (ZTIWU)



BACKGROUND

THE Zimbabwe Tobacco Industrial Workers Union (ZTIWU) was formed in the early 1980's but was eventually certified and registered in 1986.

At its inception the union was bankrolled by activists such as Silus Mhembere and others who took it upon themselves to organize membership from the proceeds of their meager hard earned wages.

The activists were foot soldiers who moved from company to company recruiting membership which also later chipped in with resources towards the reinforcement of the union.

After its registration in 1986 and having crafted a constitution, structures were established accordingly.

Mhembere passed on and a number of general secretaries including Mr Maburutse and later Alex Maposa who became acting general secretary until the 1999 Congress which ushered Nimrod Noruwana as general secretary and the Presidency before the 1999 congress

had Agrippa Mapurisa and his predecessors were J. Mugura. Nehemiah Shoko was elected President at the 1999 congress but was later retrenched and left the industry and Claudius Makurumure took over in 2008 and his deputy was Elson Chiseya who later left the union.

The current General secretary Emson Sibanda who is deputized by Enock Makuyana was ushered into office following the death of Estevao Cumbulane in 2007.

Cumbulane was deputized Mr Makombore.

ZTIWU's national organizer is Emmanuel Mariro who was appointed following the death of Phoeb Madziva in 2006.

GENERAL COUNCIL

ZTIWU general council has 25 members

MEMBERSHIP

Membership 4500. Membership is shrinking because grading sheds branches are not operational, company closures and seasonal employment

PROJECTS

The Union is construction of an office block that is expected to be completed by the end of 2014.

Head office
13 Simon Mazorodze
Opposite zindoga
Malvern Shopping Centre
Waterfalls, Harare
Contacts : Tel: 04-610978/610979
Fax : 04- 610977

MDC-T is bigger than Mangoma



Elton Mangoma

ELTON Mangoma, the MDC-T deputy treasurer has joined the likes of Elias Mudzuri, Ian Kay and Roy Bennett in trying to oust Morgan Tsvangirai from the MDC-T. The reasons are that he has failed to remove Robert Mugabe, alleged misappropriation of funds as well as his liaisons with a host of women which, Mangoma claims, cost the party at the last election.

Mangoma has taken it upon himself to fight Tsvangirai and become a 'hero' to those who are opposed to Tsvangirai's leadership. I admit that Mangoma is entitled to his opinion. He is also entitled to seek change in his party. But unfortunately, I am also entitled to say in doing so, Chigumura thinks Mangoma is digging his own political grave.

Granted Tsvangirai has his own flaws, and they are many that include his well-documented weakness for women- but blaming him solely for the loss during the July 31, 2013 harmonised elections is being unfair. I thought it was team work during elections and everyone should shoulder the blame. All the MDC-T is to blame, and surely if Tsvangirai has to go, the whole team must also go.

It also appears Mangoma is not gifted in reading people's mood particularly when it comes to Tsvangirai. The man is hugely popular among the grassroots. What it means is that if Tsvangirai goes, then the MDC-T must kiss state power goodbye.

In any event, why should Mangoma think that he is speaking on behalf of

Zimbabweans who support the MDC-T? Why should he want Tsvangirai to go now before the Congress scheduled for 2016? Why not wait? Its only two years to go and after the congress they will have another two years to prepare for elections. Is he the congress?

Besides Bennett, Kay and Mudzuri, Chigumura is eager to know who else in the top hierarchy of the MDC is behind Mangoma? Is it true that Tendai Biti is the master behind? If he is man enough he should come up and clear the air.

If this is the team that want to take over the MDC-T then, we are in for a rough ride as workers. They are capitalists to the cough and are good friends of business. During his term of office as Minister of Energy, Mangoma was very unpopular with workers and trade unionists. He refused to implement agreements between Zesa and workers. We all wondered if he was from a part that claimed to have workers at heart.

Talking of Biti, he is the one who started the labour flexibility mantra. He has made it known that he wanted labour laws to be amended to the benefit of employers. He was against PDL wages claiming that they caused inflation.

Chigumura believes Mangoma was and is

part to a grand plan that has been there before elections to scuttle Tsvangirai's ascendance to State House. It appears the whole thing was well planned before and what this means is that during the elections on 31 July last years, Tsvangirai was not only fighting Robert Mugabe, he was also fighting his own men who wanted him to lose so that they get an excuse to get rid of him.

Of course if indeed he was beaten up at Harvest House, that was the highest level of intolerance by Tsvangirai's supporters. Beating people for their views can never be supported. But what Mangoma is doing is playing into the hands

of Zanu PF. No wonder why the police, after Mangoma reported his case to them, gleefully rushed to Harvest House to arrest MDC activists. For them it was an opportunity to show how violent the MDC-T is.

Mangoma must realise that MDC-T is a bigger institution than him. He must let the 5 000 delegates who gave Tsvangirai the mandate to run as MDC-T president decide.

CHIGUMURA



AFTER the high profile naming and shaming of chief executives that were getting outrageous salaries, it seems nothing is going to happen to them. As we said before, nothing will indeed happen to them. After all these people were not awarding themselves this amounts as there are boards set to oversee these parastatals. It is not surprising that all of a sudden there is this conspicuous silence because most of these chief executives in parastatals were appointed to those posts by the ruling party with the aim of syphoning money to feed the big chefs. Surely you cannot tell Chigumura that Ministers who were responsible for parastatals did not know how much chief executive officers were earning! They were benefiting somehow! This is Zimbabwe, it was a hullabaloo for nothing.

FINALLY the first daughter Bona Mugabe wed on 1 march 2014. As we wrote this article, it was all glitz and glamorous. It also appeared it was going to be a wedding made in heaven. The life of money. But looking at the groom, Chigumura just wondered how old he is. But then, age is just a number, I am out of here!

ZTWU presses for Karina revival

BY DICKSON CHAERUKA

THE Zimbabwe Textiles Workers Union (ZTWU) is advocating for the resuscitation of Karina Textiles (Pvt) Ltd three months after the High Court approved the company's liquidation application, *The Worker* has learnt.

The company was granted the liquidation order in December 2013 following a protracted High Court dispute with its workforce, which accused the latter of clandestinely seeking the court order when they had preferred a judicial manager to run the firm.

ZTWU General Secretary, Silas Kuveya said the union was still convinced the company had fair chances of revival even after the liquidation was granted citing a host of factors.

He said the union preferred the company to be sold as a going concern.

"We understand very much the provisions of liquidation. The union preferred the company to be deposited as an ongoing concern. This way is better because there would be employment created by the new investor. A development where all workers or part of them are reengaged after it is revamped is much favorable. It's up to the liquidator to decide but finding a new investor is possible because primarily, the purpose of liquidation is to make something that is liquid solid," he said.

Kuveya said chances were very high for the company to find a new investor once that avenue is opened citing that Karina was a sole unique firm across the country that manufactured peculiar products on demand such as knitting yarn and wool.

"It can be unfortunate if such a company cannot find a bidder once it is put on an auction. Karina enjoyed monopoly in its trade and that is why we were even against liquidation in the first place. With its unique operations, almost in the whole of Southern Africa, we don't foresee the reason why it cannot find a bidder as an ongoing concern," he said.

Karina was established in 1959 under the name Ferguson Shiers manufacturing carpets in the eastern border town of Mutare but was expanded 10 years later when the company ventured into manufacturing knitting yarn and wool.

The company was one of the city's top employers with over 1 000 workers during its prime

It became the second largest textile industry reported to have succumbed to viability challenges after David Whitehead was put under judicial management in 2011.

Following the liquidation, it was established that Karina has a debt totalling to \$558 880 owed to its 168 factory workers in terminal benefits including accrued wage arrears

The liquidator was identified as Theresa Grimmel and she had so far auctioned some of the company vehicles.

Grimmel said the company's other movable and fixed assets were also set to be auctioned.

The ZTWU General Secretary confirmed the deposited assets expressing that the liquidator was obliged to do so, so that she can cover her day to day operation costs.

Kuveya further stated that the union urge the liquidator to make an effort to consider the workers first in the liquidation proceedings.

Detergents union holds congress

Continued from Page 6

Secretary's post while Leticia Togara was elected his deputy. The post of Treasurer went to Edson Muzarurwi while Daniel Padare, Melicia Musvipa, and Mgcini Moyo were elected committee members. Meanwhile speaking at the same congress a Labour Officer with the Ministry of Labour and Social Welfare has called on trade unions to adhere to their constitutions in order to avoid unnecessary squabbles that led to factionalism in most unions.

Speaking at an elective congress of the Detergents, Edible Oils and Fats Workers Union in Harare recently, Elvis Machikiti, said most trade unions were known for flouting their own

constitutions, which often led to factionalism.

"Your constitution stipulates that you have a congress after five years, so you have to religiously adhere to your constitution," Machikiti said.

He called for unity of purpose among the elected leaders of trade unions in the struggle for their rights.

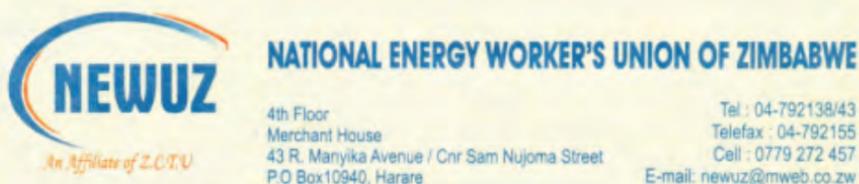
"Those elected must be concerned about the workers' concerns and shun factionalism because what workers want is food on their tables," Machikiti said.

He said there were so many problems affecting workers in all sectors of the economy and it was the duty of their elected leaders to negotiate for better working conditions and salaries.

"There are so many problems out there, including low wages and non-payment of salaries. My wish is for you to negotiate good wages that give workers dignity, that in turn gives them a sense of purpose and look forward to work," Machikiti said.

Machikiti called on negotiators from trade union organisations to try by all means to solve their differences with employers through dialogue as confrontation usually ended up costing the workers.

"I encourage you to engage in dialogue as opposed to confrontation as most employers deliberately frustrate you into confrontation so they can apply for a show cause order which gives them an opportunity to fire you," he said.



INTERNATIONAL WOMEN'S DAY 2014

THEME: WOMEN UNITE AND INSPIRE CHANGE

NATIONAL ENERGY WORKERS

UNION OF ZIMBABWE

(NEWUZ)

JOINS

THE ZCTU

AND THE ZIMBABWEAN WORKERS AT LARGE

IN COMMEMORATING

INTERNATIONAL WOMEN'S DAY.

WE CALL FOR MORE ACTIVE PARTICIPATION

OF WOMEN IN DECISION MAKING

AT THE WORKPLACE

Shinga Mushandi Shinga, Gina Sisebenzi Gina
KWIRA MUDZIMAI KWIRA PACHIGARO!

REWARD LABOUR FOR PRODUCTIVITY

ZimAsset No Panacea - Part 1

Following the overwhelming electoral victory by ZANU PF in the 31 July harmonised elections the government the Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZimAsset) as the new economic blueprint to guide economic development over the next five years from October 2013 until December 2018.

The government argues that ZimAsset was developed through a consultative process involving political leadership in the ruling Zanu PF Party, Government, Private Sector and other stakeholders. The Vision of the Plan is "Towards an Empowered Society and a Growing Economy". The execution of this plan will be guided by the following Mission: "To provide an enabling environment for sustainable economic empowerment and social transformation to the people of Zimbabwe".

ZimAsset is a cluster based development and these clusters include: Food Security and Nutrition; Social Services and Poverty Eradication; Infrastructure and Utilities; and Value Addition and Beneficiation. Two sub-clusters were also developed namely: Fiscal Reform Measures and Public Administration, Governance and Performance Management. The Office of the President and Cabinet will monitor and evaluate the implementation, monitoring and evaluation of the Plan. Among the positive elements in ZimAsset are the adoption of Results Based Management and a clear implementation matrix.

The total financial requirements for ZimAsset is USD27 billion up to U S D 2 7 billion up to 2018 and most of this money is earmarked for energy, water, sanitation and social sectors. In order to raise this money the plan has identified a financing mechanisms: tax and non tax revenue, leveraging resources, Sovereign Wealth Fund, issuance of bonds, accelerated implementation of Public Private Partnerships, securitisation of remittances, re-engagement with the international and multilateral finance institutions and other financing options, focusing on Brazil, Russia, India, China and South Africa (BRICS).

While the policy blueprint correctly identifies a number of key binding constraints to development in Zimbabwe it however makes a wrong diagnosis of the causal factors. The policy argues that Zimbabwe, 'experienced a deteriorating economic and social



Local industries are underperforming and need massive recapitalisation

environment since the year 2000 caused by illegal economic sanctions imposed by the Western countries. This resulted in a deep economic and social crisis characterised by a hyperinflationary environment and low industrial capacity utilisation, leading to the overall decline in Gross Domestic Product (GDP).¹ A careful and diligent analysis of the economic history of Zimbabwe will however show that the economic crisis in Zimbabwe was not caused by 'illegal economic sanctions' but

1995/96. The incidence of extreme poverty (households that could not meet basic food requirements) increased from 16.7 per cent to 35.7 per cent over the same period. Declining public expenditure on education and the imposition of user fees affected the quality of education and access to education. The overall result of fee imposition was a decline in enrolment rates. ESAP compromised the access of the poor segment of society to education and health facilities as most people failed to pay the required user fees.

As early as 1993, the country experienced its first "IMF" riots when the lifting of subsidies and decontrol of market prices sent the price of bread soaring by 30 per cent. A "bread boycott" by township consumers lasted more than two weeks, and saw running street battles between riot police, and women and the youth. In 1996, the longest and most acrimonious public sector strikes occurred, especially involving health workers and teachers. The largest number of strikes since independence occurred in 1997 when 232 strikes were recorded. Following the failure of ESAP, and the hardships that resulted in growing discontent and the rise of civil society from its slumber, subsequent economic policies were generally characterized by irrational controls, policy inconsistencies and reversals.

The massive crash of the Zimbabwe dollar on 14 November 1997 by 71.5 per cent, commonly referred to as 'Black Friday', marked the onset of the economic crisis and paralysis. The crash was precipitated by the announcement by government to pay unbudgeted gratuities to war veterans. As a result of the massive depreciation of the Zimbabwe dollar, input costs soared, thereby undermining the

viability of producers.

Budgetary problems were deeply exacerbated in August 1998 when government unilaterally sent troops to the Democratic Republic of Congo (DRC) to assist that country's government repel rebels who were threatening to assume power. Zimbabwe's involvement in the DRC war was estimated to cost US\$33 million a month and was not provided for in the regular budget.

Against this background, the relationship between Zimbabwe and its multilateral and bilateral development partners deteriorated as government defaulted in 1999 on its arrears payments such that Zimbabwe earned itself a pariah status. Investors and donors began to desert the country, resulting in an acute shortage of foreign currency. As a result, a thriving parallel market emerged.

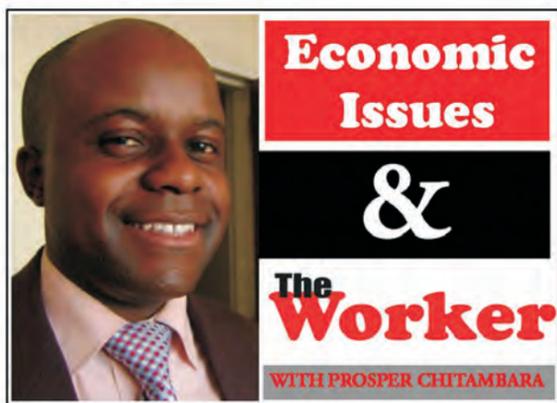
The Fast-Track Land Reform Programme which was officially launched in June 2001 though noble was conducted in a violent and chaotic manner which adversely affected commercial agricultural production. As a result agricultural production and productivity plummeted and Zimbabwe became a net food importer from being the bread basket of the region. This negatively affected the rest of the economy in a number of ways mainly because agriculture being the backbone of the economy had strong linkages with other sectors such as manufacturing. Therefore problems in agriculture had a spilled over onto the rest of the economy.

In response to the violence accompanying the fast track land reform programme the US government imposed restrictive measures against targeted government officials on 21 December 2001, the Zimbabwe Democracy and Economic Recovery Act (ZDERA). The EU followed suit with targeted

sanctions on 18 February 2002 marking the deterioration in the relations with the Government of Zimbabwe.

While the reality of sanctions is indisputable to attribute our economic problems to these will be self-delusion of the highest order. For starters the inability of the country to access lines of credit was not caused by sanctions but rather by the inability of the country to pay its arrears beginning in 1998 when the country defaulted and there were no sanctions in 1998. More importantly the high cost of doing business in Zimbabwe caused by decades of underinvestment in the productive base of the economy (aging machinery and obsolete technologies) and underinvestment in infrastructure such as roads, water and energy have conspired to make Zimbabwe unattractive for both domestic and foreign private investments. Uncertainties and policy inconsistencies have also earned the country a high risk premium which makes it more expensive to invest in Zimbabwe. No sane and rational investor is going to invest in a country when they are unsure of their expected returns and security of their investments period. The policy also does not make any reference to our own internally-induced sanctions that include: state capture of resources by a few elites; various forms of corporate malfeasance at both private companies and parastatals (which have continued to drain the fiscus); and other rent-seeking and other corrupt behaviours and tendencies.

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rather with the implementation of ESAP in 1991 and exacerbated by the implementation of politically convenient but economically irrational policies beginning from 1997.

ESAP decimated the country's industrial base by exposing it to external competitive pressures. The external debt as a percentage of GDP which averaged 44 per cent before ESAP rose to an average 77 per cent during the ESAP period. It stood at about 71 per cent in 1998. A study by the Central Statistical Office (1998) suggests that the incidence of poverty in Zimbabwe increased from 40.4 per cent in 1990/91 to 63.3 per cent by

ZIMBABWEAN LABOUR LAW

Is labour market flexibility the way to go?

THE debate on whether our labour laws need to be flexible, if at all rigid, gathered momentum when the Finance Minister alluded to it during the presentation of the 2014 budget statement.

The views regarding the effects of making labour law flexible are quite divided between the employers and the employees with the government appearing to be leaning in favour of the employers if the sentiments expressed by the Finance Minister in the said budget statement are anything to go by.

In his budget statement, the Minister of Finance made reference to the need to have flexible labour laws. He stated that:

“Government has already alluded to the need to review the country's existing labour laws, which tend to be skewed in favour of employees, without taking due cognisance of productivity and the capacity of companies to pay. This has contributed to numerous company closures. This is also constraining potential investment into the country. Government will, therefore, expedite the finalisation of the ongoing review of labour laws with a view of making them flexible and linking remuneration to productivity, that way promoting interests of both the investor and employees.”

Flexibility of labour laws entails a number of things such as flexible working hours and contracts of employment. It also entails flexible ways of hiring and dismissing workers and greater flexibility in payment arrangements as well as the introduction of shifts. In essence, it refers to the relaxation of legislation that seeks to protect workers.

The proponents of flexibility of labour laws regard it as a way of reviving an industry and the economy at large. A number of examples they give will suffice in this regard. A

company can engage in a system of shifts in order to try and limit the working hours of employees and to ensure that they will be paid particularly for the hours they would have worked.

Another example would be that of the flexibility of working hours. An employer may change the working hours of his employees so as to be in line with the work available. For instance, he can be able to reduce

the working hours were there is really no work to be done so as to prevent himself from paying employees for the hours they would not have been doing any work at all.

Flexibility of labour laws is therefore seen by its proponents as way of matching costs related to employment with production output levels. Where output levels have gone low and there is no indication of any rise, an employer will easily adjust his workforce. Long term employment contracts can be replaced by short term employment contracts and there can be an increased use of part time employees.

A country with flexible labour laws is also seen as a first choice destination by investors in that they can easily exploit labour laws in order to ensure maximum profits as compared to what they would earn in countries that do not have a flexible labour market

It be noted however that a flexible labour market comes with number of serious disadvantages mainly for the workers. Flexibility tends to reverse a number of the gains of the workers especially if looked in the context of Zimbabwe where there has been a growth in the realisation of labour rights meant to ensure that workers play a role in the making of decisions that affect their rights.

Although flexibility can result in the reduction of the unemployment rate, the jobs are not permanent at all. They are mainly short term contracts and as such there would be a rise in job insecurity. With job insecurity comes a number of problems for the workers such as failing to make long term plans in live.

The aspect of collective bargaining will also be eroded. The relationship between an employer and an employee will thus be a strict master and servant relationship in

which the employee, being the servant, will have no say in respect of all aspects governing the employer-employee relationship. This means that such issues as working hours, salary and duration of contract will be determined solely and exclusively by the employer.

The increase in short term contracts may negatively affect eligibility for pensions and thus giving rise to social implications.



The concept of Labour Market Flexibility is set to increase precarious jobs threatening the livelihoods of thousands of workers through casualisation of labour

Upon reaching retirement age, a person who has been employed by various employers for very short term contracts may realise that he would not have made any contributions in respect of pensions. This would mean that there would be an increase in pensioner poverty in the long run.

The fact that there would be a rise in short term contracts necessarily means that there would

be a lack of training for workers. It is quite obvious that an employer cannot devote his resources to train a person employed on a short term contract such as one month contract. The eligibility of such person to be employed in the long run will therefore have been affected.

Productivity is also affected in the long run in that there will always be new employees and time will be wasted due to inductions being constantly conducted.

What can be noted is that flexibility of the labour market negatively affects the rights and interest of the working class. It effectively takes away the right of trade unions to bargain. The role will be taken over by market forces of supply and demand.

B Makururu is a registered legal practitioner who writes in his personal capacity. Your views are welcome.

The right to cheat . . . ?

From page 14

cheat more than men, and have more sexual experiences than men, *but does that mean they have the right to do so.*

Some women are usually interested in sex that includes or at least hints at some sort of emotional or relationship connection, while men are typically seeking a purely objectified sexual experience.

Sometimes women feel betrayed by their partner usually either financially or sexually, and they use infidelity as a way to retaliate. Typically, women seeking revenge are not secretive about what they are doing. Others miss the exhilaration of meeting, flirting, dating, and forming new relationships. They find their on-going stable partnership boring so they chase the emotional high of finding and bonding with someone new.

Women are also sexual creatures. They usually enjoy the physical act of lovemaking as much as men do, and they also enjoy the feeling of being wanted, needed, and desired. Sometimes women are much more sexual than their partner which can be problematic. Rather than end the relationship, they may seek a little sex on the side as a way to meet their physical needs.

Sadly, women who cheat often don't realize or choose

to ignore the fact that sexual and romantic betrayal hurts men just as much as women. Interestingly, it is usually not any specific sexual or romantic act that hurts the most. Instead, it's the keeping of secrets and the constant lying that causes the most pain.

One thing men must understand is that they are going to get caught at one point or the other. May be it may be the scent of another perfume, some fallen hairs, lipstick marks or different behaviour than normal because women are smart, no offense meant. Many men have lost their money, property, health and wealth by opting for relationships outside marriage. But that still does not prevent them from doing it again. After all, Men are men!

Cheating or relationship infidelity can be incredibly damaging on many levels. As for women, the day your partner finds out that you are cheating is most likely the day your relationship with him ends. This however does not give men any right to cheat just because women are more forgiving.

To all women who will be celebrating the International Women's Day this March: no man has a right to cheat on you, and you have no right whatsoever to do the same for whatever reasons.



Zimbabwe Cricket mismanaged \$6m ICC loan

A protest over salaries by Zimbabwe's cricketers has again brought to the fore Zimbabwe Cricket's financial problems, which have continued despite at least US \$9 million being loaned by the ICC to the board. ESPNcricinfo can reveal that one reason for the financial mess is that ZC's top leadership apparently used a \$6 million loan from the ICC to enrich a bank on whose board they sit and ignored a key condition of the loan.

The issue also raises an apparent conflict of interest: ZC chairman Peter Chingoka, vice-chairman Wilson Manase and former managing director Ozias Bvute all sit on the board of Metbank, one of Zimbabwe's leading banks. While Chingoka is a non-executive director on the Metbank board, Manase is chairman of the board and Bvute is a major shareholder in the institution.

ZC said the main purpose for the ICC loan was to service the current facilities with local banks so that it could borrow again but the plan was upset by the status of the financial market. Chingoka also said it was "wrong and malicious" to allege loss of money when Metbank themselves were owed the most amount of money. The ICC, meanwhile, has declined to respond to specific questions.

Recent effects of that debt have been public knowledge: last September, ZC called off a proposed visit by Sri Lanka on financial grounds and the current domestic season was delayed by two months after players went on strike over unpaid wages. That matter raised its



BACK THENwhen all was still well with the national cricket side

head again in negotiations over payments for the upcoming World Twenty20, which have been deadlocked but due to resume on March 3.

ESPNcricinfo has learnt that from 2009, ZC took out US dollar loans from Metbank at interest rates of more than 20 percent and possibly as high as 24 percent despite knowing the ICC could arrange loans at international interest rates far below those that Metbank was offering.

In December 2011, after learning of ZC's high-interest loans from

Metbank, the ICC loaned the cricket board \$6 million with one rider: the money should be used to immediately retire ZC's existing debt. Instead ZC deposited the money in a non-interest-bearing account with Metbank for more than five months. Metbank would have benefited from the interest accruing on their high-interest loan to ZC, as well as from having ZC's money in the non-interest-bearing account available to loan to third parties. ZC would, by the same deal, have lost out twice.

The ICC loan was received by ZC

on December 14, 2011; on January 18, 2012, ZC repaid \$75,000 to Premier Bank, and another \$50,000 to the same institution on March 15. It then repaid \$1,758,211 to Interfin Bank on April 23, 2012 and \$829,167 to FBC Bank on May 3.

The writers Liam Brickhill is a freelance journalist based in Cape Town and Tristan Holme is a freelance cricket journalist who divides his time between South Africa and Zimbabwe.

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Bvute accused of alleged insurance fraud

Ozias Bvute officially stepped down as ZC's managing director in June 2012, but in a press release issued at the time, Peter Chingoka confirmed Bvute would remain involved in the organisation.

"I am delighted to confirm that his expertise will not be lost entirely to the game as he has accepted our request to be on hand to offer advice and consultation, particularly with matters pertaining to the commercial opportunities in the game," said Chingoka.

In February 2013 Bvute was appointed chairman of the board of Air Zimbabwe, the country's state-owned national carrier. Under his leadership, the board appointed Metbank as Air Zimbabwe's principal banker. The airline has since become embroiled in a series of corruption scandals, leading Transport and Infrastructure Development minister Obert Mpofu to sack Bvute and the board three weeks ago, saying it had failed to observe good corporate governance. A week later Bvute was accused of complicity in an alleged multi-million dollar insurance fraud by a sacked Air Zimbabwe secretary during a court hearing in Harare.

Bvute did not respond to a written request for comment, despite promising to do so during a telephone conversation.

Warriors' CHAN display reaping rewards

The Zimbabwe national soccer team's heroic exploits at this year's edition of the African Nations Championships have not gone unnoticed as at least five African countries have expressed their interest for a dance with them for International friendly matches.

Eventual tournament winners, Libya, who knocked the Warriors in the semi-finals of the tournament on penalty shoot outs after a goalless draw are still keen to engage the vastly improved Ian Gorowa's team once again.

Other teams which are interested to play the Warriors are minnows, Botswana, Malawi, Gabon and little known Dubai.

Zimbabwe Football Association communications officer Xolisani Gwesela confirmed receipt of the requests from four countries asking for an international friendly tie with the Warriors on the 5th of March.

The day will be an opportunity for Ian Gorowa to continue the process of building a strong Warriors squad following a sterling performance at the African Nations Championship. Malawi, Dubai, Botswana and Gabon have reportedly written to ZIFA about the request, but Gwesela says the football mother body is yet to decide on an opponent.

ZIFA has in the past come under fire for failing to capitalise on international friendly dates which give coaches an opportunity of trying out players that can represent the country in competitive encounters.

Gwesela added that this will also give Gorowa a chance to assess the foreign based players in time for the African Cup of Nations qualifiers.

"As you all know, as ZIFA we have come under fire from soccer players and coaches for poor planning, but this is the time for us to pay them back, we should make the best from these invitations," he said.

Zimbabwe will soon battle for a berth at the 2015 Africa Cup of Nations and the 5th of March will be an ideal platform for Gorowa to continue building a team.

Under the current qualifying format, Zimbabwe will first have to progress from a preliminary round qualifier before battling for a top two finish in the group stage.

The Warriors' opponent in the preliminary round will be decided at a draw to be held in Cairo on the 27th of April.

Like other sports associations, Zifa is placing hopes for financial recovery

in the newly-established Ministry of Sports, Arts and Culture.

Egypt had proposed to play the Warriors ahead of their Brazil 2014 first leg final qualifier against Ghana which was played last year, but the request came at too short a notice for the match to take place.

With the North Africans handed a 6-1 drubbing, they will be hoping to prepare better and the Warriors could benefit since the Pharaohs proposed to pay for the trip.

Gabon, who also played at Chan and were in Group D together with the DRC, Burundi and Mauritania, had hoped to pass through Harare on their way to South Africa for a warm up match ahead of the tournament.

Warriors coach Ian Gorowa is hoping to continue with the impressive performance from Chan which many believe laid the foundation for the Warriors' Afcon 2015 qualifiers which

also start next year.

Although the Warriors exhibited a crisp passing team effort at CHAN, coach, Ian Gorowa singled out, skipper, Patisson Jaure winger, Kudakwashe Mahachi and goalkeeper, George Chigova.

The trio have since established themselves as the cornerstone of Dibango's team, it is likely, he will build his team around them.

As a reward for the team's exemplary display at CHAN, the Warriors moved slightly up on the Fifa rankings although they remain outside the top 100 in the world according to the latest Fifa/Coca-Cola World Rankings released last month from Zurich, Switzerland. They moved two places up from 107 to 105 on the world stage while their continental rankings is now at 29, up from 30 December last year.

