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EXAMINING THE ROLE OF TRADE UNIONS IN RESTORING AND
IMPROVING WORKERS RIGHTS AND CONDITIONS AFTER THE
ECONOMIC MELTDOWN IN ZIMBABWE. A CASE OF NEWUZ IN ZESA
HOLDINGS 2009 – 2013.

By

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Dedication

I dedicate this Project my Father Raphel Njenda who inspired me to seek further knowledge. His advice and wisdom guide me through this hectic but competitive programme.

I also dedicate this project to my lovely wife, daughter and my two mothers as they acted as a critical pillar of strength during the course of the study. Their day to day encouragement gave me the power to move on and aim to complete my studies.

Abstract

The main purpose of the study was to examine the role played by National Energy Workers Union of Zimbabwe (NEWUZ) which is a Trade Union, in Restoring and Improving the Workers Rights and Conditions which had been eroded during the economic meltdown that ravaged the country between 2007 and 2008. The objectives of the study were to establish what rights and conditions existed before the economic meltdown, how the economic meltdown affected the workers rights and conditions and the initiatives that the Trade Union put in place after 2009 to restore and improve the eroded workers rights and conditions. The study used a longitudinal design method and a Case study design as the study was focusing on NEWUZ as the case study but using longitudinal design to access the effects to variable of rights and conditions the 3 periods before, during and after the economic meltdown. The members of NEWUZ who work in ZESA Holdings were used as the population. The study was a qualitative research hence it used a non-probability sampling technique to come up with the sample. Convenient sampling was used and the sample size was 100. Semi structured questionnaires and open ended interviews were used as data collections tools and the presentation of data was done through descriptive texts and formation of categories and themes from the data collected.

The major findings of the study were that before the economic meltdown the Trade Union bargained, lobbied and advocated for competitive and favorable rights and conditions for ZESA workers. The study also found out that the economic meltdown eroded all the benefits and in the conditions of workers and the rights of workers were totally disregarded which amounted to erosion. The period of the meltdown also grounded the trade unions as they could not function as no subscriptions were remitted to them due the non-viability of the company.

The other major finding was that the Trade Union initiatives put in place after the end of the economic meltdown managed to restore the majority of the conditions and rights of workers that had been eroded, however it was generally agreed by the respondents that the Trade Union initiatives did not manage to restore all the conditions which reasons were suggested in access but the generally agreed reason was that the economy as much as it stabilised it did not completely recover from the slump it suffered in 2008 and also that the union were not putting enough pressure to compel the employer to restore the remaining rights and condition. The major recommendation was that the Trade Union should come up with more robust initiative to protect and safe guard workers rights and Conditions.

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List of Abbreviations

NEWUZ:	National Energy workers union of Zimbabwe
ZETDC:	Zimbabwe electricity Transmission and Distribution Company
ZENT	ZESA Enterprises
ZPC	Zimbabwe Power Company
NGOs	Non-governmental Organisations
GDP	Gross Domestic Product
SRANC	Southern Rhodesian African National Congress
ANC	African national congress
ZAPU	Zimbabwe African People's union
ZCTU	Zimbabwe Congress of Trade Unions
ESAP	Economic Structural Adjustment Programme
MDC	Movement for democratic Change
FDI	Foreign Direct Investment
PDL	Poverty datum Line
AFL-CIO	American Federation of Labour Congress of industrial Organisation
NCLO	Nigerian Central Labour Organisation
ZFTU	Zimbabwe Federation of Trade unions
TNF	Tripartite Negotiating Forum

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CHAPTER ONE: INTRODUCTION

The Problem and Its Setting

1.0 Introduction

The study focused on the role of trade unions in the restoration and improvement of workers' rights and working conditions after Zimbabwe's economic meltdown, using the case of National Energy Workers union of Zimbabwe (NEWUZ), a Trade Union which represent workers in the Energy Sector. The study was carried out on members of the union who work in ZESA Holdings. ZESA Holdings is a Parastatal organisation which is responsible for power generation and distribution and it has four (4) subsidiaries which are: Zimbabwe Electricity Transmission and Distribution Company (ZETDC), The Zimbabwe Power Company (ZPC), ZESA Enterprises (ZENT) and Powertel. The study used members from these subsidiaries to evaluate the role played by NEWUZ in restoring and improving of workers' rights and conditions after the meltdown of the economy in Zimbabwe form 2009-2013. This chapter serves as an introductory chapter which covers the background of the study, the problem statement, purpose of the study, conceptualisation, the research questions and objectives, the justification as well as the delimitations and limitations of the study and the definitions of key terms used in the study.

1.1.1 Background to the Study.

Zimbabwe has been a subject of international debate for the past 10 years, particularly due to such issues as increasing poverty, the country's controversial land reform programme, problematic electoral systems as well as declining economic performance (Chambati and Magaramombe, 2008). As such, there were associated problems in the workers' conditions

around the country, and the structure, functioning and performance of most of the country's trade unions was largely affected also. The rights of the workers as well as their benefits became compromised and the concept of collective bargaining espoused in trade unionism became difficult to follow in the subsequent hyperinflationary environment that resulted and characterised this economic meltdown. Owing to these and other disturbing observations, the researcher could only find it useful to undertake an empirical investigation into role that trade unions played in the country after this economic meltdown, particularly to restore the once eroded workers' rights, conditions of service and benefits.

1.1.2 The Concept of Trade Unionism

Definitions

Trade unions can be described as voluntary worker or employee Organisations or groups that seek to protect , promote the rights, interests and privileges of their members (Harold-Barry, 2004). They are a means through which the relationship between the employer and his or her employee can be balanced or improved. It is a form of labour movement that found its roots in the capitalistic system and is necessitated by the fact that a single individual or isolated worker does not have power against his or her employer, who is by nature capitalistic. Such a capitalistic predicament may mean that the employer will suppress and take advantage of the worker to his own benefit, which is a handicap on the part of the employee. This suppression can thus be managed by the organization of the employees into unions or bodies which unite them on common grounds. Such unions empower the employees and allow them to address their issues and other grievances through such means as strikes in order to balance power between them and their employees.

1.1.3 Historical Overview

Trade unionism is not a new concept of phenomenon in the world today but dates back as early as the rise and development of capitalism in early England. According to Harold-Barry (2004), with its association with capitalism, the phenomenon was to later spread to other parts of the world where the capitalist system of society was adopted. For instance, in the United States of America, the earlier abundance of underutilized land resulted in the shortage of workers within the cities and towns, which meant they were provided lucrative wages and good working conditions. This situation of things necessitated the rise of the American Federation of Labour that sought to uphold better standards of life for the various workers who migrated to these cities (Harold-Barry, 2004).

1.1.4 The Importance of Trade Unionism

The concept of Trade unionism has become an important principle in labour, particularly owing to the high rate of industrialization. This has necessitated workers to unite so as to improve their working conditions, salaries and rights. Along with employers' unions, they serve to ensure mutual understanding and cooperation between labour and employment. Trade unionism has, particularly in more advanced countries, led to great improvements in the social, political and economic situations of the workers (Saunders, 2000).

Trade Unionism as a Form of Civil Power

Civil society aims to promote the stability and effectiveness of the democratic polity through both the effects of association on citizens' "habits of the heart" and the ability of associations to mobilize citizens on behalf of public causes (Ted, 1991). However, various questions have since

arisen pertaining to the functions of civil society, among them being how associations formed among individuals produce large-scale political and social benefits postulated by the civil society argument; whether the 'habits of the heart' that encourage tolerance, cooperation, and civic engagement are the key; the extent to which civil society's chief virtue of the ability to act as an organized counterweight to the state can happen without the help of political parties and expressly political movements as well as what prevents civil society from splitting into warring factions (Tilly, 1996). The paradox about civil society is that it covers a wide range of issues and topics, yet it is itself hard to define and is mostly brought forward by misconceptions that non-governmental organizations (NGOs) and trade unions are entirely representative of all civic interests, that civic action is good for democracy, that a strong democracy leads to a strong civil society, that a strong or healthy civil society leads to economic success, that it does not depend on the government as well as that it does not lead to a decline of the state as well as that it is a global phenomenon.

It has long been argued that democracy is paradoxically rooted in civil society. This has presented a precondition for revolutions, uprisings and other potential disturbances. Without the provisions that democracy presents, citizenship and civic reform are themselves prone to problems in their functionality. The yearning for freedom as promulgated or instigated by civic societies incites rebellion. This has been evident in events which have historically occurred in Paris in 1789, in Moscow in 1917 as well as in Tehran in 1979 (Michael, 1982).

Above the fact that civil societies sometimes act in opposition to democracy, it is also true that even when civic action itself has aimed at bringing democracy, it has sometimes failed to meet

this goal. Bringing down undemocratic governments has sometimes failed to establish freer governance or a more active civil society. Some revolutions have in the effect served anarchy more than lawfulness, with notable examples being Syria, Saudi Arabia, North Korea and Cuba. In Libya, for instance, the removal of the dictator in Colonel Gadhafi through civil action has had problematic results which include decentralized tribal and militia rule as well as a serious civil war. Getting rid of an autocrat, displacing a political elite, is meant to foment civic change, but if civic change had actually occurred, the violent overthrow might have been avoided and its high costs circumvented (Ted, 1991).

At the core of much of the current enthusiasm about civil society is a fascination with nongovernmental organizations, especially advocacy groups devoted to public interest causes; the environment, human rights, women's issues, election monitoring, anticorruption, workers; rights and other good things (Whitehead, 1997). Nevertheless, it is a mistake to equate civil society with NGOs and if properly understood, civil society is a broader concept, encompassing all the organizations and associations that exist outside of the state and the market. It includes the gamut of organizations that political scientists traditionally label interest groups not just advocacy NGOs but also labor unions, professional associations, chambers of commerce, ethnic associations, and others. It also incorporates the many other associations that exist for purposes other than advancing specific social or political agendas, such as religious organizations, student groups, cultural organizations, sports clubs, and informal community groups. The burgeoning NGO sectors in such countries are often dominated by elite-run groups that have only tenuous ties to the citizens on whose behalf they claim to act, and they depend on international funders for budgets they cannot nourish from domestic sources (Tilly, 1996).

There is also a misleading notion that civil society consists only of noble causes and earnest, well-intentioned actors (Mancur, 1982). Yet civil society everywhere is a bewildering array of the good and the bad. Recognizing that people in any society associate and work together to advance nefarious as well as worthy ends is critical to demystifying the concept of civil society. The idea that civil society inherently represents the public good is wrong in two other ways as well. Although many civic activists may feel they speak for the public good, the public interest is a highly contested domain. Clean air is a public good, but so are low energy costs. The same could be said of free trade versus job security at home or free speech versus libel protection. Struggles over the public interest are not between civil society on the one hand and bad guys on the other but within civil society itself. This again presents another paradox to the functionality of civic groups.

Moreover, civil society is very much concerned with private economic interests. Nonprofit groups, from tenants' organizations to labor unions, work zealously to advance the immediate economic interests of their members. Some civil society groups may stand for 'higher' that is, nonmaterial principles and values, but much of civil society is preoccupied with the pursuit of private and frequently parochial and grubby ends (Ted, 1991). This is one of the reasons why it is sometimes believed that civil society is paradoxical.

There is also a notion that an active, diverse civil society often does play a valuable role in helping advance democracy. It is believed that it can discipline the state, ensure that citizens' interests are taken seriously, and foster greater civic and political participation. But other evidence suggests that a strong civil society can actually reflect dangerous political weaknesses. Even in established democracies with strong political institutions, however, there are reasons to doubt the simplistic idea that when it comes to civil society, 'the more the better' (Tilly, 1996). It

has since been noted that the proliferation of interest groups in mature democracies could choke the workings of representative institutions and systematically distort policy outcomes in favor of the rich and well-connected or, more simply, the better organized.

The belief that democracy ensures a strong civil society is also one of the key reasons why civic society is deemed paradoxical. For instance, Japan has been a stable democracy for half a century but continues to have a relatively weak civil society, particularly in terms of independent civic groups working on the kinds of issues that activists in the United States and Europe hold dear, such as the environment, consumer protection, human rights, and women's issues (Whitehead, 1997). The argument that a democracy is not a real democracy unless it has American-style civil society is not only wrong but dangerous. A strong belief in civil society should not fuel an intolerant attitude toward different kinds of democracies.

The belief that civil society is crucial for economic success is also among the key reasons why it is sometimes seen as paradoxical. An active, strong civil society can give useful input on economic policy issues, facilitate the growth of private enterprise, and help ensure that the state does not suffocate the economy. In practice, however, the connection between economic growth and civil society is not so straightforward. For instance, Bangladesh is rich in civil society, with thousands of NGOs, advocacy groups, and social service organizations operating at the national and local levels. Yet this wealth of NGOs has not translated into wealth for the people and Bangladesh remains one of the poorest countries in the world, with a per capita income of less than \$350 (Ted, 1991).

Another key theoretical belief is that civil society results in the decline of the state. The rise of civil society induces some to see a nearly state-free future in which tentative, minimalistic states

hang back while powerful nongovernmental groups impose a new, virtuous civic order (Mancur, 1982). However, this is not so. Civil society groups can be much more effective in shaping state policy if the state has coherent powers for setting and enforcing policy. Good nongovernmental advocacy work will actually tend to strengthen, not weaken state capacity. In Eastern Europe, for example, civil society has come much further since 1989 in the countries where governments have proved relatively capable and competent, such as Poland and Hungary, and it has been retarded where states have wallowed in inefficiency and incompetence such as Romania, and for parts of the decade, Bulgaria (Ted, 1991).

1.1.5 Trade Unionism Around the World

The role of trade unionism in the improvement of workers' conditions and in protecting their rights is a principle well-known throughout the world. It is respected as a principle through which both employers and their employees can dialogue. Trade unionism plays a critical role in defending the labour laws of a country as well as enhancing the procedures and practices that are aimed at protecting the well-being of workers. According to Harold-Barry (2004), the foundational principles of trade unionism are based on the provisions of the United Nations' 1948 Universal Declaration of Human Rights as well as various international conventions that seek to improve the socio-economic and cultural rights of the workers. Among these include the 1981 African Charter on Human and Peoples' rights which underscored the usefulness of trade unionism in providing sound workers' rights and employment conditions.

Trade Unionism in Africa and Other Developing Countries

With the growth of industrialization and the spread of development, trade unionism has also become critical in the majority of the developing nations. In such nations as Pakistan, Venezuela

and Brazil, trade unionism has been adopted as the chief way through which human rights in the workplace can be maintained. The spread of this phenomenon has been particularly high after the First World War as well as after the Cold War, which is a period where the rights of workers; in these countries have increasingly become important (Scoones, 2010).

With political developments and independence of the majority of the developing nations from colonialism and its effects, particularly in the developing nations of Africa, trade unionism is a relatively novel concept whose practice has been met with some challenges (Scoones, 2010). In India, for instance, trade unionism is still restricted to industrial areas despite the fact that the country's economy is agriculture-based. Furthermore, trade unionism is still in a stage of growth and despite the fact that the earliest trade unions in the country, such as the Bombay Millhand's Association and the Amalgamated Society of Railway Servants in India started in the 1890s, to this day, trade unionism in the country still struggles to play a definitive and effective role in the promotion and protection of worker rights and to improve their conditions (Bond, 2001).

Trade Unionism in Zimbabwe

Like other countries in the developing world, Zimbabwe's trade unionism is a relatively novel area whose growth and importance after the First World War. The subheadings below detail the rise and major issues in trade unionism in Zimbabwe. This is for the periods between 1890-1980, 1980-1990, the 1990s, 2000-2009 and from 2009 to date.

The Colonial Period (1890-1980)

The Zimbabwean economy plays a critical role in Africa and is mostly comprised of a developing industry as well as agriculture. As at 1990, the country's manufacturing was almost

three times higher than that for most African states, standing at 24.8% of the country's gross domestic product (GDP) (Chambati and Magaramombe, 2008). There are several good that come from various sectors of the country's economy, chiefly such agricultural products as cotton, tobacco, wheat and beef. The majority of the country's economic resources and means of production were concentrated in the hands of foreign capital, with only about 4 000 white farmers controlling approximately 70% of the country's most fertile land, only until recently (Chambati and Magaramombe, 2008).

In 1890, the British imperialist Cecil John Rhodes, through his company, the British South Africa Company, obtained control of the territory that was later to become Zimbabwe. Despite the resistances put up by the indigenous peoples in response to this colonialism, they were eventually taken over in the 1898 revolt commonly referred to as the First Chimurenga. This effectively gave rise to almost a century of colonialism which would be characterized by the expropriation of land from the indigenous peoples, repression as well as forced labour.

The land was racially divided through the Land Apportionment Act and the Land Tenure Act of 1930 and 1969, respectively. This led to the displacement of the indigenous Africans into less fertile lands, commonly referred to as reservations. The majority of the country's black people were forced to work in factories, mines and other industries under the colonial system, often without payments or with but little, insignificant ones. The country gained self-rule in 1923 and became known as Southern Rhodesia. The politics of Southern Rhodesia, during those early years, was dominated by The Reform Party, a political group that sought to enshrine and protect British interests (Moyo, 2001). Under its government, white workers were the only workers who were allowed to belong to trade unions, although they were also not allowed to form some.

With this form of governance, white workers, who were increasingly militant, became attached or associated with their government. Labour was thus racially divided. The country's first Trade Union was called the Industrial and Commercial Workers Union (ICU) and was established in 1927. It was composed mostly of workers from the neighbouring South Africa and from Britain who had been taken for employment in the country's railways and mines. From 1930, the country underwent massive industrialization. With this industrialization came the expansion and growth of the black or indigenous working class to such an extent that by 1950, the population of these workers was around 469 000 (Chambati and Magaramombe, 2008). This growth of African workers is what later culminated in the 1948 general strike, led by such African as Benjamin Burombo, despite the discouragement by the Southern Rhodesian African National Congress (SRANC) that had been formed in the 1930s (Scoones, 2010). The strike was, however, largely unsuccessful, mostly because the Africans lacked organization into a single, effective force or entity.

After this strike, there were increased efforts to forge forth a united and well-coordinated labour movement among the black majority. An instance of this would be the general strike of the early 1960s, commonly called the Zhii strike (Scoones, 2010). However, the 1948 strike gave rise to such names as Joshua Nkomo, who was the leader of a railway union. The educated African class increasingly became involved in the socialist politics of the country, which also culminated in the rise of the country's early political efforts that eventually evolved to lead the African people to their independence. Above this, the general strike also paved the way for the rise of the country's first congress of trade unions, the Southern Rhodesia Trade Union Congress (SRTUC), led by Joshua Nkomo. This evolved into the African National Congress (ANC),

which was mostly supported by trade unionists and, on being banned later, gave birth to the Zimbabwe African People's Union (ZAPU).

The formation of ZAPU, led to a growth in the black African's resistance to the oppression that had characterized the rule of the whites since onset of colonialism in the country. Also, the independence of other African countries also led to massive politicization of the Africans, a matter which Ian Smith's Rhodesian Front attempted to resolve when it came to power in 1962 through the Unilateral Declaration of Independence (UDI). By making Southern Rhodesia an independent state free from British control, Smith sought to protect the interests of the white Africans in the face of growing Black Nationalism.

Movement of nationalist in the country was split through differences in approach and such leaders as Robert Mugabe formed the Zimbabwe African National Union (ZANU). This radical movement that adopted Maoism and Stalinism to forge forth a guerilla war that was 'reasonably successful'. Ian Smith and his Rhodesian Front were eventually forced into negotiations at Lancaster House, which culminated into elections and the 1980 independence of the country.

Post-Independence (1980-1990)

With the country having attained independence, it became increasingly vital that the workers' rights and conditions be restored, especially against the high expectations that came with the liberation of the country. The labour movement at the country's independence was highly fragmented and disorganized. In the early years of the country's independence, there were a high number of strikes, which were 200 by 1981. The major factors that causes such strikes were low wages, racism and against representation in trade unions (Kanyenze, Kondo, Chitambara and Martens, 2011). This necessitated reforms from the country's new government in the following years.

Government made the trade unions to merge into the Zimbabwe Congress of Trade Unions (ZCTU). However, this movement has often been criticized as related to the government. Moreover, there were only limited labour reforms which mostly involved the institution of legislation to promote workers' rights, the provision of health and education as well as a minimum national wage. It is well-known that the Zimbabwean government prioritized health and education during the early 1980s. For example, by 1989, educational enrollment in primary schools stood at 2.2 million from 1.2 million in 1980 whilst in secondary schools, it increased from 74 000 to 671 000 (Chambati and Magaramombe, 2008). Despite these developments, the country's economy began to shrink by as early as 1985.

The 1990s

The 1990s in Zimbabwe are characterized by the government's introduction of the Economic Structural Adjustment Programme (ESAP) as well as its effects and the masses' responses to it, which are discussed in the subheadings below.

Economic Structural Adjustment and its Effects

Faced with growing economic problems and a ballooning foreign debt, the 1990s became characterized with the government's 1991 adoption of the Economic Structural Adjustment Programme (ESAP). Backed by the World Bank, the programme sought to remove import controls and export incentives as well as to institute deregulations and reforms to the country's public sector. Non-performing Parastatals were privatized or closed on the behest of the IMF, the World Bank and other donors, which had such consequences as job losses, falls in the per capita GDP, rises in inflation and falls in exports. For instance, an estimated 20 000 people lost their jobs between 1991 and 1993 whilst 1.3 million of the country's 10 million people became unemployed (Kanyenze, Kondo, Chitambara and Martens, 2011). There were also declines in the

delivery of critical social services, mostly because of the introduction of user fees in hospitals, clinics and schools. It is believed that by 1998, approximately 60% of the Zimbabwean population was living on less than US\$1 a day (Chambati and Magaramombe, 2008). By 1999, Zimbabwe was ranked as 130 out of 170 countries on the Human Development Index (UNDP, 2012).

The effects of ESAP were met with a new form of radicalism from the middle class and from workers whose living standards had drastically declined. These were also the early years of the rise of opposition to the ruling party, ZANU (PF) as the people began to challenge the economic policies of their government. Trade unionism was on the rise and the ZCTU became reformed through the leadership of Morgan Tsvangirai as secretary general.

Grievances increased among the people. Among such grievances were that the people still could not own any fertile land and remained landless. The promises of the government at independence had still not been met and as such, the masses began to mobilise themselves for a change in governance. The harmful effects of ESAP were also among the major grievances the people had, as shown in how the ZCTU crafted an alternative plan called 'Beyond ESAP' (Chambati and Mgaramombe, 2008).

Responses to ESAP

The effects of ESAP were significant upon the country's economy and on the working class. In the August of 1996, the government workers went on strike over such issues as losses in jobs, corruption and poor conditions of work. The majority of the civil servants, medical and educational personnel went on a strike which severely affected the government. The strike was to grow in complexity, becoming more political as it progressed.

Trade unions within the country led the strike and encouraged other workers to join. Thereafter, they played a decisive role in ensuring that the government, the major employer in the country, and the workers, found each other. Among the major factors that led to the end of the strike were pledges by the government for better wages and remuneration, the incorporation of trade unions into critical decision-making in the country as well as to review the labour laws. This agreement did not fully materialize, which led to another general strike later in the same year.

The year 1997 was even more filled with worker action and strikes. The combination of the disgruntled working class, students and landless peasants provided the impetus for further unrest that spread even to the rural areas. The war veteran factor was also significant as the majority of them, who had fought in the liberation war, had remained unemployed and uncompensated. They too ended up joining the strikes, demanding compensation and land. This forced the president, Robert Mugabe, to institute a levy to repay the war veterans, much to the chagrin of the ZCTU and other workers who thereafter undertook a stay-away for two consecutive days (Chambati and Magaramombe, 2008). These and other factors, such as the fall of the Zimbabwean dollar and the associated increases in the prices of basic commodities, rapidly led to mass action against the government. Increases in the prices of such basics as mealie-meal, bread, rice and cooking oil provided a serious threat to national stability as the realities of a shrinking economy and poor governance sunk into the majority of Zimbabwean households.

There were deaths and unlawful arrests of people, workers included. The era saw not only the rise of militant trade unionism in the country but also tested the effectiveness of existing trade unions in the country. The organizational power of the ZCTU was increasingly strengthened and its public support was growing tremendously. The labour union became a great force as it involved the majority of the civil society, non-governmental Organisations (NGOs), students and

even churches. At times even against the will and expectations of the ZCTU leadership, the country's labour movement sought justice and equality for the workers in and by all means possible, particularly in the face of a deepening economic crisis. Such affiliates of the ZCTU as the movement for Democratic Change (MDC) and the National Constitutional Assembly (NCA) were to become key partners in the struggle for democratic government and constitutional reform in the country. The labour movement had, during this period, effectively transformed itself from a passive and state-controlled body into a serious movement challenging the governance structures of the country so as to improve the social standing of the workers, the most affected by the problems in the economy (Scoones, 2010). The movement became critical in the emancipatory efforts of the employees from their employer, in the government, and brought together socio-political and economic concerns into a single movement.

Apart from pursuing the emancipation of the workers, the labour front also translated into a need for a people-led political party, even though this was sometimes viewed as a betrayal of the original goals of the Trade Union movement in the country. The 1999 National Working People's Convention was among the key means through which labour voices united to form an opposition against the government and with more reinforcement through a May convention, the ZCTU was mandated to form the Movement for Democratic Change (MDC) in September, 1999. This movement was not only led by Morgan Tsvangirai but also received its support from the working class who believed in the change of the governance system for their betterment, although it has also been posited that the MDC represents a failure to form as worker party (Scoones, 2010).

2000-2009

During the period between 2000 and 2009, the country's economic meltdown is one phenomenon that takes center stage of debates over the stated period. This economic meltdown was mostly caused by such factors as poor industrial production and the associated declines in the social capital in both urban and rural areas. Pertinent problems that arose during this period included unemployment, inflation, deteriorations in health and other public services, increasing poverty as well as housing challenges, particularly in the urban area. The subheadings below discuss these problems.

Unemployment

Unemployment is a problem that carried on from the 1990s after Zimbabwe's structural adjustment. However, it became more notable and serious after the turn of the millennium. Formal employment in the country declined by as much as 3 500 000 jobs between 2003 and 2008. The level of unemployment rapidly increased and was estimated to be at 70% as at 2008 (Chambati and Magaramombe, 2008). Even when one remained employed during this period, their salaries and remuneration were low below the poverty level. The social effects of unemployment were even more pronounced upon the working class. Household incomes were eroded and this gave rise to further problems such as accessing basic necessities and services.

Inflation

The period under review in Zimbabwe was also characterised by a high rate of inflation. Inflation may be defined as the rising of prices and the depreciation of the value of money. Among the

major causes of inflation are a lot of currencies for a few goods and services as price increases mean that goods will become more expensive to produce. For labour, the wages will become higher. Figure 1.1 below shows the levels of inflation in Zimbabwe from the year 1989 up to the end of 2007.

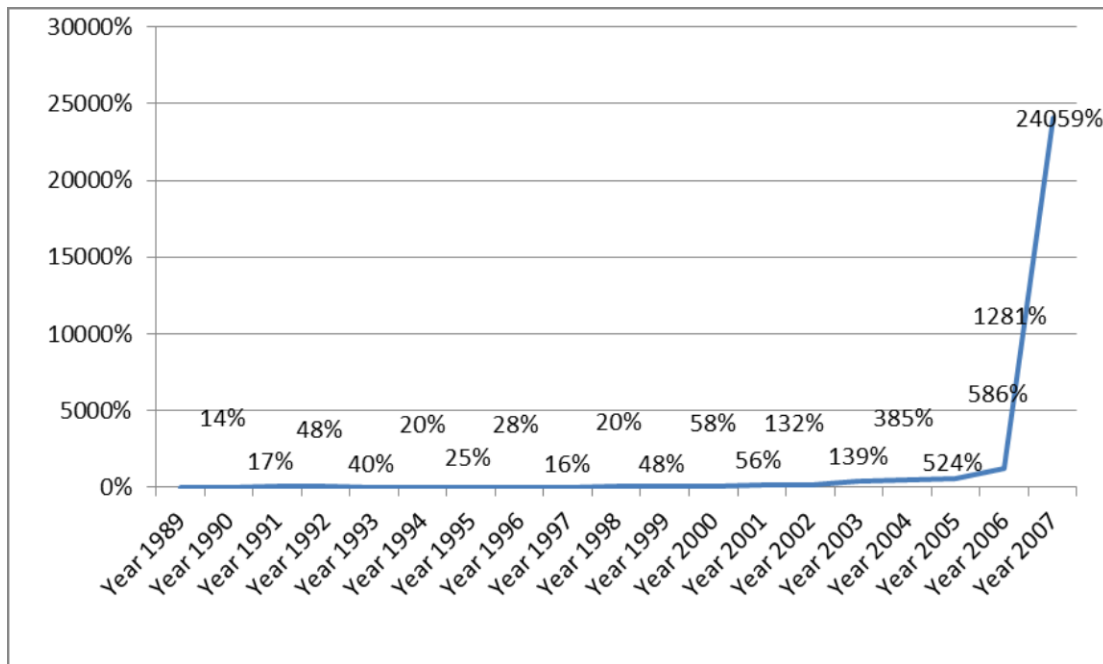


Figure 1.1 Rapid Inflation in Zimbabwe (1989-2007) (Source; Scoones, 2010)

Hyperinflation was also seen, particularly towards the end to the 2000s. Hyperinflation is primarily caused by the deterioration of the monetary base, which leads to increases in the perceived risk of holding a currency. Although the hyperinflation phenomenon is rare the world over, several countries, apart from Zimbabwe, have undergone it. Among these is Germany which, in 1923, had an inflation rate of $3.25 \times 10^6\%$ (Saunders, 2000). Greece is also another country whose inflation rate stood at $8.55 \times 10^9\%$ whilst such countries as Hungary and Yugoslavia realised inflation rates of $4.19 \times 10^{16}\%$ and $5 \times 10^{15}\%$, respectively (Saunders, 2000).

High inflation, as the one witnessed in Zimbabwe during this period, depletes the incentive to save and makes products and services less affordable. Speculation may also be the result as there will be little to no opportunities for investments. The survival of businesses becomes a critical issue and company closures are often the result, leading to losses of jobs and income. Furthermore, ‘inflation begets inflation’, which was visible in Zimbabwe’s continued hyperinflation during the 2000s.

Foreign currency shortages also resulted from inflation and although several solutions were suggested to help manage it, such as a country’s monetary policy, this failed to work effectively in Zimbabwe. In bids to control inflation, the country’s Central Bank undertook the removal of zeros from the local currency. However, this only works if it is supported with enough foreign currency through such means as foreign aid, increased exports and foreign direct investment (FDI), all which were not present in the country at the time. Hence, the management of the hyperinflation continued to be a critical challenge the government faced. The country’s low economic activity further drove inflation and such price controls as ‘Operation *Dzikisa Mutengo*’ were mostly popular but economically detrimental to the country (Scoones, 2010).

Deteriorating Health Services

Declines in the delivery of health services were also some of the problems that affected the majority of Zimbabweans, workers in particular. The introduction of user fees at most health centers around the country was a development that made it harder for the average employee to access basic health services, especially since he or she did not have or was limited in the financial capacity to do so. This was further impacted by the fact that most of the health

institutions in the country failed to meet their expectations and to deliver their services effectively, themselves affected by the economic problems too (Kanyenze, Kondo, Chitambara and Martens, 2011). There were critical shortages of drugs, medicines and qualified health practitioners in the country.

Increasing Poverty and Household Food Insecurity

Among the critical challenges that faced Zimbabwe were also rising poverty levels and food insecurities. It was estimated that approximately 70% of the population lived below the poverty datum line as at 2002 (UNDP, 2012). Increases in the prices of food and other basic goods and services as well as drastic declines in the maize production levels were among the factors leading to this, given the country's agricultural economic backbone. Poverty was also increased owing to the increased joblessness of the people as the majorities of them had been retrenched or were employed but with inadequate remuneration to meet their daily needs.

There were also high instances of transitory and chronic food insecurity in the country. Transitory food insecurity is a short-term or temporary inability to meet minimum food consumption requirements, indicating a capacity to recover. It results from a temporary decrease in food intake to price changes, production failures, or a loss of income (Srinivasan, 1992). Chronic food insecurity refers to a sudden drop in the ability to produce or access enough food to maintain a good nutritional status. As a rule of thumb, short periods of food insecurity related to sporadic crises can be considered transitory. According to Bohle (2001), the major sources of transitory food insecurity are year-year variations in international food prices, foreign exchange earnings, domestic food production and household incomes. Temporary sharp reductions in a population's ability to produce or purchase food and other essentials undermine long term development and cause loss of human capital from which it takes years to recover. As such,

Zimbabwe was faced with these food insecurity problems as the effects of the economic meltdown were pronounced over a wide range of social factors.

Urban Housing Challenges

Urban housing problems were also among the issues faced by Zimbabweans during the period between 2000 and 2009. With the urban population growing exponentially both naturally and as a result of the high rural-urban migration that came as a result of economic problems, housing became a critical problem in urban areas. For instance, the urban population grew from 2 million to around 34.8 million between 1982 and 2000 alone. Such social problems related to housing as squatting, overcrowding and land invasions became more pronounced. Coupled with these were conflicts of land use and environmental problems brought by overpopulation.

2009 To Date

The period from 2009 to date in Zimbabwe has been described as a time of change economically. The country's economic problems eased off, particularly in the wake of the signing of the Global Political Agreement (GPA) between Robert Mugabe's ZANU (PF) and Morgan Tsvangirai's MDC. This effectively brought to an end such economic problems as hyperinflation and the decline in the provision of vital public services like health and education, although their effects still remain to this day.

Pertinent issues, however, still remain in the country. Among these is the indigenisation drive that seeks to place the chief means of economic production and activity, among them those in

manufacturing and mining, in the hands of the black people. These laws require foreign firms to cede 51% of their ownership to black people in the country, which has been met with its own problems. Among the challenges presented by such a system is not only the lack of critical investment but even the rise of disinvestment as most foreign entities are scared away by such regulations. Furthermore, this has been viewed as a political gimmick that seeks to enrich the few elites of the ruling party at the expense and ransom of the entire nation.

Despite the dollarization of the country's economy that was announced at the beginning of 2009 to effectively put to rest inflationary problems, joblessness and productivity in the manufacturing sector continue to be serious threats to the country (Kanyenze, Kondo, Chitambara and Martens, 2011). A harmful liquidity crisis continues to stifle efforts of production and development. Countrywide, workers continue to face serious challenges, particularly in respect of their remuneration and rights.

In the energy sector, workers continue to feel the heat as the economic problems and their effects continue to take their toll upon them. The other critical dimension to the crisis was the economic meltdown whose causes are multifaceted; ranging from economic mismanagement on the part of government to structural constraints within the local economy and also the international economic system. Hyperinflation crippled the workers' ability to earn a living wage. During the climax of the economic problems, trade unions' engagement with companies or government no longer yielded any positives as the platform for bargaining had been rendered useless by the ever rising inflation. Furthermore, the trade unions became more unviable as they depended on membership subscriptions which the employer failed to remit as economic meltdown due to hyperinflation hindered viability. Workers in the Zimbabwe Electricity Supply Authority (ZESA)'s Holdings were affected by this meltdown as they lost benefits like school fees, non-

pensionable housing allowances, medical aid and death benefits. Their rights to sick, vacation and special leaves were denied as employers accused workers of taking such leave to do their informal dealings at the expense of the company operations. Below is a specific discussion of what existed in ZESA holdings before and after the meltdown in order for one to get a clear picture of how rights and conditions were affected, restored or improved.

1.1.6 The situation of Employee Rights and Conditions in ZESA Holdings

The subheadings below discuss the rights and conditions of service of employees in Zimbabwe's energy sector (ZESA Holdings) before, during and after the country's economic meltdown, highlighting the major changes between these two eras.

Rights and conditions in ZESA holdings Before Zimbabwe's Economic Meltdown

The rights and conditions of workers in ZESA holding before the economic meltdown will be discussed below in line with the role NEWUZ played to introduce maintain and improve these rights. The situation of workers rights and condition before the collapse of the economy was generally favourable as the economy was functional at one point and trade unions in ZESA had lobbied and negotiated conditions and rights that were competitive.

From the onset it should be noted that with the passing of the years from independence the economy began facing challenges and this also had an adverse effect on the workers situation on Zimbabwe. The major functions of a Trade Union have been discussed above and this historical perspective will be given in line with what the Trade Union did to ensure the good conditions and rights.

Workers Rights and conditions that existed

From the report of the Trade Union and those from the National Employment council this period had competitive working conditions and functional rights and many Zimbabweans with electrical qualification saw ZESA as the epitome of a good working environment and conditions of service.

Wages /salaries

The Trade Union NEWUZ before the economic meltdown was efficient in its operations when it came to salaries. It relation to the wages workers earned in Zimbabwean Dollar which during this time still had value although it started to devalue in the mid-90s. The union was responsible for negotiating salaries with the employer and lobbying for be increments. Hence through this effort workers in ZESA were paid in cash and this was done during the agreed timeframes signed by the employees in their contracts of employment. The majority of the workers in ZESA earned above the poverty datum lime although others still fell short of the datum line. The union fought for the wages of ZESA employees to be above the poverty datum lime. It should be noted that for workers to earn a living wage constitute a fundamental right of workers hence during this period this right was largely observed and protected by the trade union.

Working Hours

NEWUZ also lobbied to make the employer settle on 8 hours as the maximum any employee worked a day, through and collective bargaining agreement of (1995). Workers before the union enshrined this in their conditions of service used to work varying hours depending on the different departments in the company. The Trade Union also enshrined in the conditions of workers, the need for the employer to pay overtime for all the hours that any ZESA employee

worked after the agreed 8 hours a day. In the other subsidiaries like ZPC where the generation of electricity is continuous the workers were divided into shifts which tried to stick to the stipulated 8 hours (NEWUZ annual report 1995)

Health and Safety

Provision of health and Safety is a right workers have when they carry out their work in ZESA holdings. During the period before the meltdown workers health and safety was a primary concern of the Trade Union and the employers. The nature of work in Zesa involves dealing with high voltage cables which are extremely dangerous hence health and safety was emphasised by both the Trade unions. NEWUZ advocated for safe protocols and rules and availability of safety clothing and equipment which is required to carry out the work in the company. Challenges of health and safety were faced however the workers had the support and power to refuse to work if the environment was not safe to do so.

The Trade Union during this time carried out frequent health and safety inspections and stopped work in any case where they saw this right violated. Every station appointed a Health and Safety officer who was monitored by the trade unions and was given power to raise concerns over the safety situation at the station.

Furthermore when workers got injured during work they were given medical attention at the expense of the employer. The employee was also entitled to compensation from the company's insurance and NSSA if the injury resulted in permanent disabilities.

The workers enjoyed use of proper and adequate tools, this included the vehicles. In ZESA all electricians were given a vehicle and adequate line gang to do construction and maintenance of

line. NEWUZ was also vigilant as it also inspected the conditions of the vehicles that were used by the workers on a quarterly basis. (NEWUZ progress report 1999)

Disciplinary process

Before the meltdown ZESA had its own National Employment Council which dealt with ZESA issues only. The disciplinary process was governed by regulations that had been put in place soon after independence. These regulations gave the employer the power to summon an employee and trial him or her for an alleged offence following the Labour act. The Unions lobbied the employer and established a ZESA code of conduct through a collective bargaining of agreement of (1995). This code was made through the engagement of the Union and the employer and it was more specific to ZESA workers. This made the conditions of worker clearer and this also made worker easily understand the rule and regulations of the company. The new code entitled workers to be represented by their trade unions, in the case of a disciplinary hearing. The provisions of the code were followed and justice was served.

Benefits

The union before the meltdown managed to fight for tangible benefits in the conditions of workers. Below are some of the benefits that were lobbied by the union and workers enjoyed?

- All workers were given free medical benefit (non-contributory) which covered their immediate families. This helped the workers to get medical attention for themselves and their families at all times. The company gave this condition through the Premier Service Medical Aid Society (PSMAS)

- The company gave school fees benefit for all workers. Fees for Worker's children were paid in full by the employer which meant that the workers could provide basic education for their children.
- Workers were also given housing mortgages which the employer paid the large part in repayment interests, as employer paid 60% of the interests and 40% was paid by the employee.
- Electricians in ZESA were provided with partly furnished houses which had a 4 plate stove , fridges, air conditioners and beds in some cases
- All workers were given holiday allowance benefit, at the end of every year to take their families for holiday. The employer also provided resort houses which employees could use during their holidays in areas like Victoria falls, Great Zimbabwe , Matopo and Kariba
- The union also negotiated to introduce a Death benefit in form of money to the remaining spouse in the event of the death of an employee. During this time it was calculated as 3 times annual salary of an employee, paid as lump sum to the family of the deceased employee.

Various allowances were also negotiated and gained by the trade union, these included Tools allowances, which was given to all employees who used their personal tools to conduct ZESA work, Housing allowances which was an entitlement for all workers, Remote allowance which was given to all workers who worked in remote areas, Switching allowances which was given to all employees who possessed a switching qualification.

Electricity benefit was one the conditions that ZESA workers enjoyed through the efforts of the trade union. All workers who are permanent were entitled to free electricity which was paid by the employer.

Right to strike

This right has never been accepted by the government and company as the services given by ZESA employees are deemed to be essential services. These are services that cannot be denied to the public, in other words the general population has the right to access electricity. Laws were put in place in the Constitution and Labour act (28:01) to bar essential services from going on strike or withdrawing their labour. These laws thwarted the right of freedom of expression which is given by the constitution and international laws.

Basic rights of workers in ZESA

From independence the rights of workers have been drawn from the national statutes the constitution and the labour act. However the trade Unions in ZESA in 1997 collective agreement registered the rights of the workers in ZESA taking them from the mother statutes and registered it as Statutory instrument(SI) 1 of 1995. This statutory instrument contained all the rights that were all workers in ZESA were support to enjoy. Below are some of the rights that were in the SI 1 of 1995:

- Entitled to 180 days of Sick Leave per year taken as 90 days sick leave on full pay and 90 days on half pay , if one exceeded 180 days he or she could be granted accrued vacation leave on half pay or without pay
- Entitled to 30 days vacation leave days
- Entitled to a maximum of 12 days Special leave days a year

- Entitled to not less than 24hours of rest per week
- To be paid lump sum wages and benefits after the death of an employee to remaining spouse
- 98 days maternity leave
- To be represented by the Trade Union in disciplinary cases
- to safe working environment , adequate protection, and to refuse dangerous work
- to get free medical treatment in the event of injury and compensation in the event of disability
- To a living wage, decent work, food security, health and decent housing.

(SI 1 of 1995)

Overally the conditions and rights of employees were generally good before the meltdown period. The Trade Union was effective in ensuring that workers get favourable conditions and rights at work. It should however be noted that towards the meltdown period most of these benefits began to suffer erosion as the economic situation deteriorated.

Rights and Conditions During the meltdown

The meltdown period has been attributed to many factors discussed above which includes the poor governance, the introduction of ESAP and its devastating effects, compensation of war veterans and on the one hand this period that occurred between 2007-2008 was attributed to Sanctions from the western nations which ZANU PF labelled as illegal sanction and opposition parties like MDC label as targeted sanctions.

However what is clear and in agreement is that the meltdown happen overnight it resulted from a long period of which was characterised with many turbulent processes and developments. The period of the meltdown was characterised by various economic challenges which included

- Hyper-inflation
- Devaluation of the currency
- Food shortages
- High unemployment
- Massive retrenchments
- Political instability
- Poor health , education provisions
- Erosion of social security

(ZCTU report 2007)

In Zesa the trade unions we hit hard by the meltdown as the company began to remove many of the conditions that the union had bargained for before the crisis. The Trade Union during this meltdown were left almost collapsed as the company stopped remitting subscriptions form the members of the union were supposed to be used to service members. Thus all the above discussed rights and conditions were greatly affected and eroded. The workers lost all benefits medical, death, electricity and allowances, the company become unviable due to the economic situation. Health and safety was eroded as workers no longer had proper protective clothing and tools to operate, vehicles were dilapidated and not repaired which posed a safety risk to workers. As a result many accidents occurred between 2007 and 2008. According to an NEWUZ Annual report of 2008, more than 400 hundred accidents occurred in 2007 resulting in the death of more than 50 employees. Report to work with; they were not given tools and safety clothing.

The most devastating part was that due to the hyperinflation the Trade Union NEWUZ could no longer use the collective bargaining platform to negotiate better working conditions and rights for the employees as the changing value of the money coupled with the harsh ships the company was going through made the negotiations fruitless. Salaries in 2007 were paid but become inaccessible from the banks as most of them had no money and had stipulated limits of withdrawals. In light of the hyperinflation workers ended getting money which could not buy anything.

As much as the rights of workers were enshrined in the statutes many of them were no longer followed, efforts by the Trade Union to take legal action was fruitless as the judiciary system had also collapsed and cases were taking ages to be heard (NEWUZ annual Report 2008). Workers during this period started to engage in informal trading and dealings which led the employer to start denying workers sick leaves as he alleged that workers were faking sickness to carryout personal activities to look for money (NEWUZ annual Report 2008). At some point in 2008 the workers in ZSEA holdings were paid using fuel coupons and this meant that the union could not get any subscription from its members to carry out any work. Basically the Trade Union become grounded, although it still existed its impact to challenge the eroded rights and conditions of workers were greatly limited.

Due to this situation the Trade Union could not operate effectively and members were forced to enter disciplinary hearing without representation as the union could not afford to send representatives to hearings. Basic rights of employees like right to food, shelter, education, freedom of expression, right to strike, right to health, decent housing, decent work and a living wage were all eroded by the meltdown.

After Zimbabwe's Economic Meltdown

After the economic meltdown that ended in 2009 after the signing of the Global political agreement (GPA) by ZANU PF MDC-T and the splinter MDC which had split from the main MDC, there were questions on whether or not the conditions of employment that had existed before the country's economic meltdown would be effectively restored. The failure of the government to put forward a comprehensive employment policy and social contract has been highlighted by various Zimbabwean scholars, among them being Scoones *et al* (2010), Chambati and Magaramombe (2008) and Kanyenze *et al* (2011).

In the aftermath of the country's economic crisis, it has been said that the majority of the workers' have been disfranchised from their rights and working conditions. Whilst the country's constitution pronounces the majority of these rights and conditions, the practical situation on the ground do not match these. In fact, it has been since suggested that the government appears to favour the employers, particularly in the form of the 'protection' of investors. The Trade unions were faced with a big task to restore the rights that they had earlier bargained for their members before the economic meltdown.

The purpose of this paper is to provide a contextual overview of the role trade unions played to try and restore and improve workers' rights and conditions of service in ZESA, which were lost or eroded by the economic meltdown that occurred in the country between the years 2007 and 2008. Thus the research was done by an examination of the role of the National Energy Workers' Union of Zimbabwe (NEWUZ) to restore and improve the workers' Rights and Condition in ZESA Holdings (Pvt) Ltd after 2009.

1.2 Conceptualisation of the Study

1.2.1 Workers rights

Labor rights or workers' rights are a group of legal rights and claimed human rights having to do with labor relations between workers and their employers, usually obtained under labor and employment law (Rose, E, and D. 2008). When there are workers rights the employer cannot choose to honor then or not, a right is more like an entitlement. Rights are there to protect the workers and also define employment relations. Workers rights are critical in any employment set up as they help to avoid abuse and ensure there are proper working relations.

Sources of Workers rights

Workers rights are enshrined in National or state laws. The main source of workers' rights in is national constitutions as all constitutions come with sections that address the need to respect workers and the rights that they have.

In Zimbabwe workers right are mainly enshrined in the national constitution but an act has been put in place to specifically deal with workers rights, hence in Zimbabwe are regulated by the Labour Act [*Chapter 28:01*]. This act is there to declare and define the fundamental rights of employees. It is also there to also to incorporate laws that are done at international level as Zimbabwe is a member of the International Labour Organisation (ILO).

Types of workers' rights

Workers rights fall under various categories as listed below

General rights category

- To form and join a recognised Trade Union

- To appeal to the labour court against any unfair labour practises
- 30 days' vacation leaves per year
- 12 days Annual leave
- 90 days sick leave
- 90 days Maternity leave
- 12 days special leave
- To be given a contract of employment which states your conditions of service?
- To be paid remuneration in cash, on agreed times and provided a pay slip
- To be informed and consulted regarding retrenchments
- To be given termination benefits
- Right to carryout collective bargaining and be represent by a Trade Union
- In dispute resolution a worker has the right to be represented by his Trade Union and a right to a fair, just and prompt hearing
- Right to strike

(Labour act 28:01)

Health and Safety rights category

- Right to a safe working environment
- Right to adequate protection
- Right to refuse dangerous work
- Right to first aid and transport provided by employer
- Right to be compensated when injured on duty **(Labour act 28:01)**

Socioeconomic rights category

- Right to a living wage
- Right to decent work Right to food security Right to health
- Right to education
- Right to decent housing
- Right to basic public utilities like water and electricity

Source: Labour act (28:01)

1.2.2 Effects of Violating Workers Rights

As rights are entitlements which every person deserves them usually cause problems when they are violated. The employers who violate workers rights affecting working relations as workers are bound to fight for their rights.

When workers rights are violated the law give remedies on how to approach the situation. In Zimbabwe the Labour Act 28:01 give the following remedies.

- Legal action : workers who feel their rights have been violated can approach the labour court or labour officers to challenge the employer for unfair labour practise
- Engagement can also be done which is done through a conciliation process where a labour officer regulates the engagements
- Workers can also take the extreme remedy of withdrawing their labour which is a collective job action or strike in simple terms
- Violation of workers' rights reduces motivation and affects production in any employment set up.

1.2.3 The concept of Workers conditions

Workers conditions can best be defined as General and special arrangements, provisions, requirements, benefits, rules, specifications, and standards that form an integral part of an agreement or contract. All workers have a right to be provided with good working conditions. Some of the working conditions are not rights but negotiated benefits which when agreed become an obligation to the employer.

Some of the conditions of service include

To be provided non-contributory medical cover

- Legal cover
- Death benefit
- Loans at low interest rates
- Safe and healthy working environment
- Electricity benefit

- Allowances such as tools , non-pensionable , responsibility allowances
- To have a fair code of conduct which regulates discipline
- To be provided with bonus
- School fees benefits
- To be give notice of any changes in employment relations

Workers Conditions are essential for any employee as they help the employee to know the expectations of the job he or she will be doing. It also helps to regulate the employment relations as all parties will be aware of the conditions for the contract of employment to continue existing. A violation of the conditions of employment can lead to the termination of an employment relation. Good working conditions attract and motivate workers and when violated workers can become resistant and can fight which can affect productivity.

All the above can be best summarised by KImera (2010) who explained through a diagram the importance of favourable rights and conditions. He also indicates the effect of not addressing working conditions and adhering to workers rights.

Kimera (2010) investigated the remedies to poor workers' conditions in the Wakiso District of Uganda. The framework conceptualises such constraining variables as the freedom of workers to form labour unions, unemployment and poverty as necessitating the improvement of workers' conditions. It also provides for the role played by workers advocates, labour laws and regulations and the tripartite parties in the improvement of the working conditions and rights.

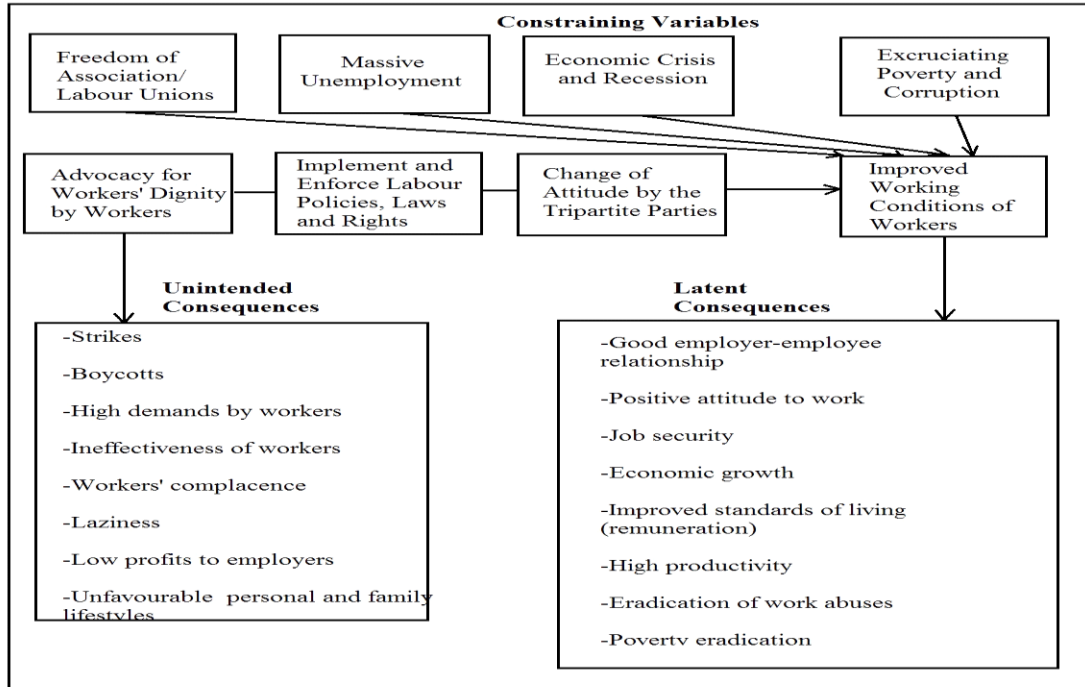


Figure 1.2 Conceptualisation of the Study (Source; Kimera, 2010)

Kimera’s conceptual framework also explains the consequences of the efforts to improve workers’ conditions as being unintended or latent. The unintended consequences are such debilitating actions as strikes, boycotts and poor worker performance and complacence owing to their disgruntlement. The latent consequences, on the other hand, are favorable results of working condition which include a good employer-employee relationship, economic growth, high productivity and poverty eradication (Kimera, 2010). This framework was useful in this study especially since it provided an explanation of the role played by economic crises and recessions, such as that experienced in Zimbabwe during the latter part of the millennium, in the working conditions of workers.

1.3 Problem Statement

Owing to the economic meltdown that occurred in Zimbabwe in between year 2007 and 2008, the rights and working conditions of workers were severely eroded. Employees lost significant rights and benefits they were enjoying prior, and the need for improvements in their working conditions was critical. With the recovery of the economy, trade unions have failed to restore these lost rights and conditions in the energy company ZESA holding.

1.4 Purpose of the study

The purpose of the study is to examine the role played by trade unions in restoring and improving workers Rights and conditions after the economic meltdown in Zimbabwe, using the case of National Energy Workers Union of Zimbabwe (NEWUZ)

1.5 Research Objectives.

The following were the objectives of the study.

1.5.1 Main Objective

The research sought to find out the role played by trade unions in restoring and improving workers rights and conditions in ZESA Holdings, which had been eroded by the economic meltdown which occurred in Zimbabwe in 2007 and 2008.

1.5.2 Sub-Objectives

- 1. 1** To identify the workers' rights and conditions of service that prevailed before the economic meltdown.

2. To assess the workers' rights and conditions of service that prevailed after the economic meltdown
3. To identify the extent to which the economic meltdown affected workers' rights and conditions among worker in ZESA by respondent age, sex, marital status, educational qualification and work experience.
4. To identify the initiatives that were put in place by trade unions in Zimbabwe's to respond to the eroded rights and conditions after the economic meltdown.
5. To evaluate the effectiveness of Trade Union post-meltdown initiatives.
6. To explore the challenges and opportunities that exists for better worker representation in the Energy sector.
7. To come up with strategic recommendation that can be made and used to improve the functionality of trade unionism in Zimbabwe.
- 8.

1.6 Research Questions

The following were the research questions of the study;

1.6.1 Main Research Question

What role was played by Trade Unions after the economic meltdown to restore and improve the eroded rights and conditions of workers after the economic meltdown in Zimbabwe?

1.6.2 Sub-Questions

This study sought answers to the following questions;

1. What were the workers' rights and conditions of service that prevailed before the economic meltdown?

2. What were the workers' rights and conditions of service that prevailed after the economic meltdown?
3. To what extent did the economic meltdown affect workers' rights and conditions in the country?
4. What initiatives were put in place by trade unions in Zimbabwe's to respond to the eroded rights and conditions after the economic meltdown?
5. To what extent were these initiatives effective and successful in restoring workers' rights and conditions?
6. What other challenges and opportunities exist for better worker representation in the Energy sector?
7. What recommendations can be made for the stakeholders involved in the energy and Trade Union sector in Zimbabwe to improve on its functionality?

1.7 Significance of the Study

There are a manifold of research outputs and outcomes to earn this study the merit it deserves in the area of trade unions. The findings from the study are beneficial for various stakeholders, as follows;

1.7.1 Trade Unions

The research outputs will inform and dictate the development of acceptable employee rewards and rights in trade unions like NEWUZ and can also be adopted by other organizations, public or private. It will help management at NEWUZ to come up with better strategies with regards to employee rights and remuneration. This will be achieved through an in-depth assessment of the current situation of the upholding of these rights and conditions of service which will help to

identify any problems or shortfalls which the organisations will therefore address. The study was also of significance to the Trade Union NEWUZ in that it equipped the Union with the skills to effectively manage economic challenges and improves the strategies for membership protection in such situations. The study was significant to members of the Union in that it will deepen the Union's effectiveness in representing them and improve their working conditions. It also helps members to know the effects of a national calamity on the performance of their Trade Union and how to militate against such economic depressions. The study was also significant to other worker representative Organisations in that they will be able to use the results of the study to improve worker protection methods and to mitigate against an economic meltdown in future.

1.7.2 The Government

The research has the potential to improve the performance of employees in the government, which will lead to better national economic performance. Policy improvements can also be made to this effect. This is critical for the country as it is emerging from a debilitating economic crisis that has, at its peak, seen massive national disinvestment. The study will also contribute to the strengthening of Zimbabwe's worker policies, particularly in Parastatals, which aids service delivery and economic development.

1.7.3 The Academic Board

The research provides data on strategies to restore worker conditions of service and rights in trade unions like NEWUZ and in developing countries like Zimbabwe. These findings can be adopted for empirical studies by other students and will enhance studies into similar or related subjects, hence significantly contributing to the body of knowledge.

1.7.4 The Researcher

The research gave the student an in-depth view into the subject area, which was of interest to him. It also enabled him to improve his statistical knowledge and researching skills for future academic research, especially as he considers undertaking a doctoral degree. It enhanced his understanding of Zimbabwean meltdown era and its effects on workers including the effectiveness of union responses which improved the quality of contribution towards any economic crisis situation. It enhanced his understanding and expertise economy, labour relations and trade unionism. It enabled him to fulfill the partial requirements of attaining a Master of Arts degree.

1.8 Research Assumptions

- i. It was assumed that the economic meltdown that faced the country effectively eroded workers' rights and their conditions.
- ii. It was assumed that there is a current level to which trade unions have gone in restoring workers' rights and working conditions.
- iii. It is also assumed that the economic meltdown affected workers differently depending on the sex, educational qualification, marital status and work experience.
- iv. It was also assumed that all the required data and respondent cooperation for the study would be obtained.

1.9 Limitations of the study.

The researcher encountered the following challenges;

- i. There were problems in obtaining information which was deemed confidential. To this effect, the researcher solicited authority from the trade union's management and convinced those with the necessary statistics that the information was purely for academic purposes and it would be treated in high confidentiality.
- ii. There was also the problem of unavailability of some respondents due their tight business schedules. As such, the researcher resorted to distributing and collecting some of the research material at odd hours.
- iii. The researcher is also a full time employee and had to dedicate extra hours and effort to ensure completion of the research. To address this challenge, the researcher took an annual leave to make time for the study.
- iv. The other limitation was that members of the organization are scattered throughout Zimbabwe. The researcher faced limitations on administering and collecting the questionnaires. To overcome this challenge the researcher used the branch structures of the Union to administer and collect the questionnaires. He also utilized email to speed up the process and cut down on distribution and transport costs.

1.10 Delimitations of the Study.

The study was confined to National Energy Workers Union of Zimbabwe (NEWUZ) members and Trade Union leadership and officials only, who were in Zimbabwe at the time of study. The Union has 2010 ZESA holdings members spread over the ten provinces of the country. The study took a sample from National Executive who form the leadership of the union and general members upon whom a semi structured questionnaire and an open ended interview was administered. The contents of the questionnaires were confined to questions that enabled the

researcher to gather data needed to draw conclusions regarding the role of trade unions in restoring and improving workers' conditions and rights after the meltdown era.

1.11 Definition of Key Terms

Boycotts: Joint refusals to deal with the employer or the firm of one's employment in order to show disapproval, dissatisfaction as well as to force the acceptance of certain conditions of work (Kimera, 2010).

Conditions of service; General and special arrangements, provisions, requirements, benefits, rules, specifications, and standards that form an integral part of an agreement or contract.

Strikes: The organised downing of tools by employees or a particular workforce necessitated by poor or unfair labour practices (Kimera, 2010).

Trade union; An organization whose membership consists of workers and union leaders, united to protect and promote their common interests.

Workers' Rights; Labor rights or workers' rights are a group of legal rights and claimed human rights having to do with labor relations between workers and their employers.

1.12 Organisation of the Study

This section will highlight what will be covered by the study.

1.12.1 Chapter One

This Chapter introduces the reader to the topic under study and further outlines the background to the study, problem statement; purpose; significance of the study; objectives; and theoretical framework of the study.

1.12.2 Chapter Two

Chapter 2 reviews literature on key concepts, importance of branding, disadvantages of branding, the role of stakeholders in organizational branding, strategies of branding, models of branding, the role of employees in branding, and concludes with a summary of the literature review. This chapter will deal with the literature reviewed before the research. The literature review focuses on what other researchers have found on the role of Trade Union after economic meltdown.

1.12.3 Chapter Three

This Chapter describes the research methodology, target population, research design, data analysis, and ethical considerations. This Chapter presents the research methodology adopted by the researcher. Justifications and descriptions of research philosophy, research design, and data collection techniques, sampling tools and data analysis procedures are presented.

1.12.4 Chapter Four

Chapter 4 presents the findings on selected socio-demographic variables and on the objectives of the study. The objectives of this study were to assess the extent of Zimbabwe's economic meltdown; to identify how the economic meltdown affected workers' rights and conditions in the country; to identify the initiatives that were put in place by trade unions in Zimbabwe's to respond to the challenges brought by the country's economic meltdown; to evaluate the effectiveness of Trade Union post meltdown initiatives; to explore the challenges and opportunities that exist for better worker representation in the Energy sector as well as to come up with functional and policy recommendations for the stakeholders involved in the energy and Trade Union sector in Zimbabwe. Chapter 4 will present the collected data and analyze it in order to draw conclusions.

1.12.5 Chapter Five

Chapter 5 discusses the findings and presents recommendations and conclusions to the study.

This chapter gives a summary, conclusion and recommendations of the study. It will be followed by references and appendices.

1.13 Chapter Summary

This chapter introduced the research topic of the effect of employee reward systems on organizational performance. It highlighted the background to the problem, the problem statement, the aim and objectives of the study, the justification, the research questions and assumptions, delimitations and limitations as well as definitions of key terms used in the study.

The following chapter reviews literature on the topic of the role of Trade Union in restoring and improving workers; rights and conditions of service after Zimbabwe's economic meltdown, highlighting the major principles, findings and literature gaps.

CHAPTER TWO: LITERATURE REVIEW

2.0 Introduction

The purpose of this Chapter is to assist the research process by comparing the research intention with works done by other scholars and theorists on the topic. Boote and Beile (2005) define the literature review as an evaluative report of studies found in the literature related to your selected area. The literature review is important as it shows where the research fits into the existing body of knowledge and enables the researcher to learn more on the subject, including flaws and gaps in previous research. It also provides a context and justifies the research; ensures that the research has not been done before unless it is a replication study; allows for learning from writers and shows that the work can complement the current understanding and knowledge of the field.

This Chapter will initially review literature on theories that have highlighted the role of workers' unions as representatives of the workers. The chapter will also review empirical examples relating to the study area.

2.1 Theoretical Framework

The conceptual or theoretical framework is the basis for the study. This framework determines the choice with which to study the topic and how to ask and answer research questions. Thereby, the research questions would be matched to the theory. The theories used in this study include representative theories as brought forward by various proponents. These include the Agency Theory as well as Huzzard's Strategic Choice Model, which are discussed in the subheadings below.

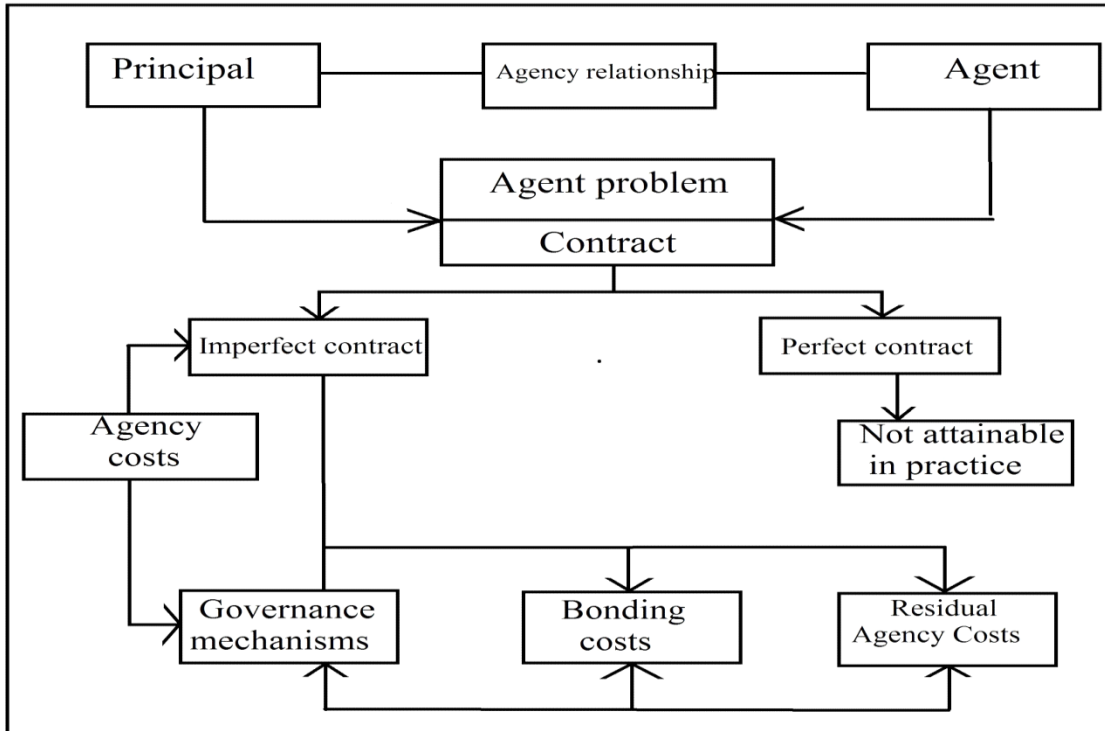
2.1.1 The Agency Theory

The agency theory has its roots in economic theory and it dominates the corporate governance literature. The theory is a conceptually simple one that reduces the corporation to two participants, managers and shareholders and also contains the notion of human beings as self-interested is a generally accepted idea (Yu, 2003). It explains the agency problems arising from the separation of ownership and control and provides a useful way of explaining relationships where the parties' interests are at odds and can be brought more into alignment through proper monitoring and a well-planned compensation system.

Generally, there are two areas of the theory; namely principal-agent and positivist. The principal-agent relationship is concerned with a general theory of the principal-agent relationship, a theory that can be applied to any agency relationship, such as between an employer and his employee or a lawyer and his client. The agency theory from a positivist perspective, on the other hand, focuses on identifying circumstances in which the principal and agent are likely to have conflicting goals and then describe the governance mechanisms that limit the agent's self-serving behavior. The agency relationship explains the association between providers of corporate finances and those entrusted to manage the affairs of the firm (Cadbury, 2002).

Agency theory supports the delegation and the concentration of control in the board of directors and use of compensation incentives. The board of directors monitors agents through communication and reporting, review and audit and the implementation of codes and policies.

Figure 2.1 The Agency Theoretical Perspective



Source: (Cadbury, 2002)

The agency theory posits that the control function of an organization is primarily exercised by the board of directors. With regard to the board as a governance mechanism, the issues that appear most prominent in the literature are board composition (in particular board size, inside versus outside directors and the separation of CEO and chair positions) and the role and responsibilities of the board (Yu, 2003).

In this study, the agency theory was important as it focuses on the board of directors as a mechanism which dominates the corporate governance literature. The theory, further explains the association between providers of corporate finances and those entrusted to manage the affairs of the firm. This is applicable to the National Energy Workers Union of Zimbabwe (NEWUZ)'s

case, as it is a body that is entrusted to represent the concerns of the workers in the country. This is also in accordance to the works of Monks (2001), Dallas (2004) and Cadbury (2002).

2.1.2 Huzzard's Strategic Choice Model

However, to deliver the 'service' effectively, trade unions are bounded to develop a viable operating strategy; particularly when confronted with the use of sophisticated HRM tools such as the individualisation of employment relations (Jeffries, 1996) and 'soft' forms of joint consultation by the employer, as well as (the generally accompanying) absence of state sponsorship for union survival under a more atomistic IR system (Boxall and Haynes, 1997). The choices are then very critical when they play a decisive role in the success or failure of the organisation (Boxall and Haynes, 1997). However, the notion of union strategy is not that well understood and more difficult to develop. One of the reasons is the locus of control where leadership plays a very important role. It is more difficult to identify the locus of leadership in a union, as a union is typically a "voluntary association" of employees who believe that acting collectively will benefit them.

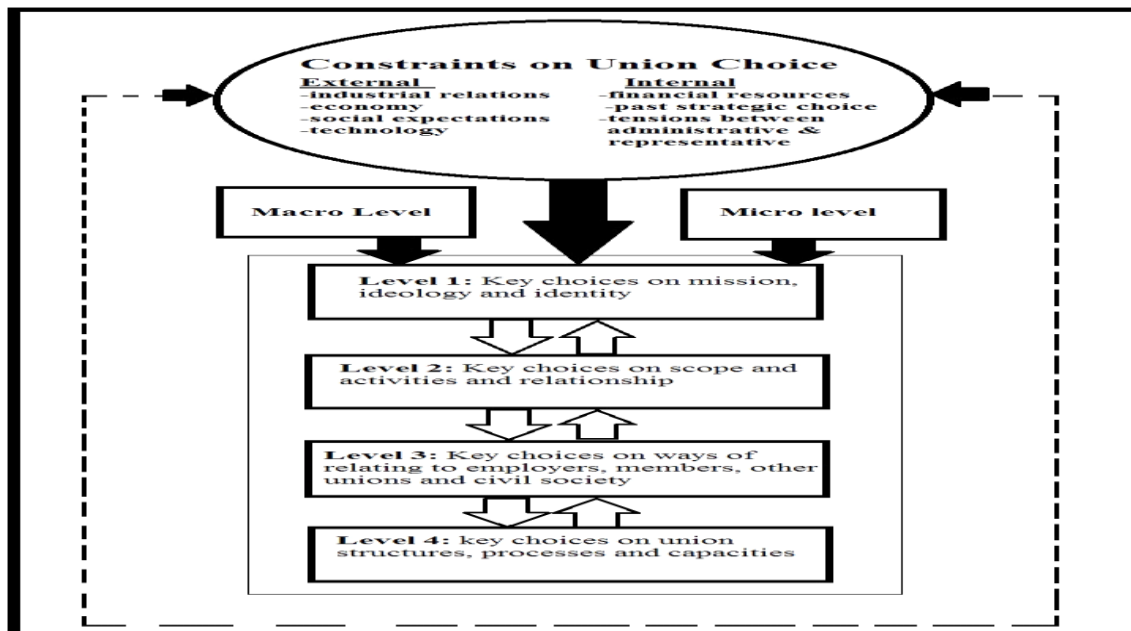
In the representation function, the effects of which in practice will entail that a union leader can find themselves in complex (and even contradictory) decision-making situations, potentially resulting in a situation of the principal-agent problem where the agent (union leader) could experience difficulty in addressing the 'tasks' from the principals (the members).

There have been several approaches suggested by scholars in developing Trade Union strategy (Kelly, 1996; Jeffries, 1996; Huzzard, 2004). Through identifying various constraints that shaped the effectiveness of union activities and exploring the important context of ideology in shaping union strategies; and the influence of external factors such as the state and general labour market

conditions, it was possible to arrive at the use of a preferred theoretical framework to conduct the analysis of the case studies.

Hence, in this thesis Huzzard’s model of unions’ strategic choice was arrived at as the preferred theoretical model. Huzzard’s model was chosen as it provided a comprehensive conceptual tool via which the various factors that shape union strategy could be depicted and integrated, and importantly, enables the identification of key causal relationships. Huzzard’s model argued that strategy is developed through several levels where the choice in each level will influence the choice in the next level.

Figure 2.2 Huzzard’s Strategic Choice Model



2.2 Trade Unionism

The subheadings below discuss the major principles of the concept of trade unionism. Contained are the definitions, importance, types and major principles of the concept.

2.2.1 Definitions

According to Webbs 'as we understand the term, is a continuous association of wage earners for the purpose of maintaining or improving the conditions of their working lives. It has been defined in many ways by different authors. (Jackson, 1983). A Trade Union (or labor union) is an organization of workers or employees who have combined together to achieve common goals in areas such as in working conditions and protecting and promoting their mutual interests through collective action. A trade union, through its leadership, bargains with the employer or the management on behalf of the union members and negotiates labor contracts etc. The process of negotiating wages, work rules, complaint procedure and workplace safety is called collective bargaining.

2.2.2 Organisation of Trade Unions around the World Unions in USA

The Trade Union movement in the United States of America is liberally structured and organized. It is mostly composed of the American Federation of Labour-Congress of Industrial Organisations (AFL-CIO) which comprises of around 90% of the country's trade unions. It is the chief public and political labour voice in the country, settling jurisdictional issues, policies and practices and also linking the country's labour movement to the outer world movements. In the country, collective bargaining is closely moving from the national levels down to the workplace level as the workers are more empowered to take decisive action within their spheres of influence.

However, despite how much trade unionism is strong in the United States, the membership levels are declining. This has been particularly true in the aftermath of the global economic recession that affected the country's workforce, among other stakeholders in the labour sector.

2.2.3 Unions in the United Kingdom (UK)

There is a growing gap in the union membership wage premium between public and private sector workers in the United Kingdom. Using the Labour Force Surveys of 1993–2006, the gap between the membership premium in the public and private sectors closes with the addition of three-digit occupational controls, although significant wages remain in both sectors. However, using the Workplace Employment Relations Survey of 2004, the public-sector union membership wage premium remains roughly twice the size of the private-sector membership premium, having accounted for workplace fixed effects and workers' occupations, job characteristics, qualifications and demographics.

2.2.4 Trade Unions in Uganda

Another country in which trade unionism has been critical in the restoration of workers' rights and conditions of service is Uganda. With the sixth largest labour force in Africa, Uganda was severely affected by the global economic recession of 2008-9 (Opio and Baguma, 2009). A large number of its workforce had problems at their workplaces and faced difficulties as the problems in the economy affected their working conditions. It is also believed that due to their high number, the majority of the country's workers had faced challenges at work even before the global recession. The labour question in the country was a difficult one and had serious repercussions for the vulnerable employees. In fact, some scholars have since even posited that Uganda is the worst country in Africa pertaining to the issues of workers and their rights (Opio and Baguma, 2009).

During the worldwide economic recession, the majority of Uganda's population was unemployed, mostly as a result of massive worker retrenchments that happened. The country was faced with many socio-economic problems, such as rural to urban migration and increasing poverty which led to high labour supply. In turn, the high supply of labour meant the availability of cheap labour. The country continues to lag behind in the area of workers; advocacy for their rights and working conditions. The country's Employment Act of 2006 (No. 9), despite conferring and stipulating the conditions of service for workers, is highly unimplemented and workers continue to work in poor working conditions (Opio and Baguman, 2009).

The Ugandan workers continue to complain of being underpaid, particularly those employed in the public and agricultural sectors in such towns as Jinja. The country's National Social Security Fund (NSSF) has often been viewed as ineffective (Rutanga and Murindwa, 1992). Trade unions in the country have often been intimidated and frustrated in their efforts to ameliorate the plight facing the workers and it is widely believed that there is a critical lack of mobilization of workers into formal trade unions (Opio and Baguma, 2009).

2.2.5 Trade Unionism in Nigeria

Another country in which trade unionism has been under siege is Nigeria. The country, faced with economic problems stemming up mostly from its poor governance and lack of democracy, has also been largely unable to meet the rights and working conditions of workers (Nchuchuwe and Ajulor, 2012). Nigeria is, to a large extent, characterized by serious political, social, economic and religious problems that continue to negate its development. According to Sunmonu (2007) since its 1960 independence, the country has been administered under a

military dictatorship whose policies have been largely harmful on the economy and to workers and their Organisations.

The military nature of Nigeria's trade unionism has had negative and serious impacts upon the workers. Owing to the dictatorial nature of its government, trade unions in the country have often been suppressed, and at times even banned. Worker mobilization in the country is largely curtailed. The military regimes of such leaders as General Gowon, General Obasanjo, General Buhari and General Babangida have often repressed the voices of workers over the years (Nchuchuwe and Ajulor, 2012). The role of such trade unions as the Central Labour Organisation (NLC) was largely compromised as they were mostly aligned to the regimes.

Like Zimbabwe, having undertaken a structural adjustment programme for the economy, Nigeria's economy gradually deteriorated and workers, among other sectors of the economy, felt the pinch. Salaries and wages became largely compromised and the workers' conditions became increasingly intolerable. The country's trade unions like those in the petroleum sector (PENGASSAN and NUPENG) have often been viewed as the few of the trade unions which have effectively responded to the political and socio-economic problems which have faced the country over the years (Nchuchuwe and Ajulor, 2012).

2.2.6 Importance of Trade Unions

Historically, union representation and collective bargaining have been the keys to the growth of a stable working population in developed economies and it has made it possible for workers to gain a more equitable share of the wealth that they create; they are able to improve working

conditions and help workers gain job security. Changes in the political, social and educational environments regarding awareness of rights –such as the right to organize, the right to bargain and the right to settle the terms and conditions of the employment- have caused workers unions to spring up to protect and further workers interests. Thus, with the establishment of minimum wages, norms for mandatory work hours, provisions for health and safety, and overall improvement in working conditions, unionization has become instrumental in improving the quality of life of workers (Rao 2010)

The general features of trade unions are:

- Association of employees or employers of independent workers.
- Trade Union is a permanent formation of workers therefore it is not casual.
- Trade Union mostly emphasizes joint, coordinated actions and collective bargaining.
- It is formed to protect and promote all kinds of interests –economic, political and social- of its members. The dominant interest with which a union is concerned is, however, economic.
- It achieves its objectives through collective action and group effort. Negotiations and collective bargaining are the tools for accomplishing objectives.

The reasons for organizing a union may be immediate and specific. The general purposes for joining unions are as follows:

Greater Bargaining Power

As an individual employee a person has very little bargaining power. He or she cannot bargain with the employer alone. The better option for him is to join union and be in a safer position. The

union is a powerful tool which compels employer to accept the demand posed by the workers for good working environment and better employment conditions.

Minimize Discrimination

There are many instances where an employer may discriminate their employees on the basis of caste, religion and sex. A Trade Union can force the management not to discriminate but to treat every worker equally. The labour decisions of the management are monitored very closely which has the positive effect in minimizing discrimination.

Sense of Security

Workers join unions mainly because of security purpose. The employees' belief that unions can secure protection from unemployment, accidents and ill health. Unions help them in getting the retirement benefits of workers and force management to invest in the welfare of the employees.

2.2.7 Other reasons for joining trade unions can be:

- Trade Union carries out various researches for new campaigns and policies especially for government policy and for members.
- Trade Union membership helps safeguard its members job security, as union is there to campaign on behalf of its members.
- Trade Union ensures that health and safety regulation exist in an organization. All workers in a working place should have access to a safe working environment.

2.2.8 Types of Trade Unions

Many authors have tried to isolate three or four, different types of unions. These are, first, the craft union, historically the oldest, being tracked back to the ‘model unionism’ of the nineteenth century. Second, the industrial union, of which two variants might be described: one is the ‘monopoly industrial union’ which organizes all workers in one industry, while the other is the ‘single industry union’ which does not organize all of the workers in an industry, but restricts its recruitment to that industry. Third, the general union: ideally open to all workers irrespective of industry, grade or geographical region. Fourth, the occupational union which is distinguished from the craft union on the ground that entry to the occupation is more clearly based on ‘academic qualifications. (Jackson, 1983)

The Craft Union

The earliest form of Trade Union was of a craft type, in which the possession of certain trade skills was the basis for organization and in which these skills could be identified with jobs capable of being demarcated from others. For example, all carpenters belong to the carpenters union; the plasterers belong to the plasterers union.

Industrial Trade Unions

These unions include ranks all workers, skilled and unskilled, who are employed within a given industry. They are often called as vertical organization as they include the far ranging population of workers within an industry, skilled or unskilled. The knights of labor and industrial workers of the world were examples of this form.

Professional Trade Unions

They are concerned with non-manual workers, and may be occupationally or industrially oriented. It may possess some certain qualification as craft unions. It mainly exists in the white collar area. For instance police, bank employees, teachers and so on. It is worth adding that some professional organizations, such as the British Medical Association, though not regard themselves as trade unions, but performs Trade Union functions on behalf of their membership and also other activities such as promotion of research, and the publication of professional journals. In Finland AKAVA, the unions for professional and managerial staff are a Trade Union for white collar professionals with university, professional or with high level education.

General Trade Unions

A Trade Union which has no form of restriction on categories of workers who may join. General unions are open unions and are generally large in size. In the United Kingdom, general unions include the GMB and TGWU. In Australia a good example is the Australian Workers Union. In some cases trade unions moves away from their original areas and become like general unions. For example, the British based union EETPU now amalgamated with the Engineering union AEU and has become AEEU, which was originally a craft union.

NEWUZ is a Trade Union for people working in the energy services sector, which comes under the category of general union. It is open to workers in the energy sector, whatever their grade or skill.

2.3 The Concept of Collective Bargaining

Central to the functioning of trade unions is the concept or principle of collective bargaining. The subheadings below discuss this important principle, highlighting its definitions, provisions and role in the negotiation of labour or trade agreements.

2.3.1 Definitions and Principles

Collective agreement is defined as an agreement which is concluded by competent parties on the terms and conditions of employment. It is a contract done between the labor and management governing wages and benefits and working conditions. It is usually the result of a process of collective bargaining between an employer and a Trade Union representing workers.

On behalf of the employer the agreement can be concluded by either the individual companies or their association. On the other hand, on the employees behalf, the agreement can be concluded by their association.

2.3.2 Provisions

The provisions of collective agreement affect the employment relationships between the members of the signatory parties. The main provisions include the wages and the working time. Collective agreement should be concluded in writing. It ensures employees a minimum level of employment terms laid down. On the other hand, the parties who are bound by the collective agreement may not during the contract period take industrial action to improve the terms of employment complying with the agreement or pressure the other party to change the agreement.

The provisions of the collective agreement concern the relationship between the signatory parties and are divided into two categories. It is generally between the employers and employees associations. The provision affects the individual employment relationships between the employers and the employees. The provisions can also further be divided concerning the terms of employment and provisions concerning the working conditions. Generally collective agreements contain provisions on the terms of employment and it is mostly observed in the relationship between the employer and the employees. The terms include the provision on wages, working

hours, overtime, Sunday, annual holidays and sick pay. Both the individual employer and the employee can claim their rights in court on such provisions. Either the employer or the employee need to pay a fine if found they have breached the provisions.

The associations bound by the collective agreement must check whether their members abide the agreement. Collective agreement also contains provisions on working conditions at the workplace. The provisions on working conditions only oblige employers. It concerns issues related to health and safety at the workplace. It can also be issues related to the rights of the shop steward.

The collective agreement is binding to those parties who have signed the agreement. Therefore, the agreement is binding on the employers and the associations and they are often called the signatory parties. It is also binding on the associations who are the members of the signatory parties. Furthermore, the collective agreement is binding on those employers and employees who have been the members of the associations in between the agreement's term which conclude that organized employers and employees are forced to the collective agreement done by their associations.

The collective agreements generally cover all employees in the industry. The agreement is determined by the feature of the trade not by the profession of the employees. Generally, white collar workers have more profession specific agreements.

2.3.3 Negotiation of Agreements

Collective agreement has some provisions regarding the settlement of disputes relating to agreement. The disputes from the application at workplace shall be handled between the

employer and employee. In case the dispute is not settled between the above mentioned parties, the employee can ask the shop steward to negotiate with the employer. As a last step, the shop steward can refer the case to chief shop steward to negotiate.

If there is no settlement in local negotiations, the party can refer the case to employers and employees associations. According to the case law, Trade Union representatives who are participating have to present a proxy from the employee he represents. If the dispute cannot be settled between the associations, the case can be taken to the labour court for the solutions. Labour court only handles labour conflicts.

2.4 Employment Contracts and Industrial Relations

According to Finance “an employment contract is a legally enforceable agreement, either oral or written which defines terms and conditions of employment. In the contract the employee is obliged to perform work tasks for the employer against an agreed salary and other benefits.

2.4.1 Features of Employment Contracts

The employment contract should have the following features:

- the parties to the employment relationship (name and addresses of the employer and the employee, the office of the employer, the personal identity code of the employee and the business ID code of the employer)
- the beginning of the employment relationship
- the duration of a fixed employment contract
- the duration of the trial period (if agreed upon)

- the main contents of the job assignments of the employee (if necessary)
- the type of salary, its amount and period of payment (this can be indicated also by the collective agreement)
- The regular working hours (if necessary).

2.5 Working Conditions.

There are several types of reward systems aimed for both individual and team performance and these can be monetary or non-monetary. Among these are pay, bonuses, profit sharing and stock options. Among the chief non-monetary benefits that companies can give to their employees are stock options, fringe benefits, promotions, employee autonomy, health and educational allowances (Corvellec, 1994),

2.5.1 Salaries and Minimum Wages

The salary payable to the employee is mentioned by the collective agreement of general validity in the branch. Minimum wages, as salaries in general, are determined in collective agreement of different branches. Monthly salary must be paid at least once a month and hourly wages and performance based wages at least twice a month. The employer and the employee may freely agree on what manner pay is determined.

The salary is a compensation program in which a portion of a person's pay is given to him, mostly in the form of cash (Keen, 1998). The pay is often a result of the performance of the company, the results of a business unit, an individual's accomplishments or any combination of these.

Salaries are best explained by the Agency theory. The theory is concerned with solving problems that exist in relationships between company management and the employees. The theory basically addresses two problems;

- i. Those which arise when the desires or goals of the management and employees are in conflict and the management is unable to verify what the employee is actually doing and
- ii. The problems that arise when the management and the employees have different attitudes towards risks (Muhammad, 2012).

This theory appropriately explains the issue of organizational performance in which the goals of an organization, as set by the management, are at the risk in the employees whose attitudes may be different (Keen, 1998). The management has the goals of maintaining their skilled employees, having more investment approvals and project implementations, among others.

Furthermore, salaries may be used to recognize employee performance, particularly through allocating pay-outs that include individual performance factors, discretionary bonuses as well as to develop corporate or organizational quarterly performance goals. The salary levels determined by the agreements must be applied to both Finnish and foreign workers. The most common types of pay are a monthly salary and hourly fee, piecework wages and a commission based compensation. It must be paid on the last salary payment day of the month unless otherwise agreed on. The most common types of salary payments are once in a month, half a month and two weeks. Every detail concerning the amount of salary and how the salary is determined should be given or informed to employee.

The minimum wages received by certain employees within a particular industry has also been an important concept in trade unionism. It has been argued that the minimum wage is a way to

minimize the gender differences that can occur in the wages of employees as well as to reduce any other form of inequality that can exist. This is especially useful in situations where there are high numbers of people doing low-paid work, which can be difficult to address in collective bargaining agreements. The minimum wage is thus a means through which an employee or worker is empowered to obtain the basic necessities of his or her life, such as education, health, medical and other social needs.

2.5.2 Trial Periods

The Employment Contracts Act contains the rules to be applied in connection with the trial period. The employer and employee may agree on a trial period at the beginning of the work which may last for at least 4 months but can be extended up to six months in different circumstances if employer arranges any specific training related to work. It is the duty of the employer to inform the employee about the regulation on a trial period. If a collective agreement binding the employer on provision on trial period, the employer needs to notify the employee about the provision when the employment contract is concluded. During the trial period, both parties are free to cancel the employment contract. The employer may not terminate the employment contract during the trial period on any inappropriate grounds.

2.5.3 Bonuses.

Bonuses are a type of reward system which usually rewards the accomplishments of individuals (Kumar, 1999). They generally motivate the employee on a short-term basis. Through rewarding the performance of an individual for a given year or specified period of time, bonuses encourage a short term rather than a long-term recognition of an employee's accomplishments (Leeds, 1996). However, despite their being short term reward solutions, bonuses are a perfectly

legitimate way of rewarding outstanding employees and help to encourage further higher performances by other employees.

The Bonus Plan Hypothesis is a theoretical explanation of the importance of engaging in a good bonus for the employee. It assumes that employees with a bonus plan are more likely to use methods and efforts that increase the current incomes, and predicts that if an employee is rewarded in terms of a measure of performance then the employee will attempt to increase profits, which agrees with the Equity Theory (Corvellec, 1995). This is important as it improves the efficiency of the organisation's performance.

2.5.4 Profit Sharing.

This refers to the strategy of creating a pool of monies which are given to the employees through taking a certain percentage of a firm's profits (Fields, 2012; Parker, 2001). The amount of money that is given to the employee is usually equal to the percentage of the employee's salary and is given at the end of each financial year of the organization. Other benefits can be in the form of cash or through contributions to the employee's plans, such as purchasing a car or a house. Profit sharing aims to reward employees for their contributions to the company's achieved profit goals (Price, 1994).

The principles of profit sharing are premised on the Equity theory which emphasises the need for employees to be equated in their remuneration and rewarding. This is so since the employees would have dedicated and contributed to the realisation of the organisation's profit. On the other hand, profit sharing also conforms to the pronouncements of the Expectancy theory has brought by Vroom (1964). This is so since sharing exists owing to the expectations of employees, whose efforts are comprised of expectancy, valence and instrumentality (Vroom, 1964).

This type of reward system is good for a firm as it keeps its fixed costs low. It is also favourable as it encourages employees to stay with the firm since; it is usually structured to reward long-serving employees. Various empirical analyses have affirmed that given high performance worker policies (such as employee involvement, training and job security), profit sharing has beneficial effects on employee commitment, loyalty and employee effort for optimal organisational performance (Fields, 2012). This means that if the organization has a profit-sharing scheme, it helps to not only retain workers but to also meet the organisation's objectives.

2.5.5 Pension

It is the duty of the employer to organize the employees employment pension security. According to Tyel the employer may organize the pension security through an insurance company or by setting up a pension fund or a pension society. The amount of pension depends on the number of years worked and the amount of salary earned. The employees' pension security is arranged and paid by the employer. It is however important that work done on black market does not accumulate pension. Working between the ages of 18 and 68 accrues the person's pensions. The accrual rate between the ages of 18 and 52 is 1.5% per year. Between the ages of 53 and 62 is 1.9% per year and between the ages of 63 and 68 it is 4.5% per year. There is no upper limit to the pension accrual, so all earned incomes accrue pensions up until the age of 68.

2.5.6 Working hours

Working hours are usually determined by the collective agreement and the working time act. According to the Working Time Act the employer and the employee may agree on some specific questions relating to working time. For instance, the employment contract may include

provisions on extra work, Sunday work. Whether it is possible to agree on such terms depends on the employees position in organization and on the applicable collective agreement.

In most countries, the maximum regular working hours are eight hours a day and 40 hours a week and the agreed working time in a week in collective agreement is 37.5 hours per week. Overtime work is restricted and an increment in salary must be paid for the overtime. When the employee is working full time, his working hours are usually determined in the contract by referring to the applicable collective agreement.

2.5.7 Redundancies

The employer shall always have the grounds for termination of an employment contract required in the Employment Contracts Act. The employer can terminate the contract if he or she has the genuine and valid reason for it. The reasons for termination can be the total negligence of the duties by the employees, may be due to the financial situation of the company. The purchase of a company or a business does not allow employer to redundancies.

If the employer tries to dismiss the employees without any genuine reason or without valid justifications, the employee can ask for help from the shop steward or be in contact with the Trade Union which he or she belongs to. The illegal redundancies are solved in court if necessary. According to the law, grounds for giving notice on the employment contract have to be “proper and weighty.” The employer and the employee must observe different notice periods. The longer period of the employment relationship is the longer is the notice period.

According to the law, the employer should provide 14 days period if the employment relationship has continued for one year or less and six months if the employment relationship has continued for more than 12 years. Employers terminating the employment relationship without proper notice is deemed to pay the employee full pay for the notice period.

2.5.8 The Termination of Employment

Another interesting concept in trade unionism is the termination of a work agreement. Through providing guidelines and advocacy on how employees should be dismissed, trade unionists are able to address the unfair or improper dismissal of employees. Even when workers are fairly dismissed, their rights and benefits should be provided, along with proper notice of such. Proper procedures of employee dismissal are also outlined, which helps to ensure that the severance of employment does not impact seriously and negatively upon the worker's life (Bryson and Freeman, 2006).

2.5.9 Industrial Safety and Impartial Treatment

It is the duty of the employer to arrange safe working conditions for the employees. The Act has laid provisions relating to occupational health care, conditions of work at workplace. It is the duty of the employer to maintain safe working conditions for the employees. For occupational safety co-operation, the employer appoints an occupational safety manager and Industrial safety delegate elected by the employees. All the employees have an accident insurance policy. To promote, the safety and health and the working capacity of the employees, the employer needs to have the different programs to develop the needs of the working conditions at the work site and effects of task relating to the working environment. The employer must treat the employees

impartially. The employer should not discriminate the employees on the basis of religion, age, language, sex or any political activities.

2.5.10 Other Fringe Benefits.

Fringe benefits are the techniques that an employer uses in addition to the cash incentives that employees obtain (Collis, 1995). They are meant to help safeguard the needs of the employee and his family. Common examples of fringe benefits include holiday packages, insurance, medical and funeral coverage as well as sick leaves and healthcare facilities (Collis, 1995). Pensions are also one of the major fringe benefits given to employees, particularly in Parastatals and other governmental organizations. Fringe benefits provide a lucrative reward for most employees.

Promotion.

These involve changing the status of a given employee within an organization to a higher or more important one (Collis, 1995). The determinants of promotions in most organizations are usually the performance of an employee as well as seniority. Promotions are a usual type of employee reward and often come with better financial and fringe benefits for the high-performing or senior employee (Keen, 1998).

Employee Autonomy.

Employee autonomy exists when an employee has the power, the rights and the privileges to make key decisions within his or her organization and workplace (Deeprise, 1994). It also involves having a certain degree of freedom from close supervision and control of senior officials and company management. However, in most jobs that are strictly structured and

dependant on the management, autonomy is usually lacking and the employees operate within certain limits beyond their control (McClelland, 1961).

Health allowances

One of the most fundamental employee benefits is medical insurance. Basic coverage allows employees to visit a medical practitioner when they become sick. This helps the employee to save money and also helps the business as it encourages workers to get treated. Therefore, they are able to resume work more quickly while not spreading the illness to fellow employees. Most health plans also include prescription medications. A business owner has many coverage choices when it concerns group health care (McClelland, 1961).

It is the duty of the employer to organize occupational health care for the employees to prevent the health risks due to work. Occupational health care is quite large at most workplaces. The necessary services can be bought from municipal health centers or private clinics. The employer can also organize the occupational health care by employing health nurses, doctors and other health care professionals at his own service. The obligatory occupational health care covers only health risks arising from work. In addition to the obligatory occupational health care the employer may offer the employees other health care and medical services. The employer is entitled to receive compensation for the occupational health care expenses.

Educational allowances

A free education is also one of the key non-monetary rewards that an organisation can use. This usually includes reimbursement for certain tuition expenses. The company pays a certain percentage of all costs of obtaining an academic qualification in any field or in one related to the

employee's field (Collis, 1995). Job-related certifications can also be covered by the employer. Educational allowances will lead to more skilled employees who are able to deliver as per the organisation's goals and mandates, which will, in the long run, improve upon organisational performance (Collis, 1995).

Employee Training

It is the employer responsible to conduct training of the staff. Generally training during working hours are paid by the employer. People who meet certain requirement get adult education support for this purpose. The Education Fund is a fund governed by the social partners therefore trade unions and the employers who are busy in continuing social dialogue. The main principle is to support the employees vocational studies by providing them financial help that is Adult Education Allowance.

Leaves

Annual Leave

The collective agreement also contains provisions on annual holidays. The provision mainly concerns with holiday bonus, holidays longer than those laid down in law, and calculation of holiday pay. According to the law employee earns two days of annual leave per working month if his employment relationship is shorter than one year. If the employment relationship has continued for more than one year the employee can get 2.5 days of annual leave per month. The normal salary is paid for the period of annual leave. A separate holiday bonus is agreed upon in the collective agreement. In determining the annual holiday, weekdays, including Saturday are

calculated as holidays days and Easter Sunday, Christmas Eve, 1 May, Independence day do not count as annual holiday.

Sick leave

It is the employer's obligation to pay salary to the employee during the sick leave and it is based on employment contract legislation and the collective agreements. The employment relationship which has lasted for at least one month, the employee has the right to full sick pay until the end of the ninth weekday following the day when he became ill, however at most until his right to a daily allowance. The employment relationships which is less than one month, has the right to 50% of the pay. The employee has to provide the doctor's certificate to the employer. If the employer pays the employee sick leave, he has the right to the sickness insurance provided to the employee.

Family leave

There are different kinds of family leaves which can be classified as maternity leave, special maternity leave, paternity leave, and parental leave, leave for nursing a child and both partial and temporary leave for nursing a child. The employee has to come back to his/her work after the end of such family leave. The collective agreement of the branch has specified provisions regarding to pay the salary. In some collective agreements it is agreed that the employee is paid a full month salary for a certain part of the maternity leave.

Usually the length of a maternity, paternity or parental leave is altogether 263 weekdays. The length of the maternity leave is 105 days. In addition the father can get paternity leave of 18

working days. The employee can decide whether he or she will take maternity, paternity, parental and child care leave if everything is met and the employer is informed duly in time. The employer is obliged to pay for it.

2.6 Industrial Relations

Industrial relations can be defined as the relationships between employees and the employers within an organizational setting. The industrial relations are basically the interactions between the employers, employees and the government and the associations through which interactions are mediated. Diverse terms like “capital-labour relations”, ‘industrial relations’, ‘employment relations’, ‘labour relations’ and others like ‘workplace relations’ and ‘employee relations’ are rather loosely used interchangeably to mean the same. The more commonly used traditional term ‘industrial relations’ refers to the hoary inter-disciplinary subject derived from parent disciplines such as economics, sociology, psychology and law, which deals rather narrowly with negotiations between employers and unions, industrial action and conflict.

2.6.1 Industrial Conflict

Kornhauser lists a number of displays of industrial conflict. His list is mainly divided into two sections; one of them covers organized conflict, usually between union and the management, while the other covers unorganized and individual conflict. All organized conflict includes strikes and lock-outs, removal of plant and conflicts in contract negotiations. The unorganized conflict includes labour turnover, absenteeism and autocratic supervision.

Many discussions of industrial conflict simply refer to strikes. Strikes are probably the most visible and the most spectacular aspect of industrial conflict, but they are only part of the phenomenon.

The causes of industrial conflicts may be grouped into four categories,

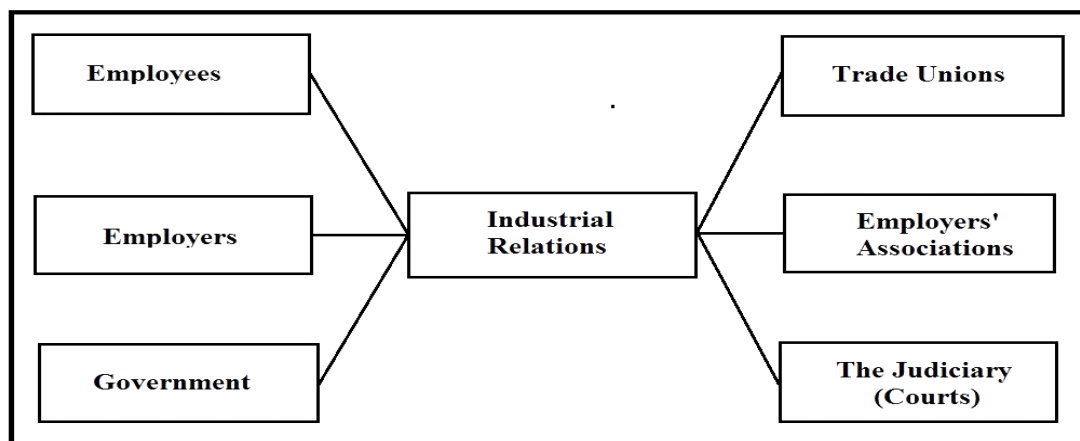
- (1) Industrial factors;
- (2) Management's attitude towards workers;
- (3) Government machinery and
- (4) Other causes

Industrial conflicts are basically two types, strikes and Lock-outs. The employees can express their dissatisfaction in formal or informal ways. Likewise the formal methods are done in an organized way and are well prepared in advance. Similarly, informal ones are conducted in an unorganized manner and done on spot. The management is totally unaware of those types.

2.6.2 Parties Involved in Industrial Relations

The main parties who are engaged in industrial relations are shown:

Figure 2.4 Parties involved in Industrial Relations



Source: scoones (2010)

Employers possess certain rights where they can hire and fire the employees. On the other hand employees work hard and share their ideas and views with the management. Employees also want to have the position on the decision making level. Workers generally join unions to get help from them to fight against the management. Government regulates the industrial relations by rules, laws and agreements which also includes the tribunal courts.

The parties cannot commence any industrial action which can have adverse effect on the collective agreement while the collective agreement is on force. Every party is required to maintain the industrial peace. The individual employer or associations of employees and employers can be subject to some form of punishment if they fail to respect the duty to maintain the industrial peace.

After the agreements come to an end, the employees can go in a strike or any other measures of industrial action. The employer can also engage to a lockout. Therefore the conflicts of interests are handled by the arbitration system which is administered by the labour administration. The legal disputes which are by the infringement of the collective agreement can be solved in the labour court. The labour disputes which are not related to collective agreement are dealt in within the general courts. The main objective of this conciliation system is to help the labour market organizations to get the collective agreement through their bargaining process where their joint negotiations did not result in any result. There is one public conciliator and six part time regional conciliators for arranging the arbitration procedures.

2.6.3 Types of Industrial Action

Strikes

Although strikes are only one manifestation of industrial conflict they are in many periods the most spectacular and easily visible. Strikes are a formal form of industrial conflict which is generally organized by a trade union. Strikes are generally divided into primary strikes and secondary strikes. Primary strikes are against the employer with whom the disputes exist. It may be in the form of pen- down, tools-down, go slow, picketing or boycott. The secondary strikes are against a third party. These strikes are sympathetic strikes. The other strikes include general, particular, political strikes and closures. It is generally continued until the management agrees to address the issues which have caused the dissatisfaction.

Lockouts

If the employer has difference with the employees and if not settled through the negotiations, employer may shut down the factory in order to force the employees to settle the differences.

Thus, it has following features

Lockout is the closure of industrial undertaking because of the existence of or apprehension of an industrial dispute, violence and loss to his properties.

The suspension of employment relationship, in so far as the employer refuses to give work to the workmen until they yield to his demand or withdraw their demands made on him; or because of closing of a place of employment the suspension of the work.

Secondary actions are allowed if they are not connected to the strikers own working conditions.

The parties' recommendations are that notice of a secondary action be handed four days prior. A

Trade Union can commence industrial action against companies where the union has no

members in the form of boycott. If there occurs any serious damage, the union is liable to pay the compensation. A Trade Union who is not bound by a collective agreement is not required to maintain a peace obligation and can take industrial action in areas where is a collective agreement.

2.6.4 Industrial Conflict Resolution

There is an existence of conciliation system and a permanent state conciliator which deals with the conflicts concerned with the working life. The main purpose is to assist the labour market organizations to come to an agreement when the negotiations have been failed. Most countries have systems of compulsory conciliation in that the parties are required to participate in the conciliation process under a state conciliator. The main task of the conciliator is to prevent the industrial disputes and negotiate settlements.

A Trade Union negotiates collective agreements for its members and protects members interests at work. If any disagreements occur at workplace because of the contents of the collective agreements, efforts are made to solve the dispute in the workplace level. If the matter is not solved between the parties yet the negotiation procedure will continue between the employer and the shop stewards representing the trade union. Furthermore, if there is no solution produced at that level, the matter is negotiated between the employer and the wage and salary earners unions. Finally, if no solution at this level is found, the matter is handled by the labour court.

2.7 Trade Unions' Role in Worker Mobilisation

Worker mobilisation is a process in which organisations work together with a community to address the community's needs (Murray, 2011). Efforts of this type may be initiated by members of the worker community or by outside groups, but in either case the goal is to support and

strengthen the community's natively-available resources, encouraging ownership and continuation also after the trade unions have departed. Workers can mobilize to work for changes that will benefit their social, emotional, financial and physical needs. The means through which such mobilisation can be achieved are through trade unions, which is a relatively new and increasingly useful concept in the modern world.

The goal of worker mobilisation is to assist the affected workers. Following a crisis, the ability of the workers to function independently will be compromised. Worker mobilisation is about coordinating services and Programmes cooperatively (Heleen, 2005). The role of responding agencies is to strengthen and build on the affected workers' resources. Including the workers as an active and willing participant in the process is at the heart of worker mobilisation. It is a partnership between those affected and those responding. The workers need to be in control of the direction of their recovery and when they have ownership and responsibility for their welfare, they will be better prepared to respond to any challenges facing them.

2.8 The Labour Market in Zimbabwe

Labour may be defined as a measure of the work done by people. The labour market is, therefore, the exchange of labour services by workers within a given economy. The relationship between workers and their employers within a labour market produces employment, wages, conditions or service as well as incomes.

The Zimbabwean economy is dualised in structure, mostly composed of a well-developed formal sector as well as a growing informal sector. The formal sector, as at independence, employed a fifth of the labour force whilst the informal sector is comprised mostly of 70% of the country's

black population. However, this dualisation has often been related to the problems of the under-utilisation of resources in the country.

2.9 Performance.

The topic of performance is not a straightforward one (Corvellec, 1995). The word performance is utilized extensively in all fields of management. Despite the frequency of the use of the word, its precise meaning is rarely explicitly defined by authors even when the main focus of the article or book is on performance.

2.9.1 Definitions of Performance

The correct interpretation of the word performance is important and must never be misread in the context of its use. Often performance is identified or equated with effectiveness and efficiency (Neely, 1995). Performance is a relative concept defined in terms of some referent employing a complex set of time-based measurements of generating future results (Corvellec, 1995).

2.9.2 Employee Performance

Employee performance relates to the activities expected from an employee and the extent to which the employee has gone in doing them and is usually assessed annually or quarterly so as to identify critical areas for betterment (Corvellec, 1995). As Corvellec (1995) believes, the performance criteria are standards for employee behaviour at work and the employees are evaluated in comparison with a set of criterion set by the employer.

Many organisations feel that their people can provide a competitive advantage, and therefore their people contribute to the organisation's performance. Employees play a pivotal role in organisational success (Collis, 1995). Employee performance has been shown to have a significant positive effect on organizational performance (Collis, 1995).

2.9.3 Organisational Performance

Organizational performance comprises the actual output or results of an organization as measured against its intended outputs (or goals and objectives). According to Richard (2009) organizational performance encompasses three specific areas of firm outcomes, which are;

- (a) Financial performance (such as profits, return on assets, return on investment, among others);
- (b) Product market performance (such as sales and market share); and
- (c) Shareholder returns (such as total shareholder return, economic value added, among others).

One of the major pitfalls in an organisation occurs when managers believe their organisations are constantly operating at the highest level of efficiency, or that they do not require input from their employees (Foot and Hook, 1999). Nevertheless, the principal influence on the organisation's performance is the quality of the workforce at all levels of the organisation (Collis, 1995). For organisations like NEWUZ to accomplish their goals, they must continually look for better ways to organise and manage their work.

2.10 Workers' Rights and Working Conditions

The relationship or association between workers and their employees is critical in upholding the rights and working conditions of the workers described above. However, it has become common, nowadays, for workers to be receiving unlawful treatments at their workplaces (Langille, 2005).

Such negative issues as worker discrimination and harassment are evident in increased denial of workers' due wages, the continued provision of unsafe conditions in which to work as well as the unlawful termination of employment contracts.

The personal dignity and respect of the workers has gradually become eroded in most places of employment and the failure to prioritise the workers over other organizational objectives like profits, sales and assets is a critical issue facing most companies. As such, most employers are ending up recognizing only the economic value within the employee and not his or her rights (Langille, 2005). As such, these employees end up treating the workers just as commodities that can be purchased or cheaply bargained for and as objects through which they can realize their own needs. According to Devereux (2005), this is particularly true in the increasingly capitalistic and free-market economy where those who own the means of production (the employers) are dominant over those who do not (the workers). This is an imbalanced relationship as workers end up without bargaining power and advocacy and are only manipulated by the employer through lower wages, longer hours of work as well as poor conditions in which to perform the work (Devereux, 2005).

2.11 The Social Contract

Social contracts have become increasingly important particularly in today's unstable economic environments the world over. They are a means through which pertinent problems affecting key stakeholders in the economy, workers in particular, can be solved and have thus found widespread use in many countries, Zimbabwe included.

2.11.1 Definition of a Social Contract

A social contract is one of the major end results of social dialogue between the government and business or labour representatives. According to Ishikawa (2000), it is defined as an agreement between the government and social partners or stakeholders, mostly business and labour, that concerns a joint approach through which to resolve socio-economic problems as well as allowing for the management of change. According to Bryson and Freeman (2006), a social contract is defined as a means through which social partners deal with such economic crises as rising inflation, poor economic growth, rising interest rates, market failure and high budget deficits, among other economic variables.

A social contract is usually a product of participatory democracy, good governance and national development against self and sectorial interests (Bryson and Freeman, 2006). The idea of its existence comes from the Social Contract theory, which is a theory of government that states that the justification and origin of the state is based upon a contractual agreement amongst members of a particular society. According to the state of nature, the social contract is aimed at promoting the general good of the society and can be entered into or ended freely.

2.11.2 Importance of Social Contracts

In modern times, social contracts have become critical in efforts to manage and control economic problems. Through tripartite consultations, most countries have managed to exceed traditional problems in industrial relations (Bryson and Freeman, 2006). The social contracts are increasingly being used as the means through which the formulation and implementation of result-oriented economic policies can be achieved, as well as to resolve the socio-economic problems facing countries globally. In most instances, the necessary factors or conditions for the success of these social contracts include the political will of the stakeholders involved and the

desire to overcome the differences amongst them and to work for the common good of the concerned nation. According to Bryson and Freeman (2006), other necessary conditions for the success of a given social contract include;

- Mutual or collective appreciation and understanding of the problem at hand as well as a commonly shared vision of the solutions through which these problems can be addressed.
- Ability to analyse and interpret the information concerned with the handling of the problem at hand,
- Sincerity to collective effort and dialogue to resolve the problem.
- The ability to use, the existence of, and the effectiveness of a comprehensive framework through which to address the economic challenges being faced.
- The ability of the concerned stakeholders to honour their pledges and commitments in the social contract through their influence of the affiliates that falls under them or whom they represent.
- The capacity to implement the required activities and Programmes contained in the social contract.
- Mechanisms for the monitoring and evaluation of the Programmes of the social contract so as to ensure effectiveness in their implementation.

Above these, a sound social contract needs the concerned stakeholders to agree on the timeframes for the undertaking of the Programmes specified in it, flexibility which allows it to adapt to changing macroeconomic conditions and environments, a sound monitoring system as well as general commitment and goodwill.

2.11.3 The Social Contract in Zimbabwe

In Zimbabwe, the successful implementation of a social contract has been hindered by several factors. Whilst the procedural social contract in the country has been effected through the establishment of the Tripartite Negotiating Forum (TNF) and the agreement of the concerned stakeholders to its terms of reference, there still remain critical issues which have since affected the will and goodwill of the concerned stakeholders to work together (Moyo, 2001). Although, theoretically, the roles of the Cabinet and the National Economic Consultative Forum have been well-set, the country still lacks the commitment that sees that agreed Programmes and objectives are fully met. Such factors as mistrust amongst stakeholders in the TNF, that is, the State, labour organisations like the Zimbabwe Congress of Trade Unions (ZCTU) and the Zimbabwe Federation of Trade Unions (ZFTU) and business (represented by such groups as the Zimbabwe National Chamber of Commerce, the Chamber of Mines and the Commercial Farmers Unions of Zimbabwe), the lack of political will as well as ideological difference amongst these stakeholders have since negated the social contract in the country (Scoones, Marongwe, Mavedzenge, Mahenehene, Murimbarimba and Sukume, 2010).

Pertaining to the mistrust amongst the stakeholders, it has often been noted that the majority of them in the TNF continue to have negative political perceptions against one another. The majority of the measures, policies and Programmes agreed in the discussion forums are not in tandem with the national interests, particularly economically, and are not in line with the country's developmental goals and plans. According to Kanyenze, Kondo, Chitambara and Martens (2011), there is a distorted form of scenario planning that has usually seen the concerned stakeholders advocate only for those situations and conditions which favour them, mostly at the

expense of the common good or goals. The negotiation processes are often characterized by winners and losers whereas there should be compromise amongst all the involved stakeholders at the national interest or for the common good. The majority of the results formulated or implemented thus end up being mutually exclusive by nature, with the other stakeholders shunned or less involved in them.

The lack of political will is also among the major problems affecting the successful crafting and implementation of a social contract in Zimbabwe. The majority of the social partners have become divided along political lines and this has affected their ability to negotiate as the will and desire to achieve the common good (Moyo, 2001). The non-partisan nature of the stakeholders has effectively been depleted on the representation level within the TNF and the social partners continue to hold politically-motivated issues amongst them, much to the detriments of social agreement. The different political persuasions, mostly in the form of the country's chief political parties, ZANU (PF) and the MDC-T, have been significant in determining the relationship and nature of understanding amongst the concerned stakeholders (Kanyenze, Kondo, Chitambara and Martens, 2011). This has been particularly so given that the majority of the country's labour has been viewed as belonging to the opposition movement, which is itself rooted in trade unionism, whilst the state is mainly composed of ruling party members and elites.

The current and recent economic turmoil in the country has also been among the major factors that have since negated the formulation of a comprehensive and effective social contract in Zimbabwe. The increased socio-economic problems and their diverse nature have created a great urgency for a sound social contract (Chambati and Magaramombe, 2008). In addressing these

problems, social partners are supposed to agree to a general and working framework that allows them to be guided through specific effective and measurable protocols. The macroeconomic instability that has characterized the country in the recent past has effectively influenced the successful conclusion of a social contract. Despite such supportive frameworks as the Millennium Economic Recovery Programme of 2001 as well as the current Zimbabwe Agenda for Social and Structural Economic Transformation (ZIMASSET), the lack of political will in negotiations has affected the formulation of an effective social contract to address critical economic problems and to restore economic normalcy. The economic challenges have even pronounced a greater need for a more comprehensive and strong social contract that is characterized by greater stakeholder involvement, dialogue and participation, which has not been the case, particularly owing to even growing political and ideological tensions between the major labour movement, ZCTU and ZFTU (Harold-Barry, 2004).

Another critical factor in Zimbabwe's failure to come up with a sound social contract has been the government's imposition of Programmes without the participation and involvement of other stakeholders in the TNF (Moyo, 2001). In most cases, there is hardly any room for negotiations as the government simply undertakes Programmes and initiatives it finds useful. Notable instances in which the Zimbabwean State has excluded other stakeholders include the imposition of the AIDS Levy and the Drought Levy without the input of business or labour. This exclusion of other stakeholders negates the usefulness of the social contract and perpetuates the exclusion of other stakeholders, which even makes any future negotiations the more difficult.

It is important for Zimbabwe as a country to ensure that it comes up with a comprehensive social contract. Apart from offering possible solutions to the economic problems the country is continues to face, social contracts also allow social peace and the reduction of disputes. A greater understanding of the concerns of the other constituents inevitably develops during dialogue, and the success of the social contract is determined by the balance of power between the constituents and the context of the negotiations (Bryson and Freeman, 2006). According to Scoones, Marongwe, Mavedzenge, Mahenehene, Murimbarimba and Sukume (2010), the following is what needs to be done to ensure that the country has a working and effective social contract;

- the creation of a conducive and tolerant environment
- overcoming constituents differences and to work towards a common goal being guided by a common vision regarding the future of the economy;
- removing the fears and mistrust among Social Partners;
- Committing social partners to sustainable Social Dialogue.

Through social dialogue, the country can move forward and survive in depressed political and economic environments. Economic problems have to be tackled by all social partners government, labour, capital, and society in general as not one single party can resolve some of the problems being faced by the country. However, it is should be borne in mind that while the social contracts can allow compromises in the interests of political peace, compromises that favour the interest group signing the contract at the expense of the national interests are clearly dangerous and unsustainable in the long-term.

2.12 Chapter Summary

This chapter offered a review of relevant literature pertaining to the role of trade unions in restoring workers' rights and conditions of service. It highlighted the theoretical framework for this study where such theories as the Agency theory and Huzzard's Strategic Choice Model were reviewed. Covered in this chapter also were the major principles, types and roles of trade unionism as well as empirical evidence from other studies done within the scope of this study.

The next chapter discusses the methodology adopted for this study.

CHAPTER THREE: METHODOLOGY

3.0 Introduction

This chapter discusses research design, data collection instruments, population and sample used as well as ethical considerations. The chapter also covers various methods employed to collect and analyse primary and secondary data, which constitute the methodological framework of the study, further explains and justifies why the research methods were selected ahead of others, noting key advantages and disadvantages of specified research tools and methodologies as well as the strategies adopted in minimising these limitations.

3.1 Definition of Research Methodology

The study is a qualitative research and hence it uses qualitative research methodology. Price (1994) defines research methodology as a common design of how the researcher intends to provide solutions to the research questions. According to Kothari (2005), the research methodology systematically solves the research problem through the adoption of scientific research means.

3.2 Research Design

A research design is a framework or blueprint for guiding, collecting and analysing of data (Kumar, 1999). Research designs can be classified as survey, longitudinal, experimental designs and case studies. In this study, the researcher used a case study.

Leedy (1996:128) also says the research design is a set of logical steps taken by the researcher to answer the research question. A research design forms the blueprint, pattern or recipe for the study and determines the methods used by the researcher to obtain subjects, collect data and

analyze the data and interpret the results. The implication is therefore that a research design is actually a plan of attack or plan of action.

A researcher has an option to choose one of such several designs which can be employed in research, such as the survey, the case study, the historical or documentation method. For the purpose of this study the researcher used

3.2.1 Longitudinal design

The study used the longitudinal design .The longitudinal research design is used to find out the relationships that may exist between or among various variables over long periods of time. In longitudinal studies, data may be gathered continuously for a given study period (Kumar, 1999).

Within a longitudinal developmental research design, the same participants are observed recurrently over a period of time. This period of time may be quite brief (six months to a year), or very long – sometimes even spanning a lifetime. The researcher may be studying one specific aspect of development (for example, intelligence) or many. The subjects being studied are usually cohort, which means they are roughly the same age and have grown up in similar circumstances (Kagan & Moss, 1962).

There are three distinct kinds of longitudinal studies: panel, cohort, and retrospective. A panel usually involves a somewhat random sample of subjects, whereas a cohort study observes subjects in a similar group based on region, age, or common experiences. A retroactive study involves historical data, often times in comparison to updated data.

The researcher opted for this design as the study aimed at analysing variables which are rights and conditions of workers over a period of time. The design best suit the study as it allowed the

researchers to assess the stability and continuity of several rights and conditions by repeatedly observing the same participants

Below are some of the advantages of using the longitudinal design

- it avoids cohort effects because the researcher examines one group of people over time, rather than comparing several different groups that represent different ages and generations
- Has the ability to show the patterns of a variable over time. This is one powerful way in which we come to learn about cause-and-effect relationships
- Depending on the scope of the study, longitudinal observation can also help to discover “sleeper effects” or connections between different events over a long period of time

However there are drawbacks in using the longitudinal design which includes its expensive nature and requirement to show trend over time, this makes the finding hard to generalise. This design is also time consuming and the rate of dropouts is also high due to the long period it takes to complete the study Colby et al. (1983)

3.2.2 Case Study

The research also used the Case study design as it was focussing on a particular case study that is NEWUZ. However it should be noted that the case study was explored using the longitudinal design. Lamnek, (2005) defines a case study as a research methodology common in social science and is defined as a research strategy or an empirical inquiry that investigates a phenomenon within its real life context. It is based on an in depth investigation of a single individual, group, or event to simplify complex problems (Preece, 1994).

The use of the case study method in this research also rested on the fact that using samples and rigid protocols examines limited variables, thus the researcher opted for the case study method as it is flexible in determining the characteristics of the problem that was at hand. The use of the case study provided the researcher with a systematic way of looking at events, collecting data, analysing information, and reporting the results which helped in gaining a sharpened understanding of the role of trade unions in improving workers' rights and conditions of service, and what might become important to look at more extensively in future research.

However, the use of the case study method emphasizes detailed contextual analysis of a limited number of events or conditions and their relationships (Preece, 1994). Furthermore, case studies may also be biased owing to the direct participation of the researcher in the study. However besides the case study, there are other research designs that other researchers may use. These are discussed below:

3.3 Research Instruments

Research instruments are the tools or techniques that are used to gather data from a study (Lamnek, 2005). The accuracy of the research instruments and the relevance of the data collected determine the success of the research. Below are the various research instruments that were used in the study. The researcher used a qualitative approach for the research instruments, which saw the use of semi structured questionnaires, open ended interviews and document analyses producing in-depth qualitative data that was used to ensure the validity and reliability of the findings.

3.3.1 Questionnaires

A questionnaire may be defined as a way to elicit the feelings, beliefs, experiences, perceptions, or attitudes of a sample of people (Kothari, 2004). Alternatively, it may be defined as a written or printed document used in gathering information on some subject or subjects consisting of a list of questions to be submitted to one or more persons (Lamnek, 2005).

The researcher used semi -structured questionnaires as they offered several benefits to their use. Semi structured questionnaires were chosen as they are cost effective and allow the respondents to express themselves fully when responding to the questions. They also allowed for the uniformity of questions as each respondent received the same set of questions phrased in exactly the same way. Questionnaires were also chosen as they yielded data more comparable than information obtained through interviews (Kothari, 2004). Semi structured questionnaires also improved the reliability of the responses as respondent were not confined to expected answers like in the case of structured questionnaires.

Questionnaires were distributed to respondents through visits to their Stations across the country but due to the vast coverage that was required the researcher also used e-mails to distribute the questionnaires and also to get the responses that were required. The respondents were chose using qualitative means which in this case was convenient methods as the study required people who had working experiences of the period which were being studied. ZESA Holding workers were part of the pool that was used to draw respondents. Despite the subsidiaries of ZESA holdings having different functions and names like ZETDC, ZPC, ZENT and Powertel the

uniformity was achieved as all the workers in these subsidiaries had the same conditions and rights in their employment contracts. The conditions and rights of the respondents are set by the National Employment council (NEC) hence all the respondents had the same conditions and rights.

However, the use of questionnaires in the study had its demerits. These included that respondent's motivation was difficult to assess, affecting the validity of response. Some of the responses obtained from the questionnaires were ambiguous, which presented problems in their interpretation. To address these challenges, the researcher engaged in interviews with the respondents.

3.3.2 Interviews

An interview can be defined as a face-to-face attempt to receive valid and reliable information from a specified respondent (Dyer, 1995). Alternatively, it can be said to be a form of communication which involves continuous changes in the roles of the interviewer and the interviewee. The researcher used open ended interviews as the study was purely qualitative. The open ended interviews allowed the respondents to freely explain and give data on how their rights and conditions were affected over the studied period.

Open ended Interviews also allowed the researcher to observe and capture non-verbal expressions, to follow-up leads to obtain in-depth knowledge on employee reward systems as well as the opportunity to obtain qualified answers through probing. However, the use of interviews was found to be time-consuming and there was a high possibility of biases from the respondents as some respondents tended to romanticise their experiences and the role the Trade Union played.

The interview guide which was used to get data from the membership respondents was the same that was used to interview the union General secretary. This was done in order to make a comparison of the data provided as this helped to corroborate or dismiss some of the romanticised responses that were given.

3.4 Population and Sampling

A population is defined as a collection of elements which have similar characteristics with respect to a given research problem as identified by a given researcher (Kothari, 2004). The segment below describes the population and also details the means of sampling that were adopted in the study.

3.4.1 Target population.

A target population consists of a group of subjects for study (Leedy, 1996). The target population for the study consisted of NEWUZ members from ZESA. The target population was 2010, which was the number of members from ZESA holdings in NEWUZ during the period of the study.

3.4.2 Sample Size

The sample is defined as a subset of the population that is representative of that same population in its characteristics (Leedy, 1996). Generalisations can then be made from the sample, and these can be applied as the characteristics of the population. In this study, the sample size was 100, which was undertaken through a non-probability method, convenient sampling. As the study was qualitative in nature, it was not about the size of the sample but the quality of the responses that were collected during data collection. The sample size also allowed the researcher to manage the

data collection process as it took time to administer semi structured questionnaires and carryout open ended interviews.

3.4.3 Sampling Techniques

Sampling is a procedure that is adopted in cases where the population of a study is too large to be studied in entirety (Lamnek, 2005). This size may be difficult to cover in terms of resources and time. In this study, the researcher used non probability sampling technic, convenient sampling since the study wanted to find out the changes that took place on the rights and conditions variables over a period of time hence convenient sampling allowed the researcher to select respondents that has data and experience about the company regulations, rights and their conditions of service. This technique made it easy for the researcher to select respondent from all the different ZESA holdings subsidiaries not compromising on the quality of the data which was collected. Furthermore, convenient sampling allowed the researcher flexibility and easy access to respondents as he made use mostly of the respondent who was easily available.

Lucas (2014a) emphasise that convenience sampling is used when population sampling is convenient as members of the population are chosen based on their relative ease of access. It is inexpensive and convenient but leads to poor generalizability such samples are biased because researchers may unconsciously approach some kinds of respondents and avoid others.

3.5 Data Collection Procedures

The study used both primary and secondary data. The segments below discuss how the primary and secondary data for the study was collected.

3.5.1 Primary Data Collection

Primary data are those data that are collected with the intention of directly applying it in the actual study (Kothari, 2005). Primary data have several advantages to their use (Preece, 1994). These include that the information collected is reliable and accurate, it is suitable for intensive investigation as well as that it gives a satisfactory result provided the scope of inquiry is narrow (Preece, 1994).

However, there are also several disadvantages to the use of primary data. According to Preece (1994), these include that it is not suitable for extensive inquiry, it requires a lot of expenses and time and there may be bias on the part of investigator, which can damage the whole inquiry.

The primary sources of data in this study were ZESA holding employees who are members in NEWUZ were engaged as they had knowledge of the issues at hand. The primary data for this study was gathered from the semi structured questionnaires and open ended interviews. The researcher hand-distributed the questionnaires to the respondents through station visits but due to the time and the wide distribution of respondents the researcher also used e-mails to distribute the questionnaires and get the responses.

As for the Interviews the researcher carried out these through station visits. The data was collected when the researcher went to distribute and collect questionnaires. More over interviews were done sometimes by members who had knowledge of the period under study as some of the members were relatively new and had experience only of the meltdown period and the period after but did not have knowledge about the period before the meltdown.

3.5.2 Secondary Data Collection

According to Lamnek (2005), the secondary data is data which has already been collected by someone other than the investigator. The secondary data can be collected directly either from published or unpublished sources (Kumar 1999).

Among the major advantages of secondary data use is that it saves time as well as money. However, there are also several drawbacks to its use. The data may also be inappropriate to fit to the researcher's specific study area as well as that there is little control of the data as it would have been generated by second parties.

In this study, the secondary data was collected from NEWUZ and ZESA holdings policy documents, brochures, strategic plans, reports, academic journals, the internet and the press. These sources enabled the researcher to get accurate information on restoration of employee rights and conditions of service after 2009.

A common way to gather data is combining the two types of data discussed by utilizing secondary data to analyse gathered primary data (Preece, 1994). The study therefore used both primary and secondary data sources in order for these types of data to complement each other so as to cater for the weaknesses of each and thus to ensure the reliability of the findings.

3.6 Data Presentation and Analysis Procedure

Data was presented in the form of descriptive texts as it was verbal data and explanatory data collected. Tables and simple graphs were also partially used to make some of the data easy to understand.

Thematic content analysis was used for data analysis as data was analysed by identifying themes and categories that emerged from the data. This process involved analysing transcripts, identifying themes within those data and gathering together examples of those themes from the text. In addition the researcher kept detailed notes regarding new learning, connections, contradictions, and deviations from the original research plan. The notes were numbered by line, coded for intriguing phrases and possible patterns, and marked for later retrieval. Partnerships were then established, making sure that each of them corresponded to the research objectives , his enabled the researcher to get a general view of responses to the research questions.

3.7 Validity and Reliability

Reliability is the instrument which measures the repetition of the research findings, whilst the validity is the extent to which research findings accurately represent what is really happening in the situation (Kothari, 2004). An effective research instrument needs to measure what it intends to focus on in order to attain its objectives (Kothari, 2004). To ensure this, the researcher used pilot testing for the research instruments and the researcher also took great care in using language that was simple and straight forward in order to minimize misunderstandings. Results were most likely to be affected by none or poor response to the questionnaires so the researcher used telephone and e-mail follow ups to increase response rate. Further care was taken to ensure that the collected data was not unduly affected by other disadvantages noted above.

3.8 Ethical Considerations

Every research which involves human beings deals with issues relating to ethics which must be given critical considerations. Oka and Shaw (2000) argue that researchers should focus on such

ethical issues especially as ‘the nature of research adds its own complications’. They note in particular issues pertaining to confidentiality, informed consent, emotional safety, and reciprocity which researchers need to give critical attention to. In this research the researcher was particularly concerned with issues relating to confidentiality and informed consent of the respondents. Confidentiality is a key component and a critical requirement for any credible research (Preece, 1994). The researcher also made sure that the anonymity of the respondents was upheld. Anonymity is important in a research as it allows the protection of the respondents’ identities as revealing it might be detrimental to them one way or the other and exists when the final responses cannot be linked to a specific respondent (Babbie and Mouton, 2001). Anonymity was also upheld through not including the names of the respondents in the questionnaires and interviews.

The researcher made prior arrangements to gain official permission to undertake the research to avoid unforeseen ethical problems that could arise from the carrying out of the research, particularly with regards to data collection. In general, the researcher upheld the following ethical considerations; confidentiality, informed consent and anonymity.

Below summarises the principles that were used to ensure that the study was ethical, highlighting the major reasons for their adoption.

3.8.1 Confidentiality

The research due to the need to protect the respondents he firstly explained to the respondents that their responses were to be kept in confidence. The respondents were allowed to withdraw if they believed confidentiality could be breached. This created a good rapport with the respondents

as they became free to say all they wanted, even the more sensitive information knowing confidentiality was guaranteed.

3.8.2 Informed concern

The researcher explained the purpose of the study, how he was to use the data that the respondents were to give before a respondent agreed to take part. This was done to ensure that informed concern ethics was guaranteed.

3.8.2 Anonymity

The respondents in the study preferred anonymity as they wanted to avoid victimisation that could arise from their participation in the research. In view of that this researcher for the purpose of this study did not take the names of the respondents and the names which were used in the data presentation are fake names in order to protect the respondents.

3.9 Chapter Summary

This chapter has outlined the methodology of the study. The research design, data sources, population and sampling techniques, methods of data presentation and analysis, the validity and reliability and the ethical considerations of the study were also discussed. This chapter examined the methodology used for this study and focused on the strengths and weaknesses of qualitative interviewing, the issue of ethics, reliability and validity, recruitment process and a description of the research sample, among others. The next and fourth chapter presents the key findings of the study as well as discussing their interpretations.

CHAPTER FOUR: Results, Discussion and Analysis of Findings

4.0 Introductions

This Chapter discusses the findings from the study. The responses from the questionnaire and interviews that were sent out constitute the response rate whilst the demographic details of these respondents were also investigated. Presented also are matters addressing the research questions, namely the workers' rights and conditions of service that existed before and after Zimbabwe's economic meltdown, the effect of the meltdown on workers' rights and conditions of service, initiatives undertaken by NEWUZ in response to the economic meltdown and their effectiveness as well as the challenges and opportunities arising thereof.

4.1 Response Rate

The table below shows the overall response rate of the research study for the two research instruments, the questionnaire and the interviews.

Table 4. 1 The Response Rate

Research Instrument	Target Population	Number responded to	Percentage response
Questionnaires	100	86	86%
Interviews	100	54	54%

Table 4.1 shows the response rate for the study conducted. The researcher distributed 100 questionnaires to the respondents. Out of the 100 questionnaires sent out, 86 questionnaires were returned thereby creating a response rate of 86%. This response rate is good enough to warrant

the validity of the findings. The researcher also intended to carry out a total 100 interviews. Similarly, the response rate was 54%, because the process was long and involved more concentration as the researcher was directly involved unlike in the case of questionnaires. Tight schedules, lack of interest and trust as well as the fear of victimisation were the explanations for the no responds.

4.2 Demographic Characteristics of the Respondents

The section below reviews the demographics of the respondents as obtained in the study. Such factors as the sex, age, level of education, work experience and the job grade are detailed as the study wanted to be more representative of all types of employees with different situations and status.

4.2.1 Sex

The sex of the respondents was noted. Of the respondents, 71% were males whilst the remainder (29%) were females. This is shown in Figure 4.1 below.

From these observations, it can be deduced that the majority of the employees and staff at ZESA Holding are males. This observation is hardly surprising owing to the phenomenon of male dominance in the majority of the economic activities, a notion common in African countries like Zimbabwe. However, the significant number of females (43.3%) is explained by the growing social appreciation of women in areas of work and employment. Employee gender is an important determinant of the expectations that such employees would have from the reward system. Males were the most abundant sex as they are generally the bread winners for families.

4.2.2 Age

Figure 4.2 shows the age distribution of the respondents in the study. Of these, 14% respondents were aged between 25 and 35 years, followed by those aged between 36 and 50 years, who were 67% and were the most abundant age group, and those above 50 years of age, who were 19%.

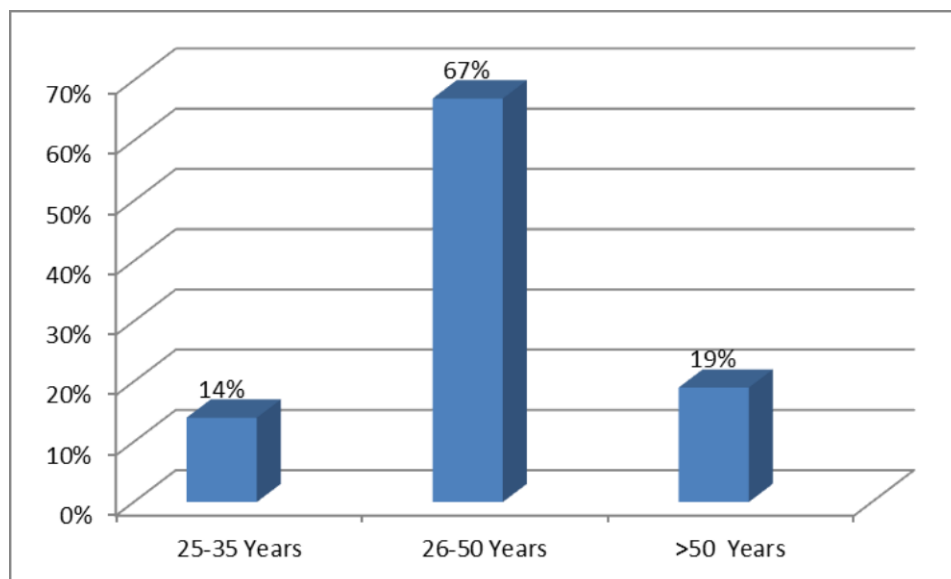


Figure 4.2 The Age of the Respondents

The age of the respondents reflected that the majority of the workers are between 36 and 50 years. This attests to the fact that the majority of the organisation's employees are young people who are still active, energetic and motivated to work both effectively and efficiently. Also, the significantly large number of employees aged above fifty indicates that the organization has a mature leadership with the ability to make well-informed, strategic decisions for good corporate governance and organizational performance.

4.2.3 Marital Status

Marital status was classified as single, married, divorced or widowed. The results showed that the majority of the respondents, 50%, were married whilst 35%, 8% and 7% were single, widowed and divorced respectively. This is shown in Figure 4.4 below.

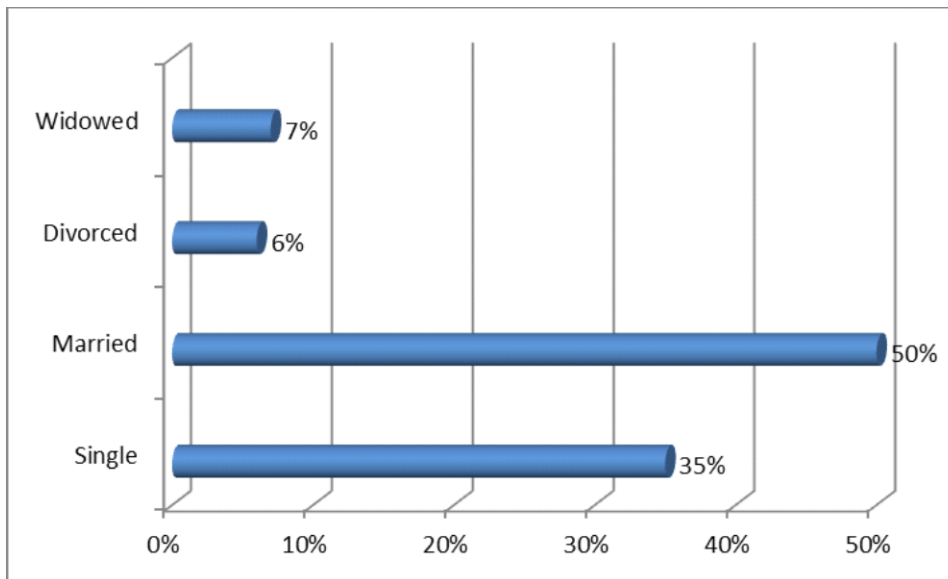


Figure 4.3 Marital Status

Marital status was important as marriage is one of the key determinants of a person's needs. A person with a family needs a pay or incentive scheme that is able to provide for the needs of his family, particularly in such areas as health, education and social well-being and security.

4.2.4 Level of Education

Five levels of education were identified. These include high school and below, certificate level, diploma, degree and the masters or doctorate academic level. Of these, a total of 17% of the

respondents indicated that they possess first academic degrees whilst 6%, 20%, 30% and another 27% of the respondents reported having masters or doctorates, diplomas, professional certificates and high school education and below, respectively. Figure 4.3 below shows the academic levels of the respondents.

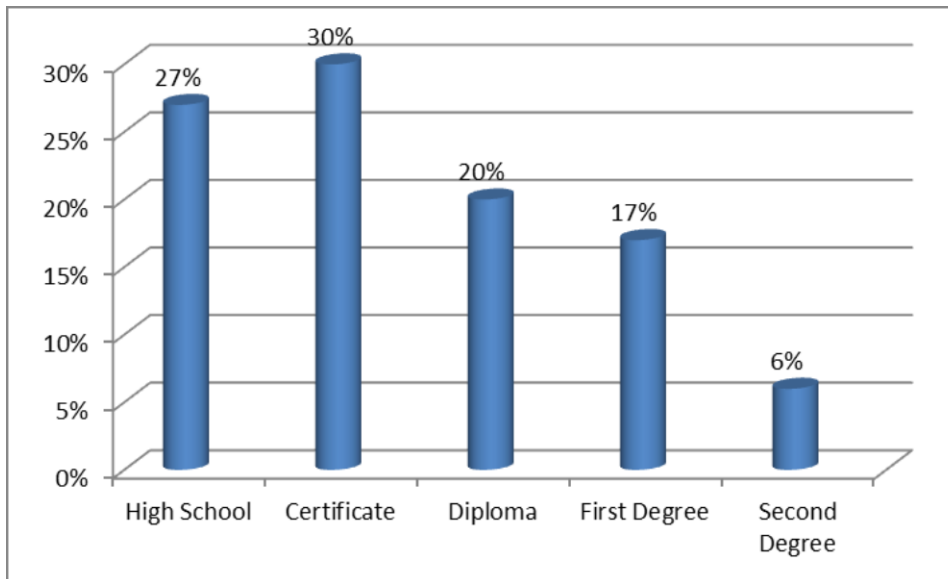


Figure 4.4 Academic Levels of the Respondents

The education of the employee plays a key role in making sure that a given organization has a competent individual who has the knowledge and devotion to meet organizational goals and objectives with minimal supervision and effort from his superiors. As such, an organization with highly skilled and educated employees is more likely to perform better than one with poorly educated employees (Neely, 1995).

4.2.5 Work Experience

The work experience ranged from less than 1 year, 1 to 5 years, and 6 to 10 years as well as above 10 years of work experience. The data showed that 28%, 35%, 31% and 6% of the

respondents had less than 1 year, 1 to 5 years, 6 to 10 years and above 10 years in work experience respectively. This is shown in Figure 4.5 below.

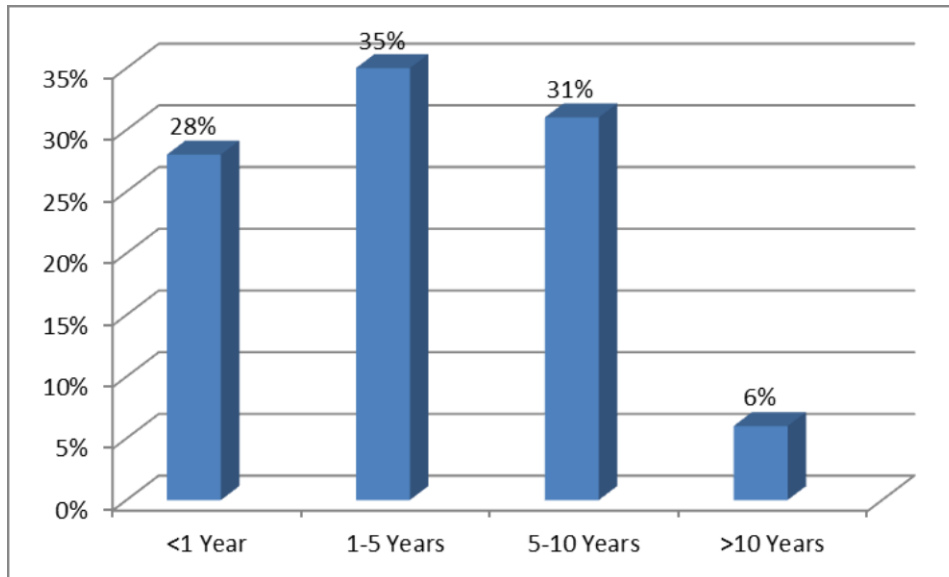


Figure 4.5 Work Experiences of the Respondents

From the results, it was seen that the majority of ZESA’s employees have work experiences from 1 year upwards. Although there is a significant portion of the employees below 1 year in work experience, this was actually deemed good for the organization as the training of these employees will enhance the productivity of the organization in the long run. 28% of the respondents responded as having above 1 year in work experience, which means that the majority of them are competent individuals whose work is able to bear meaningful results with minimal supervision. It also meant that the majority of these respondents are employees who expect satisfactory working conditions which should be in harmony with their experience (Neely, 1995).

Employees with little or no experience at a given work, like uneducated employees, have a tendency to fail to meet set goals and objectives in time (Hellriegel, 1999). This usually leads to poor organizational performance through ineffectiveness and inefficiencies. As such, employees

with more work experiences tend to be desirable for an organisation’s productivity. They are also rewarded better as they are a valuable human asset for the organization.

4.2.6 Employment Grade

From the study, it was found out that 4% of the respondents were job grade D as these were few as they are the senior employees at the work stations, whilst 8%, 31% and 57% were in job grades A, C and B respectively, as shown in Figure 4.6.

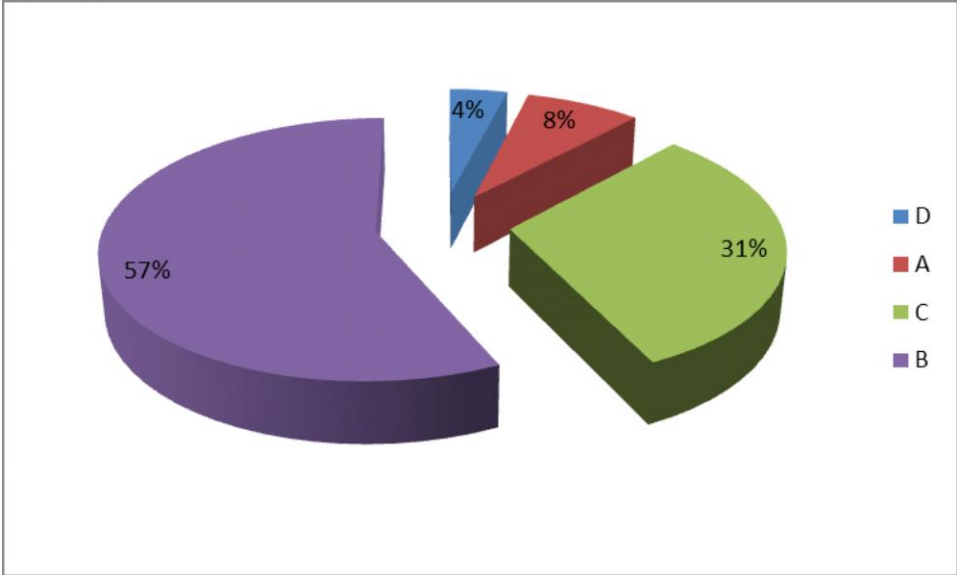


Figure 4.6 Job Grades

The job grade reflects the type or nature of job that a particular employee or group of employees have and do. These grades are distinguished as A, B, C and D in ZESA Holdings , with A being the lowest level of job grade whilst D is the Highest. These different job levels come with different employee reward packages. These job grades reflect differences in the rewards that each employee receives. As such, higher job grades are responsible for motivating those

employees in lower grades in order to get or receive the more comprehensive employee rewards that are received at higher job grades.

4.3 NEWUZ Membership Details

The subheadings below provide the findings pertaining to the details of the members interviewed, namely the ZESA subsidiary they worked for, their level of knowledge of the roles and functions of trade unions, the length of their membership with NEWUZ as well as their level of knowledge of employee rights and working conditions.

4.3.1 Subsidiary Worked For

The researcher investigated the ZESA subsidiary worked for by the respondents. From the study, it was seen that 40% of the respondents worked for ZETDC whilst 14%, 26% and 20.0% of them worked for Powertel, ZPC, and ZENT respectively.

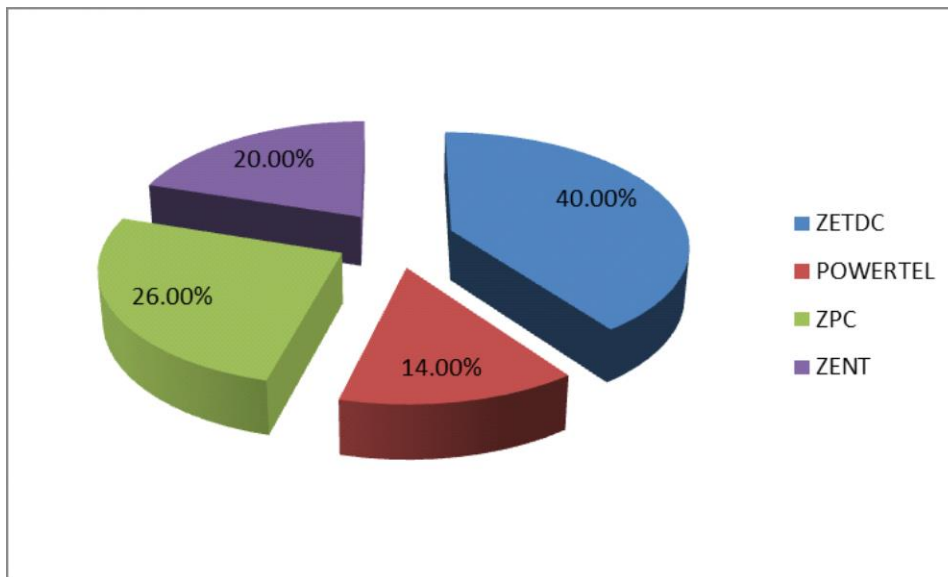


Figure 4.7 Subsidiary Worked For.

4.3.2 Knowledge of Roles of Trade Unions

Pertaining to whether the respondents knew the roles of the trade unions, all of them (80%) reported having knowledge of the roles and duties of the trade unions. However, in the interviews, some of the respondents had problems in articulating the specific functions of NEWUZ as a Trade Union in the energy sector of Zimbabwe. Its relevance, goals and aims were understood by a few of the respondents, whilst not many understood its mode of action.

4.3.3 Knowledge of Employee Rights

The researcher also investigated the understanding of workers' rights and conditions of service amongst the respondents. It was found that the half of the respondents properly understood what employee rights and working conditions are. The other half had sketch knowledge of their rights and they did not really know some of their entitlements in their conditions of service. However most of the respondents were able to articulate, explain and even cite some of their rights as enshrined in the country's constitution (The Labour Act) as well as in several international ratifications. However, there were some respondents who faced problems in articulating what workers' rights and conditions of service were. The interviews revealed that most respondents were only well-versed in issues of basic employee rights and working conditions and not in the specifics.

4.3.4 NEWUZ Membership Length

The researcher also investigated the length of the membership of the respondents in NEWUZ. It was found that the majority of the respondents had between 5 to 10 years as members in the trade union. This was followed by 14% of the respondents who had between 1 and 5 years of membership whilst only 7.0% had less than 1 year of membership. None of the respondents had memberships above 10 years.

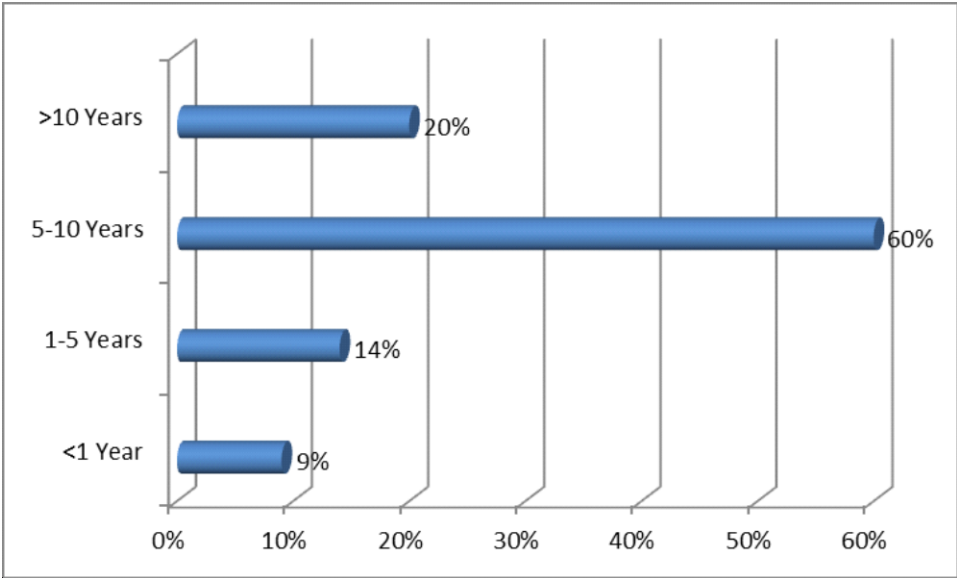


Figure 4.8 Length of Membership

4.4 Workers’ Rights and Conditions of Service Before Zimbabwe’s Economic Meltdown.

In line with the objectives of the study, the researcher investigated the rights and conditions of the workers’ before the country’s economic meltdown. To this end, the researcher investigated the workers’ earnings, the availability of benefits as well as the availability of rights and if they were adhered to.

4.4.1 Earnings

Pertaining to the earnings of the workers during the period, the majority of them expressed, in the interviews, that they earned competitive salaries. Most of the respondents also indicated that the wages were above the poverty datum line and it was paid in time. As expressed by Mr. Mapuranga an electrician with ZEDTC highlighted that before the meltdown he was regarded as one of the highest earner in his society and he could basically afford many of his needs, he said ;

We used to get paid well before the economic collapse, in my area where I live I used to boast as one of the well paid workers in Zimbabwe. I could afford a lot that I wanted using my salary

This was also confirmed by Elizabeth Sako a banking officer in ZESA, who said many banks and credit facilities, actually came looking for her during this period as ZESA was regarded as the most paying government owned company.

4.4.2 Benefits and Allowances

The research also found out that attractive Benefits and allowances are also Part of the good condition of service that zesa workers also enjoyed before the economic meltdown. Most of the respondents gave various benefits and allowances that were paid or given by the employer. The benefits that were constantly highlighted by the respondents include:

Medical cover

All the respondents confirmed that the Trade Union through collective bargaining had managed to bargain for a medical cover for all employees at the expense of the employer as it was a noncontributory cover. Respondents also highlighted that the cover also stretched to their immediate families. Majority sithole a lines worker in ZESA reminisced this period saying the medical aid was as effective as one could get medical attention at any time of the day. She further bragged that using the medical cover which was

provided through Premier service Medical Aid Society, was so effective that you could use it to call an ambulance, to deliver your baby in reputable hospitals and to get all the prescribed medicine.

School fees benefit

The respondent indicated in both the questionnaires and the interviews that the Trade Union had negotiated for them school fees benefits, which obliged the employer to paid school fees for the employee's children up to 4 children. The study established that the fees was paid in full and was paid for children up to tertiary level. Mufaro Guri an accounted in ZESA holding subsidiary ZENT had this to say about the benefit

Our children used to attend very reputable schools; we could afford to give our children basic education. This benefit lifted a great burden for me as it meant my salary could be used for other things.

The other conditions that the trade unions before the meltdown had negotiated which were given in the responses include

- Bonuses which were paid every end of year to all workers
- Funeral benefit which covered the cost of a funeral if an employee died.
- Tools , switching allowances
- Life insurance
- Safe working environment

The respondents applauded the role played by the union before the meltdown as most respondents revealed that the union worked tirelessly to ensure their welfare and conditions were the best and competitive. Mr. Mauchaz an elderly heavy duty operator at ZESA holding subsidiary ZPC commented on the rights and condition in reference to the role played by trade unions saying

The Trade Union back then was so powerful and fought for the best for us the workers. Our rights were respected as failure to observe our workers rights put the employer in trouble with the trade union. We had the best condition of service that at time I even imagine if that period was really lived by me especially looking at what the situation has degenerated into.

AS for the rights an interview with the General Secretary of Newuz Mr. Thomas Masvingwe revealed that workers rights were protected and were taken serious back then as the Trade Union enforced these rights.

He went gave a summary of the rights that workers enjoyed before the meltdown as follows:

- Right to be paid a living wage which was above the poverty line
- 30 days vacation leave
- 12 days special leave
- 98 days maternity leave
- Right to a safe and healthy working environment , and on this one Mr. Masvingwe indicated that the union carried out frequent station visits to inspect if this right was being followed and when they discover any discrepancies they would stop work and ask the employer to fix the situation before work resumed
- To join a union of choice
- To decent housing which made the union to inspect the company houses that workers were given especially for the workers who worked in remote areas where camps were established.

He also indicated that rights were enshrined in laws of the land and statutes which governed working relations and before the meltdown these statutes were respected and followed.

This assertion by the official of the Union was confirmed by the majority of the respondents from the membership as many highlighted that they were heavily protected and their rights were prioritized by the employer as the Trade Union enforced them.

The above finding shows that the period before the meltdown workers enjoyed competitive conditions and protection of rights. This period was described as a period where ZESA was still one of the best employers in the country.

4.5 Effect of Economic Meltdown on Workers' Rights and Conditions

The researcher also investigated the extent to which the country's economic meltdown affected the rights and working conditions of the workers in the energy sector by age, sex, education qualification and marital status as the researcher had assumed that the meltdown period had different impact to different types of workers. To this end, the rights and conditions that were eroded owing to the crisis as well as those that were not were identified, and the subheadings below discuss these findings.

4.5.1 The extent or Impact of the Meltdown

From all the respondents the assumption of the researcher that the melt down affected workers differently owing to difference in sex , age , education level and marital status was completely dismissed , as all the respondents expressed an almost similar extent of the impact of the economic meltdown.

Miriam Magaya a widow who works as a general cleaner in ZESA expressed that all the workers were severely affected by the economic meltdown when she said

The meltdown was a horror to all workers in ZESA, everyone despite job grade, or position was grounded as the period was gruesome. No one could assess their salaries from the banks; the salaries could no longer buy anything due to the hyperinflation which made our salaries lose value in hours or minutes.

This was also reinforced by the analysis the researcher carried out on the distributed questionnaires which showed that all the respondents of different ages, marital status and level of education gave explanations of this period which show or proves no one was treated better by the phenomena. All the respondents indicated that the meltdown was their worst night mere as they could not even afford to have 2 meals a day, sent children to school, or get medical care.

4.5.2 The Situation On Rights And Condition During The Meltdown

All the respondents compared the period before the meltdown and during the meltdown as complete opposites. From the responses the researcher established that this period led to total erosion of the conditions of workers. All the respondents indicated that all the benefits they enjoyed before the meltdown vanished as the employer told the Trade Union that represented the workers that it had no more capacity to maintain the conditions.

Silas Mwedzi a deport Forman in ZESA had this to say about this period:

I cannot talk of the good benefits that I got because I didn't even have a salary. At one point we went for more than 5 months without getting a cent from the company. When we got the salaries they could not buy anything as the hyperinflation eroded its value in hours.

An interview with the secretary General of NEWUZ revealed that the Trade Union was rendered ineffective by the economic meltdown, as the Trade Union depended on membership subscriptions which used to be remitted by the employer. The Union no longer had the capacity to fight the employer to maintain worker rights and conditions as this was fruitless because the company was struggling. On the rights and conditions of workers he indicated that all benefits and good conditions became the thing of the

past as the workers lost all the good condition that the union had lobbied for in the years leading to the meltdown. He also expressed that rights of workers were eroded not by removing them as no one could do that but by not being respected and followed. He gave examples of how rights were eroded when he said

To earn a living wage is a right but this was completely eroded, workers had the right to a safe working environment and safety clothing but ZESA could not even give safety shoes, the condition of the equipment was devastating workers had no vehicles to go to work with the few that were there were in dilapidated condition as ZESA no longer serviced the vehicles.

Lizz Samunda a legal officer in ZESA explained that trade unions were no longer visible as they stopped visiting members. Their rights and conditions were abused and they had no one to protect them. Samunda however did not blame the trade unions as she said it was not a hectic period and all systems in the country were down and the union was not an exception to this devastating phenomenon.

Pruno Ngulube, a cable jointer tried to explain the level of erosion that took place when he said;

They suspended all benefits except the salary. Even job security was not there as you could get dismissed anytime as they said the company did not have any money left.

These findings show that the majority of the Conditions and Rights given to employees, such as medical, funeral, educational and other fringe benefits as well as leaves, holidays and other incentives for extra work were no longer available. Workers were denied their rights as all forms of abuse of these rights occurred during their economic meltdown.

4.6 Initiatives Undertaken by NEWUZ after the economic meltdown to try and restore and improve the eroded workers rights and conditions

The initiatives that were taken by NEWUZ, as a trade union, to restore the workers' rights and conditions in the country's energy sector were one of the study's major goals. These initiatives would provide an understanding of the performance of the Trade Union in the quest for the restoration of lost workers; rights and conditions. The researcher thus investigated the role played by the union, in the terms of whether or not it did managed to restore or improve the lost rights and conditions, the researcher also investigated if the union after 2009 had any union initiatives that it put to supplement the employers efforts in the terms of the legal cover, financial assistance, housing loans and schemes, business training and advice. The findings for each of these are discussed below.

The economic meltdown can to pass when the country's political parties ZANU PF and the 2 MDCs signed a Global political agreement (GPA) in 2009 to form a coalition government as the ruling government had faced sanctions from the western countries for failing to have free , fair and violence free election in 2008. This agreement was followed by the introduction of the multicurrency system which ushered hope among the people of Zimbabwe.

The respondents when asked what initiatives the Trade Union put in place , the responses were different and contrasting as a part of the respondents believed the union lobbied , engaged the employer and took legal action to push the employer to restore the lost rights and conditions of service while the other part believed that the union did not do anything but the normalisation of the economy brought back some of the lost rights and conditions of service as the US dollar brought viability in the company .

One respondent Musiwa Joy who is an electrician gave praise to the union for revitalizing the collective bargain platform that had been collapsed by the meltdown and for engaging in lobbying at the collective bargaining processes to restore the rights and conditions of workers he said that

Our Trade Union NEWUZ was hard hit by the meltdown but in 2009 after the stabilization it quickly rejuvenated its operations of representing us by engaging in collective bargaining in 2009 and bargain for salaries in US dollars and negotiating the restoration of our conditions like medical cover, bonuses, life insurance and various allowances

Another respondent Musokotwane Nduna a lines worker also believed that the union overall used the collective bargaining platform to lobby for the restoration of the conditions and rights of workers. He also highlighted that after 2009 the Trade Union was seen taking up legal action against the employer in instances that involved violations of workers rights.

From the Questionnaire the analysis revealed that many respondents believed the Trade Union used its bargaining and lobbying power to engage the company to restore critical conditions of service like the salary, medical and funeral covers. However some maintained that the union only manipulated a recovering economy to purport to have been responsible for the restoration of the rights and conditions.

The General Secretary of the union revealed that the Trade Union took several initiatives to try and restore the lost conditions and rights. He gave various initiatives that the union took in summary as highlighted below;

4.6.1 Collective bargaining platform

He believed the trade initiated the need to reestablish the conditions and rights of workers by lobbying for the collective bargaining platform to be restored soon after the meltdown. Through this platform he explained that the union managed to negotiate for the workers salaries in US dollars and the set the lowest

paid in ZESA at \$190 dollars. He also highlighted that through this platform the workers salaries have been improved since 2009 and he gave a summary of the improvements as follows

Table 4.2 Basic salary improvement of the lowest paid in ZESA since 2009

2009	12 %increase in 2010	20 %increase in 2011	15 %increase 2012	7 %increase 2013
\$190	\$213	\$250	\$287	\$307

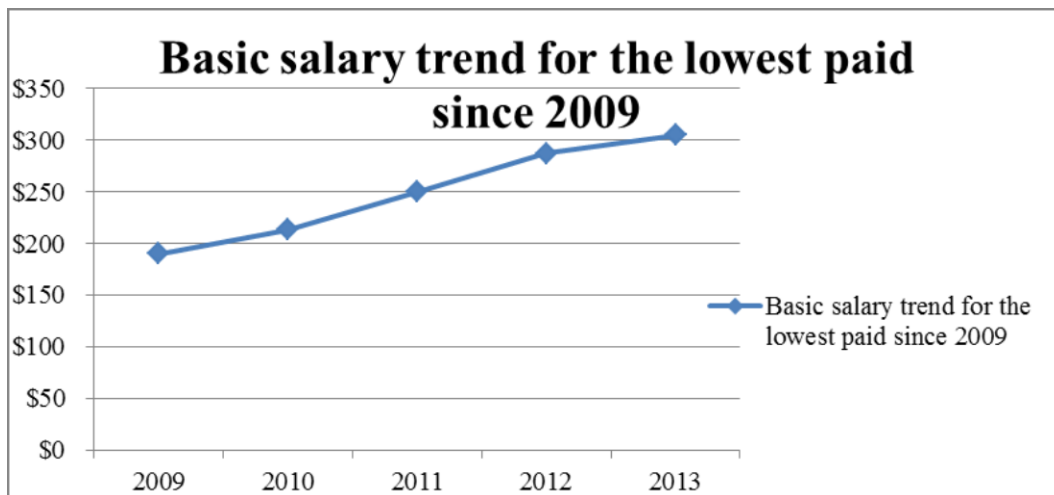


Figure 4.9 basic Salary trend for the Lowest paid since 2009

The researcher validated this information by going through collective bargaining agreement from 2009 to 2013. In view of the above the Trade Union through its general secretary argued that its negotiating skills led to the restoration and improvement of the salaries from 2009.

From the other respondents the majority agreed that the union took the initiative to revitalize and reestablish the collective bargaining negotiations as the employer was hesitant to bargain fearing the calls for restoration that the Trade Union was making.

Workers Allowances

Through the collective bargaining platform initiative the union also managed to introduce new allowances and improve some that had been restored through bargaining. One respondent Prince Mahmbe a salaries clerk during an interview took out his pay slip and explained the allowances that had been restored and improved and how new ones had been introduced through the initiative of the Trade Union to force the employer to reestablish the collective bargaining platform. He gave the allowances and changes as presented below

Tools allowance

The allowance was restored at **20%** of basic salary but was later improved to **25%** through a collective bargaining agreement of 2012.

Housing allowance

When the US dollar era came in, the housing allowance was pegged at **25 %** of basic pay but union has bargained it currently at **35%** since 2012

Canteen allowance

This allowance was introduced in 2012(CBA) and workers were getting **\$ 20** but the union in 2013 improved it to **\$ 50**. This is an allowance for employees to buy lunch

Switching allowance

This is specific to zesa workers who are artisans or electricians who have a switching license they have been awarded **15%** switching allowance for the extra responsibility. This was restored but improves from **15% to 20%** of basic salary.

Danger allowance

this was bargained for after the realization that the nature of the work in the energy sector is volatile and highly dangerous as it involves dealing with high voltage wires and carrying out faults anytime of the days even in areas like kariba, nyanga, hwange were wild animals pose a great danger it has been put at **20%** of basic pay

Climate allowance

This was bargained for workers who work in extreme climates like lowveld were it is very hot in chiredzi, chipangayi, hwange and for cold areas like Nyanga, rusape it is put at **10%**

4.6.2 Health and Safety provision

As for the health and safety of the workers the majority of the respondents confirmed that the period before the meltdown saw safety issues being taken seriously, the dent of the meltdown period extinguished all that effort. The respondents highlighted that the Trade Union(NEWUZ) used to carryout safety inspections and enforce were safety lacked but during the meltdown the company failed to provide safety clothing , proper vehicles for use and proper equipment for the job to be done. The respondents also revealed that the Trade Union after the meltdown returned to its toes on the enforcement of health and safety. Other respondent however argued that the Union as much as they are carrying out some enforcement on safety and health they have not

managed to fully restore the level of health and safety that existed before the meltdown as they complained during interviews that they were sometime not getting safety clothing , tools and equipment but the trade unions are there.

One responded highlighted that;

“Safety used to be a prerequisite which the employer himself enforced with the help of the Trade Union but the meltdown eroded all that and for the better part of the period we did not get any new safety clothing and tools. We had no vehicles to attend to faults to an extent that a customer had to provide both the material and transport for the fault to be fixed. From 2009 things have improved significantly as the Trade Union is now taking serious effort to compel the employer to observe health and safety. The safety was restored to a large extent but the company continued not to provide adequate tools and safety clothing as we sometimes use one safety shoe for 2 years instead of 1 per year. I believe the union still has a critical role to play for safety and health to be fully restored and improved”

4.6.3 Legal action initiative

NEWUZ annual report (2013) also supported the legal action initiative that the union also took after 2009. The report gave a summary of cases of unfair labour practices that were challenged by the employer since 2009 and the status of the case.

Table 4.3 Legal cases done by NEWUZ from 2009

Cases period	Number of cases	Won	Lost	Pending	Referred to labour court
2009	100	70	5	15	10

2010	80	67	3	9	1
2011	78	70	0	5	3
2012	70	60	2	6	0
2013	79	40	5	15	19

Some of the respondents concurred with the Union that it was no longer taking violation of rights and conditions of service lightly. Madzivanzira lost a book keeper said

The union is challenging many cases of unfair treatment and winning then through legal action. I myself I was wrongly accused of taking and converting company money for my own use and was dismissed but through union representation I won my case after 3 months and was reinstated without loss of pay and benefits. It made me feel secure in the company to know my union had such power

In another interview with Tsomondo Constance a senior executive member of the Union she highlighted that

“Rights were eroded during the meltdown period as their existence in the statutes did not translate in them being followed; the Trade Union has taken more than 100 legal actions of challenging violation of the rights and conditions of workers”

The Union also initiated a process where rights were put as a mandatory collective bargaining agreement of 2012 (SI 1 Of 2012). The study discovered that through the collective bargaining platform the conditions of service and rights were enshrined in the agreement. The Trade Union further consolidated the restoration of rights by registering the agreement and gazetting it into law. This initiative made the workers rights more respected and the trade unions took legal action were the rights were violated

4.6. 4 Code of Conduct

Another initiative done by the Trade Union to restore and improve workers rights and conditions was the establishment of a new code of conduct for the sector. NEWUZ annual report (2010) showed a brief comparison of the two codes and highlighted some of the improvements. The diagram below show a brief analysis of the improvements the new code brought for the same offence as compared by the old code.

Table 4.4; Brief comparison of the old and New Code of Conduct

Offence	Penalty in the Old code	Penalty in the New code
Absenteeism 3days	Dismissal	Final warning
Unsatisfactory work performance	Demotion by 1 grade	First written warning
Dishonesty	Dismissal	Final warning
Insubordination	Dismissal	Deduction of 12% of basic pay for 1 month
Injury to a person	Dismissal	Deduction of 10% of basic pay for 1 month
Disorderly behavior	Final warning	First written warning
Corruption	Dismissal	Demotion of 1 grade

Source: Energy industry code and grievance handling procedure (2012)

Some of the respondents acknowledged the role played by the Trade Union as crucial and critical for their employment relations. The majority of the respondents give positive credit to the trade unions for the new code and they feel it has given them a revitalized sense of security. One respondent said

“Kare mhosva duku yadzingisa asi gwaro idzva rakaitwa ne union redu rakutiponesa kana taitawo mhosva” (previously a small offence would attract a dismissal penalty but this new code done by our Trade Union saves us when we are charged)

Thus it is clear the new code improved the workers rights and conditions as employment relations involved disciplinary issues.

4.6.5 Reduction of working Hours

Through NEWUZ engagement initiative they also managed to improve their working conditions when they engaged the employer and managed to enshrine it in to law, the reduction of working hours from 8 hours to 7 hours 30 minutes. Madline Gwaka applauded the Union for this initiative saying

“They fought for us after the meltdown and managed to reduce our hours of work. All credit should be given to them as they improved our lives.”

4.6.6 Training members

The union also took an initiative to conduct training workshops for members training them on various aspects in labour relations. This initiative was meant to improve the understanding of members on their rights and conditions of service (Newuz annual report 2013). A table below shows the various types of training workshops that the union has done since 2009.

Table 4. 5 Training done by NEWUZ from 2009 (NEWUZ annual report 2013)

	Types of training workshops and number of trained members					
Year	Industrial & Labour relations	Leadership	Collective bargaining	Grievance handling procedure	Code of conduct	Economics
2009	200	300	100	200	500	100
2010	500	300	100	200	500	200
2011	1500	400	400	1000	1000	600
2012	1000	400	400	1000	900	500
2013	1700	900	1500	2000	1400	700

One of the respondents Nyasha Mabvura a loss control officer in ZESA highlighted that he took part in some of the training workshops that were done by the Trade Union and she said they were informative and equipping for her as she improved her knowledge of the law and of her rights.

4.6.7 Legal cover

The respondents also confirmed that the union was giving them legal cover from 2012 at the expense of the Union in order to ensure that workers have the ability to fight for their rights and conditions of service even in courts outside the Labour court. Hence the Union provides lawyers for any member with cases to do with their rights and conditions including their constitutions rights.

In view of these finding, majority of the respondents believed that union initiatives to restore condition and rights of employees did manage to restore fundamental rights and conditions of workers. However part of the respondent believed that the union initiative have not been successful in restoring their conditions and rights. Overallly the study shows that the union managed to restore several conditions and rights that the workers lost during the meltdown but there is general agreement that the union has not managed to restore all the rights and conditions as some favorable benefits were not restored after 2009.

4.7 Effectiveness of NEWUZ's Initiatives.

The researcher also investigated the effectiveness of NEWUZ's initiatives in restoring workers' conditions and rights after the country's economic meltdown. The researcher thus investigated the performance of NEWUZ before and after 2009, the ability of NEWUZ to restore workers' rights and conditions, the unrestored and restored workers' rights as well as the degree to which the rights and conditions were improved.

4.7.2 Ability of NEWUZ to Restore Workers' Rights and Conditions

The respondents were asked on the ability of NEWUZ to restore their working rights and conditions. From the findings, it was seen that the majority of them expressed that the Trade Union managed to play a role in advocating for the early or timeous availability of the rights and conditions which they had lost, although the notion that it was not NEWUZ's efforts that brought back the rights and conditions continued to exist among a significant number of the respondents who believed that the settling of the economy along was enough to restore them. This was opined in one respondent's view;

Of course NEWUZ worked but we cannot say it was entirely responsible for bringing back our sound working conditions. It only helped to pressure the management to avail them to us in time.

This showed that the advocacy component of NEWUZ's functions was more important to the workers through forcing the employer to the negotiation table so as to give workers their rewards in time.

4.7.3 Restored and Unrestored Workers' Benefits

The respondents majority of the respondents agreed that the Trade Union managed to restore fundamental conditions and rights of workers through its initiative but they all agreed that the union has not managed to restore all the conditions that it had bargained for before the meltdown.

One area that was raised by most of the respondents was the right to a safe and healthy environment, respondents seemed to agree that this right was partially restored as the situation of proper tools and safety clothing still remained a challenge. Morgen svosve a boiler engineer said;

Although the right to safe working environment was restored the union needs to do more as this right was not restored to the level that it once was before the meltdown

Other respondents highlighted the following conditions as those which were not restored

- Car loans
- Holiday allowances
- Education or school fees allowance
- Housing loans
- Death benefit
- Company furniture houses

The respondents believed that, as such as the Union had restored some of the critical conditions the above unrestored conditions required the union to pile pressure for them to be restored as they formed part of their competitive conditions of service.

However some of the respondents believed the union could only do what the economy and Employer allowed, especially for the conditions like benefits which were not mandatory for the employer to give as they are not rights. Gohodzi an industrial relations officer said;

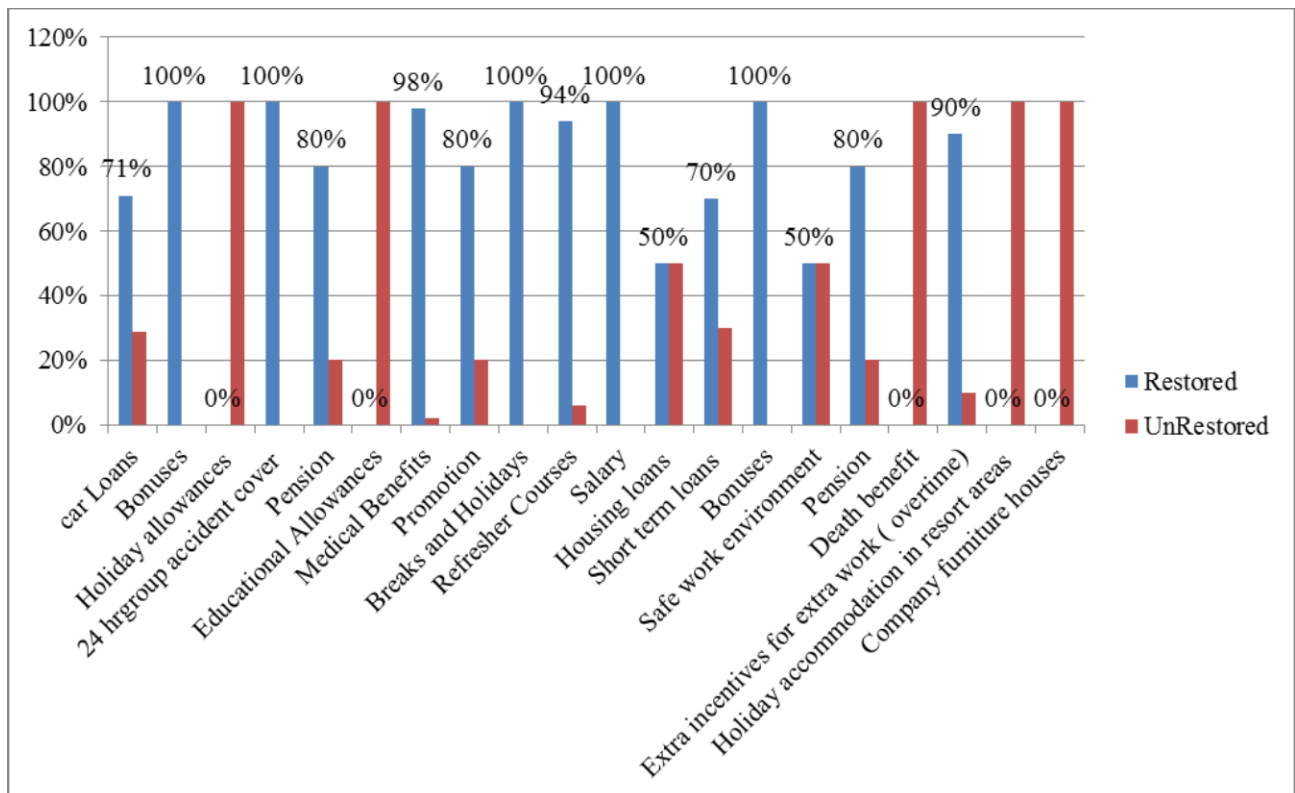
The union is hamstrung to push for any further improvement of our conditions of service as the employer continue to cry of viability even after the meltdown. The situation of the economy did not really recover to the way it functioned long back hence the union can only negotiate to the level the company allows

The majority of the respondents however applauded the union initiative of re-establishing the collective bargaining platform and negotiating the restoration of fundamental rights and

conditions for them. The study also discovered that the legal action initiative by the union managed to safe guard the rights of the workers in ZESA as the unfair labour practices were always challenged. Some of the respondents believed that this kind of protection is what they enjoyed before and urged the union to continue fighting.

The diagram below best sums up the way the respondents felt on the effectiveness of union initiatives as in restoring their rights and conditions after 2009

Figure 4.12 Eroded conditions and level of restoration



The effectiveness of the initiative were viewed by the respondents differently as most believed that the Union had done all that in can in the prevailing economy which had not fully recovered from the meltdown.

. 4.8 Challenges Faced by NEWUZ

In line with the objectives of the study, the researcher also investigated the challenges faced by NEWUZ in the restoration of the eroded workers' rights and conditions of service. It was discovered that the major challenges fell into four categories, namely legal and governance problems, poor funding, poor organisational governance as well as challenges in the mobilization of workers, which are discussed in the subheadings below.

4.8.1 Legal and Governance Problems

Among the challenges reported by the respondents were legal and governance problems. It was noted that NEWUZ has repeatedly faced legal challenges in its recognition as a Trade Union within the energy sector. According to Dorcus Chinembiri a given respondent;

'Usually, NEWUZ is not respected by the government which is responsible for controlling ZESA Holdings. As it sometime wins good conditions of services during collective bargaining but ZESA does not implement and efforts by the unions to engage the government through the Minister of Energy are fruitless. So I believe the government poses a threat to the effective discharge of union functions

Some respondents reported that this had negative bearings as the agreements entered into through NEWUZ were often not honored as a result.

4.8.2 Funding

Another key challenge which was faced by NEWUZ is funding problems. According to the respondents, the majority of the trade union's work is dependent on funding whilst the organization is limited in its capacity to act because of this. An instance cited by most respondents in the interviews was the inability of the union to provide transport to workers' it would be representing in court disputes, citing the lack of financial resources to purchase and maintain its vehicle fleet.

4.8.3 Worker Mobilisation

Related to the funding challenges have been problems in the mobilization of workers. This has largely been true since NEWUZ is mostly able to practice control over its voluntary members and as there is a significant number of energy sector workers who are not active members of the organization, this has often presented worker mobilization challenges. For instance, one respondent said;

NEWUZ fails to mobilize workers because it only deals with its members who are only but a section of the entire workers in the energy sector.

This showed how NEWUZ is critically faced with problems in worker representation and mobilization.

4.8.4 Organizational Governance

Some of the interviewed respondents also expressed that organizational governance problems are among the key challenges affecting NEWUZ. These respondents cited the examples of NEWUZ

inability to cover some of the country's provinces, such as Matabeleland North and South, Masvingo and Mashonaland West Provinces. These respondents thus expressed that without proper organizational structures in these provinces as is the current case, the functions and goals of the organization cannot be met. For instance, one respondent said;

We are just members of NEWUZ but we only know it as based in Harare and have never seen it in our provinces. We end up thinking it only serves its Harare members only.

Other respondents talked of poor engagement between them and the union;

Getting heard by the union is usually difficult, just like going to the courts or to the police. They ask too much questions for someone who will be in urgent need for assistance.

4.8.5 Double standards by the register's office

The other challenge that the union is facing is the multiple registration of new unions in to the energy sector. The General Secretary of NEWUZ expressed that the registration of new unions in the sector has weakened the unity of workers as the trade unions fought for members rather than address problems affecting workers.

4.9 Chapter Summary

This chapter discussed and analysed the findings of the study as gathered through questionnaires and interviews. It addressed the key research objectives and highlighted the roles played by NEWUZ in the restoration of workers; conditions and rights in the energy sector after the country's economic meltdown. The following chapter, Chapter Five, comes up with the conclusions and recommendations that were adopted in the study.

CHAPTER FIVE: Summary, Conclusions and Recommendations

5.0 Introduction

In light of the findings contained in Chapter four of this study, this Chapter provides the summary and conclusions on the research objectives of the study. These sought to assess the workers' rights and conditions of service that prevailed before the economic meltdown; to assess the workers' rights and conditions of service that prevailed after the economic meltdown; to identify the extent to which the economic meltdown affected workers' rights and conditions in the country; to identify the initiatives that were put in place by trade unions in Zimbabwe's to respond to the eroded rights and conditions after the economic meltdown; to evaluate the effectiveness of Trade Union post-meltdown initiatives as well as to explore the challenges and opportunities that exist for better worker representation in the Energy sector. The Chapter also provides recommendations for named stakeholders as obtained from the study.

5.1 Summary

The subheadings below contain an overall summary of the study, per each of the chapters.

5.1.1 Chapter One

This study focused on an examination of the role of trade unions in restoring and improving workers' rights and conditions after the economic meltdown in Zimbabwe, using the case of the National Energy Workers' Union of Zimbabwe (NEWUZ) in the Zimbabwe Electricity Supply Authority (ZESA) Holdings between 2009 and 2013. The specific objectives of the study were to assess the workers' rights and conditions of service that prevailed before and during the economic meltdown, to assess the workers' rights and conditions of service that prevailed after

the economic meltdown and to identify the extent to which the economic meltdown affected workers' rights and conditions in the country. It also sought to identify the initiatives that were put in place by trade unions in Zimbabwe's to respond to the eroded rights and conditions after the economic meltdown, to evaluate the effectiveness of Trade Union post-meltdown initiatives. And to explore the challenges and opportunities that exist for better worker representation in the Energy sector.

Against a background of a harsh economic crisis or meltdown that has seen Zimbabwe riddled with such pertinent problems as growing poverty and declining economic performance, the scope of the study focused on the roles played by trade unions like NEWUZ in improving and restoring those workers' conditions of service and rights that were negated by the economic meltdown.

5.1.2 Chapter Two

The theoretical framework for the study was based on the Agency Theory and Huzzard's Strategic Choice Model. The Agency theoretical perspective was important in understanding the role played by trade unions as the agents of the workers whilst Huzzard's Strategic Choice Model was important in helping to explain the choices such trade unions make in coming up with initiatives to manage the issues of worker representation, in this case in the restoration of eroded workers; rights and conditions of service.

The researcher also reviewed prominent literature and scholarly debates and other issues in trade unionism, providing important definitions, an overview of trade unions around the world, their importance and types. The review of associated literature also covered other important concepts around the issue of trade unionism, such as collective bargaining, employment contracts, and industrial relations. It also provided an overview of the labour market in Zimbabwe and also

provided insights into the areas of Trade Union performance, workers' rights and working conditions as well as social contracts.

5.1.3 Chapter Three

The research adopted Qualitative research methods design, in order to properly tackle the research problem and to meet the objectives of the study. Focusing on the membership of NEWUZ as the research's population, the researcher adopted convenient sampling technique to come up with the sample for the study, which comprised of 100 respondents. Semi structured Questionnaires and Open ended Interviews were used as the means to gather the required data and these were analysed using by relating texts and creating themes and categories form the given data. Simple tables and graphs were also used to make the data more understandable.

5.1.4 Chapter Four

The fourth chapter of the study contained the findings on the research objectives. The questionnaire and interview response rates were 86% and 54% respectively. Of the respondents, 71% were male whilst 29% were females. Their ages were divided into 3 distinct groups, 25-35 years, 26-50 years and above 50 years. For each of these age groups, there were 14%, 67% and 19% of the respondents, respectively. The marital status of the respondents was also investigated and it was found that 7%, 6%, 50% and 35% of the respondents were widowed, divorced, married or single, respectively. Pertaining to their levels of education, 27% of the respondents reported that they were high school level whilst 30%, 20%, 77% and 6% of them said they had professional certificates, diplomas, first and second degrees, respectively. Likewise, the researcher also investigated the work experience of the respondents and found that 28% of them had less than 1 year whilst 35%, 31% and 6% had between 1 and 5, 5 and 10 and above 10 years

of work experience, respectively. The employment grades showed that the majority of the respondents (57%) were grade D workers whilst 31%, 8% and 4% were graded as C, B and A.

The chapter also presented the findings on the specific objectives of the study and discovered that, in the period before the country's economic meltdown, the majority of workers' rights and conditions of work were favorable whilst the rewards were available. However, there was a gradual deterioration in these conditions, particularly at the turn of the millennium, and this peaked at 2008 when all benefits and rights were eroded. After the economic meltdown, these conditions began to be restored, due to collective bargaining, legal action lobbying and the advocacy of trade unions like NEWUZ. However, various challenges negated the ability of Trade Union initiatives to deal with or address the challenges brought by the economy upon the workers' rights and conditions of service, among these challenges being legal and governance problems, poor union funding, problems in worker mobilization as well as poor organisational governance.

5.2 Conclusions

From the findings of the study, the following conclusions are made;

5.2.1 Workers' Rights and Conditions of Service Before and During the Economic Meltdown

From the study, it is concluded that the majority of the worker's rights and working conditions were available in the period before the country's economic meltdown. Largely, the workers were happy and satisfied with their employment contracts and with what the employer provided.

Furthermore the study concluded that during the meltdown period the unions were rendered ineffective and the workers lost all their once bargained conditions and rights. This period was depicted as a night mare for all the respondents as benefits were eroded, the salary paid was eroded value by the hyperinflation, rights of workers for a safe work environment, a living wage were eroded and some of them were greatly abused and not followed.

5.2.2 Workers' Rights and Conditions of Service After the Economic Meltdown

It is concluded that the Trade Union initiatives managed to restore most of the workers conditions and rights. However not all the conditions were restored and not all rights were being followed. The study also concluded that some of the restored rights were improved through the efforts from the Trade Union and some new benefits were introduced in workers conditions.

5.2.3 Effect of Economic Meltdown on Workers' Rights and Conditions

The economic meltdown directly and significantly affected the availability of the workers' condition of services and successfully negated their rights as most of the trade unions were affected too and could not deliver to the workers as would be expected. Even when such deliveries did occur, the then obtaining hyperinflationary environment made what was bargained for useless in a very short period of time, and workers' salaries and other fringe benefits were either not available or were too insignificant.

5.2.4 Trade Union Initiatives to Respond to Economic Meltdown.

The initiatives of trade unions like NEWUZ to try and respond to workers' plights were mostly successful as advocacy for the quick or early provision of these rights and conditions. They were not; however, the primary reasons why these rights and conditions were later restored as the stability of the economy largely came with better conditions for the workers. It is not to be viewed as though the workers' conditions of service had become poor because of deliberate actions from the employer, although some of the effects of the poor economy provided means through which corruption thrived and negated this. Whilst the employer could have been willing to provide the conditions, the economic performance disallowed this and thus, when the economy recovered, most of the companies managed to return lost or previously-eroded conditions and rights.

5.2.5 Effectiveness of Trade Union Initiatives.

The trade unions' initiatives were largely successful in restoring workers' conditions of service, although they did not manage to restore all the conditions and some respondents believed the Trade Union was not solely responsible due to other factors like economic stability.

5.2.6 Challenges in Worker Representation in the Energy Sector.

The study concludes that the major and most significant challenges affecting worker representation in the country's energy sector are legal and governance problems, poor funding, poor organisational governance as well as challenges in the mobilization of workers.

5.3 Recommendations

From the findings of this study, the following recommendations are made for the named stakeholders;

5.3.1 The Government

There is a need for the Government and other regulatory stakeholders to craft and harmonise policies, reforms and statutory provisions that allow trade unions like NEWUZ to function effectively in fulfilling their mandates of worker representation.

5.3.2 Trade Unions

There is need for trade unions to be better managed as poor organizational performance was reported as a function of the lack of sound organizational governance. It is also important for the trade unions to timeously monitor and evaluate their performance so as to ensure that the workers they represent do not see them as ineffective and useless. They should also come up with innovative ways through which to raise their funds as funding was found to be one of the greatest challenges such trade unions continue to face.

5.3.3 Workers

It is also recommended that the workers should join and actively participate in trade unions. It was found that a substantial number of workers are not joining or participating and this tends to weaken their representation, particularly in the cases when they encounter problems at work.

5.3.4 Employers

It is recommended that employers must, to their best possible capabilities, try to engage the trade unions representing their workers amicably. This prevents unnecessary conflicts at work and has the potential, as shown in the conceptual framework of this study, to provide various benefits for the employer, such as increased productivity, better employee engagement and less strikes, lockouts and other debilitating behaviours at the workplace.

5.3.5 Other Stakeholders

To other stakeholders involved in the labour issues, it is recommended that, where possible, they should help to fund trade unions as it enhances worker representation in the country. It is also recommended that all involved stakeholders, where possible, should cultivate and promote a safe and diplomatic environment in which labour issues can be amicably resolved.

5.4 Areas for Further Study

Other areas that should be studied include the investigation of the effects of Trade Union organizational governance upon the performance of the trade unions. Such a study should dwell much on the role played by the type of governance within the Trade Union upon the number of labour cases resolved or handled for a particular time as this was one contributing area which this study failed to address because of scope, resources and time.

5.5 Chapter Summary

The chapter presented the summary, conclusions and recommendations of the study. The chapter also presented areas for further study in order to address those areas that this study failed to effectively articulate owing to limitations in time, resources and scope.

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- Interview with Mirriam Magaya a General clear on 22 August 2014
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APPENDICES

Appendix A; Research Questionnaire

My name is Tafadzwa Luke Njenda and I am a student from the Midlands State University undertaking a research entitled: **Examining the role of trade unions in restoring and improving workers' rights and conditions of service , after the economic meltdown in Zimbabwe, a case study of NEWUZ in ZESA Holdings between 2009 – 2013.** I would be grateful if you answer the questions below that might help me achieve my objectives.

Section A: Demographic Details.

(Please tick in the appropriate box)

Male	
Female	

1. Sex:

<20	
20-35	
36-50	
>50	

2. Age:

3. Marital Status:

Single	
Engaged	

Married	
Divorced	
Widowed	

No Primary education	
Primary Education	
Secondary education	
Tertiary Education	

4. Level of education:

5. Work experience:

Less than 1 year	
1-5 years	
6-10 years	
More than 10 years	

6. Employment grade

A	
B	
C	
D	

Section B: Employment Details.

(Please tick the appropriate boxes or respond as specified)

7. Which ZESA subsidiary do you work for?

ZETDC	
ZENT	
Powertel	
ZPC	

8. For how long have you been a NEWUZ member?

<1 Year	
1-5 Years	
5-10 Years	
>10 Years	

9. Please rank the extent and effect of Zimbabwe’s economic meltdown upon the country and you as a worker, respectively. *(Please rank the extent between 0 and 5, with 0 being the most insignificant extent and 5 being the most significant)*

	0	1	2	3	4	5
Extent						
Effect						

Section C: Conditions of Service Section

10. How was the situation of workers rights and conditons before the economic meltdown that affected the country btween 2007 and 2008. What conditions and rights existed then?

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

11. How much did you earn in the years below

Year	Salary
2006	
2007	
2008	
2009	
2010	
2011	
2012	
2013	

12. Please provide detail on how the number of hours you worked and how you paid your children's school fees before and after 2009.

Aspect	Before 2009	After 2009
---------------	--------------------	-------------------

Hours of work		
School fees		

13. Which benefits did you enjoy before the meltdown, were removed during the meltdown

.....

14. Which ones were restored after 2009 and what do think led to them being restored

.....

15. What was the method of payment for your salaries during the meltdown period (2007 and 2008)?

.....

16. What do you know about the functions of a Trade Union?

.....

Section D: Rights Section

17. Do you know your rights as an employee?

Yes	
No	

If yes please state some of your rights as an employee.....

.....

 18. If your answer to the above question was Yes, how do you describe the effects of the meltdown on your rights and has the union NEWUZ managed to restore or improve these rights after the meltdown? *(Please tick the most appropriate answer for each right)*

RIGHTS	Before 2009		After 2009		
	Eroded	Never eroded	Restored	Not restored	Improved
To be paid in cash /legal tender					
To be paid a living wage / above poverty datum line					
Paid on agreed time					
To get a pay slip					
To claim wages & benefits upon termination of contract					
30 days vacation leave					
12 Special leave					
Rest on public holidays					
98 days maternity leave					
To be represented in CBN					
Fair disciplinary hearings					
To strike					
To safe working environment					
To adequate protective clothing					
To join union of choice					
Annual leave					
Sick leave					
To food security					
To health					
To education					
Decent housing					
Right to reliable and affordable transport					
freedom of expression					
Freedom of assembly					
Not to be deducted pay if you are absent without a valued reason					

Deductions to salary were not in excess of 25% of salary					
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Section E: Union Performance Section

19. How do you think the union performed before during and after the economic meltdown?

.....

.....

.....

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.....

.....

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.....

.....

20. In your view has the union managed to recover your rights and conditions lost during 2006-2009?

.....

.....

.....

21. What initiatives has the union put in place after 2009 to restore or improve you rights and conditions?

1	
2	
3	
4	
5	

22. To what extent have the initiatives stated in Question (19) above been successful in providing you, as a worker, satisfactory working conditions and rights?

0	
1	
2	
3	
4	
5	

23. What other services or products does the union provide which are not employer funded?

.....
.....
.....

THANK YOU FOR YOUR COOPERATION

Appendix B; Interview Questions Guide

1. Do you know your rights and conditions as a worker?
2. What rights and conditions did ZESA workers had before the economic meltdown period?
3. How did the economic meltdown affect your rights and working conditions?
4. What has the Union done since 2009 to try and restore your Rights and Conditions?
5. Has the Union managed to restore all the lost Rights and Conditions?
6. How effective do you think Union efforts has been since 2009?
7. What challenges do you think the union is facing in the quest to restore and improve workers' rights and conditions in ZESA?
8. What improvements or new conditions have been introduced as a result of Union efforts after 2009?
9. What do you think the Union should do to improve rights and conditions protection in future?

