

Labour arbitration effectiveness in Zimbabwe: Fact or fiction?*

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Abstract

This paper is based on a research project done in the retail sector in Zimbabwe in the Bulawayo metropolitan province. The research noted that disputes between employees and employers unavoidably arise because of differing class interests. Because of the inevitability of these class disputes between labour and capital, there is need for the state to put in place labour dispute resolution mechanisms that are cost effective and also flexible in terms of procedure and speed. The Zimbabwe Labour Act (28.01), as amended, provides a framework for resolving labour disputes through arbitration. The research sought to investigate the effectiveness of the labour arbitration process in Zimbabwe. The three main criteria for evaluating effectiveness of arbitration, namely accessibility, speed and expertise, were subjected to an empirical test in the Zimbabwean context. The article concludes that the labour arbitration system in Zimbabwe is largely ineffective due to reasons of prohibitive costs, complexity of procedures and the perceived incompetence of arbitrators. The lack of transparent arbitrator appointment criteria also compromises the arbitration system in Zimbabwe. The

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