

Tripartism: reality or myth in Zimbabwe?

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Abstract

Tripartism which is an International Labour organisation (ILO) framework to promote social dialogue among labour, business and the state should culminate in sound industrial relations and the collective solving of social-economic issues in a country. In Zimbabwe, the Tripartite Negotiating Forum (TNF) which is the umbrella body driving tripartism seems to have failed since its formation in 1998, to come up with any meaningful social dialogue that should enhance a holistic approach to solving the country's socio-economic challenges. The study used unstructured interviews were used to generate data from representatives of all the three social partners. The quota sampling technique was used and the sample size was determined by the use of the data saturation technique. The major findings were that; there were almost irreconcilable differences caused by different sectoral interests and priorities, a rift created by the failure to agree on the Kadoma Declaration of 2001, boycotting of meetings at times and lack of political will by some of the partners. There was need to have national interest ahead of sectoral interests and to expedite the creation of an operational framework such as the TNF Act. The Act should be able to capacitate the coalition body to be more effective for the betterment of the economy and country at large.

Definition of key terms

- Labour relations, Myth, Reality- Social dialogue, Tripartite Negotiating Forum

BACKGROUND OF THE STUDY

Despite the Tripartite Negotiating Forum (TNF), being finally legislated in June 2019 since its formation in 1998, the coalition body has been faced by a plethora of problems and major hurdles particularly over the issue of wages as other partners accuse the government of failing to take them seriously. There has been perennial frustration over the failure by the government to consult others on policies that it puts in place which have a bearing on employers and workers. The TNF is a social dialogue platform that brings together government, business and labour to negotiate key socio-economic matters. It has been in

existence since 1998 initially as a voluntary and unlegislated chamber in which socioeconomic matters were discussed and negotiated by the partners.

The organised labour representatives are made up of the Zimbabwe Congress of Trade Unions, the Zimbabwe Federation of Trade Unions and the Apex Council and have for time immemorial expressed their displeasure with the proceedings at the Tripartite Negotiating Forum and in particular, the lack of seriousness by both government and business when it comes to the issue of addressing eroded wages and salaries crisis, hence their decision not to participate in the TNF of 17 December 2020.

According to Kuwaza (2021) labour wrote in a letter signed by all three labour unions.

"We note that the working people of Zimbabwe have suffered immensely as wages and salaries have failed to keep pace with the inflationary trends. The situation has worsened rendering it practically impossible for workers across all sectors to earn the current salaries and sustain their families or be able to go to work. In spite of this, the TNF has failed to address the matter and it is our collective position that the TNF must find a permanent solution on the issue of eroded wages and salaries."

They noted that what was more disturbing was that during the meeting of October 21, 2020, they insisted that the issue of wages and salaries be on the agenda but to their surprise it was not for the December 17 meeting. This, it said, was a clear sign that the government was not treating the issue with the urgency it deserves. Labour also said it was disappointed that although business was against indexing salaries and wages to the United States dollar and exchange rate, business itself was profiteering from indexing goods and services to the exchange rate.

Earlier in the year 2020, business disagreed with its TNF partners over having a national minimum wage by indexing a portion of the August 2018 poverty datum line which was benchmarked against the USD component to the exchange rate (Kuwaza , 2021). The largest business representative, the Employers' Confederation of Zimbabwe (Emcoz) said in its argument against the proposal.

"This approach threatens a re-dollarisation of the economy because the US dollar becomes the point of reference for all pricing, including wages. The TNF has already agreed that the economy must run with the local currency with a proviso that the authorities will commit to local currency stabilisation and contain money supply to targeted level. The ghost of the US dollar which continues to influence our pricing, including wages, needs to be exorcised from our minds if the transition to local currency is to become a reality."

Business also shot down the proposal of the TNF being involved in the collective bargaining process pointing out that the responsibility of collective bargaining lies with the national employment council (NEC) (Herald, 2021). Following a Tripartite Negotiating Forum (TNF) meeting held on April 22, 2021, where a proposal has been tabled to

facilitate a comprehensive study to establish appropriate sector wages, government stressed the need to strengthen sectoral determination of salaries and wages through National Employment Councils (NECs), as well as, maintaining the stability of the economy and the prevailing foreign currency auction system. Government reiterated that the enabling legislation TNF Act, did not empower the TNF to engage in collective bargaining in which case the platform would be reduced to a big NEC as that was tantamount to usurp powers of NECs. The TNF Act provides for negotiation while the Labour Act provides for collective bargaining in line with International Labour Organisation (ILO) conventions 98 and 154,"

Zimbabwe has failed to come up with a social dialogue platform that is necessary to improve labour relations, socio-economic issues among the three key stakeholders namely, Labour (workers/employees), Business (employers) and the Government (state). The three parties who form the Tripartite Negotiating Forum (TNF) have failed since the inception of the coalition body in 1998 to agree on critical aspects affecting the labour relations and economic issues. It appears there are sharp divisions and differences among the three parties and each of the three parties seem to be prioritising sectoral interests instead of compromising and putting national interests first (Parakokwa, 2017). Meaningful negotiations in Zimbabwe have failed to come up with a social dialogue platform that is necessary to improve labour relations among the three key stakeholders namely, Labour (workers/employees), Business (employers) and the Government (state). The Tripartite Negotiating Forum (TNF) has been in existence since 1998 as a voluntary and unlegislated chamber and its formation was largely attributable the economic woes that had manifested since the introduction of Economic Structural Adjustment Programme (ESAP) in 1990. The chamber has in the past tried in vain to address the hyperinflationary period of 2007-2008, shrinking formal employment, remuneration earnings below poverty datum line of about USD 495 as at end of July 2016 (ZIMSTATS, July 2016), lack of foreign investment, retarded progress on labour law amendments that were supposed to look at means of dealing with retrenchments, workplace security such as medical aid and insurance cover including ways to avert Zimbabwe's international image which had been tarnished in the eyes of western countries. Nothing of substance on the above issues has been accomplished to date.

As far back as 2001, the TNF partners had a major fall out in what is commonly referred as the Kadoma Declaration of 2001. The 3 parties could not reach an agreement on the causes of poor economic performance by the country (Uzhenyu and Kasuso, 2019). Government was attributing that largely to impact of imposed economic sanctions by mostly developed countries (European union member states, the United States of America, Canada and Australia and few others) . Business and labour argued that the demise of the economy was largely due to government overbudget expenditure, corruption and failure to apprehend the rule of law (lawlessness). The workshop held in Kadoma failed to have any resolutions of substance and government did not sign the declaration due to the sharp differences among the social partners (Uzhenyu and Kasuso, 2019).

The failure to have a vibrant and effective tripartite negotiating platform, has not only adversely affected employment and labour relations in Zimbabwe but on a broader scale, the ailing national economy which is affecting the ordinary worker and citizen (Fore, 2020). Attempts have previously been made to bring the three parties together and formulate some social protection and economic protocols or policies but to no avail. The two major labour bodies; the Zimbabwe Congress of Trade Unions (ZCTU) and the Zimbabwe Federation of Trade Unions (ZFTU) have different political alignments to the main political parties and have failed to speak with one voice for the good cause of workers (Uzhenyu and Kasuso, 2019). This has resulted in workers being vulnerable to exploitation as they do not have adequate social security and protection. Most big firms in Zimbabwe are multinational corporations (MNCs), with the majority being from the former colonial master, Britain. The economic sanctions imposed by Britain and other developed countries since 2000 has even exacerbated the sour relationship between the social partners in attempts to conduct social dialogue with a view to concluding binding social contracts. Such sanctions have exacerbated Zimbabwe's economic woes. It is also important to note that in 2007 and 2008, Zimbabwe set one of the ever highest inflation records in the world of around three hundred million percent. Most formal businesses struggled. The majority were actually liquidated and others downsized their operations (*Reserve Bank of Zimbabwe report, 2010*). Fashoyin (2010) felt that the TNF was more experimental as it had been designed to fail due to structural and operational challenges, as well as, irreconcilable politics (Magure, 2008)

During this hyper inflationary period, there was economic meltdown which culminated in the dollarization of the Zimbabwean economy in February 2009 under the Government of National Unity (GNU) as the Zimbabwean dollar had been constantly depreciating. A lot of small businesses mushroomed all over the country particularly in the capital city of Harare but majority of these were in the informal sector and they have since not been properly registered even up to today. According to the Financial Gazette, a weekly newspaper of 6 October 2013 edition, Zimbabwe had one of the highest informal sectors in the world constituting of about 85% employment in the country. The collapse of the Zimbabwe industry which is still struggling to resuscitate itself, has worsened unemployment rate in the country. There is no doubt among most right minded people that Zimbabwe needs a national dialogue of Zimbabweans themselves for only Zimbabweans can resolve the current situation though with the support of the international community. However, this potential dialogue is also facing leadership crisis. Although everyone recognises the need for Social dialogue in Zimbabwe at the moment, seemingly it appears no one is willing to take responsibility.

It is against this background that this researcher was motivated to look into this important area of Social Dialogue on Labour relations in Zimbabwe with a view to see effective dialogue. Such effective dialogue should contribute immensely to improve the country's economic growth and the welfare of vulnerable work groups such as those working in the informal sector or in a lot of unethical organizations which violate labour issues/matters and infringe upon workers rights.

STATEMENT OF THE PROBLEM

Tripartism in Zimbabwe which should be centred on sound social dialogue among the three social partners (TNF) has failed to improve labour relations, national productivity (GDP) and economic growth in Zimbabwe especially since 1998. There have been counter accusations among the partners and dialogue has been stalled with boycotts of meetings at times by the major labour body, Zimbabwe congress of trade unions (ZCTU). As a result of failure to dialogue, there is no holistic approach to solving Zimbabwe's economic (business) and welfare issues which is against ILO provisions (Conventions) on tripartism of which Zimbabwe is its affiliate.

Attempts by the TNF to have social dialogue platform and mechanisms to improve productivity, investment and viability of business, welfare of labour and the general economic growth of Zimbabwe has failed despite numerous efforts and attempts.

Such continued breakdown of social dialogue by the three social partners has done more harm than good by contributing to the general economic crisis that Zimbabwe is currently facing. The economic situation deterioration is affecting especially the ordinary worker despite the nation having potential to be one of Africa's economic giants as it were in the 1980s and early 1990s when the country was dubbed the "bread basket of Africa" due to its agriculture prowess. Today it is a different ball game altogether as Zimbabwe now imports even foodstuffs and really struggling to re-establish itself as a fast developing country and Africa's icon. Workers have become vulnerable due to worrying massive retrenchments, downsizing and liquidation of most business operations due to economic hardships.

RESEARCH QUESTIONS

The study was guided by the following:

- (i) How effective are the structures regarding the operations of the TNF?
- (ii) What are the major problems facing the operations of the TNF in Zimbabwe?
- (iii) What should be done to improve the TNF operations in Zimbabwe?

REVIEW OF RELATED LITERATURE

• The convergence theory

The convergence theory by (Weinberg 1969) and improved by Baum 1974) encourages the need for dialogue among different but interested parties (stakeholders) to come together in order to discuss broader issues of concern and come up with meaningful arrangements or agreements, e.g. the 3 Social partners and even Regional and international trading blocs. The Concepts that pertain to the meeting of such interested parties at country level are usually social dialogue and social contracts (Uzhenyu, 2015, Mudyawabikwa & Sambureni, 2003). The following arrangements are intended to promote tripartism.

- **The National Tripartite Social Dialogue.** This is an ILO guide for improved governance (ILO,

2013) among social partners that emphasizes on the need for engagement and dialogue among the three social partners , such as, the need for negotiation, consultation and information exchange among the different partners; collective bargaining; dispute prevention and resolution, corporate social responsibility and international framework agreements. **According to ILO, success hinges on** strong, independent workers' and employers' organizations technical capacity and access to relevant information, political will and commitment , respect for the fundamental rights of freedom of association and collective bargaining, an enabling legal and institutional framework.

- **Tripartite arrangements or approaches in Zimbabwe**

For a very long time, the approach to social dialogue in Zimbabwe has been two-pronged. There has been the National Economic Consultative Forum (NECF) under the banner of smart partnership is pursuing the broader initiatives and secondly, resolving of national socio-economic problems through negotiations pursued within the ambit of the Tripartite Negotiating Forum (TNF).

(i) Tripartite Negotiating Forum (TNF).

Until 2019, the TNF has been operating as more of a voluntary and unlegislated chamber in which socioeconomic matters were discussed and negotiated by the partners. However in 2019, the coalition body is now operating under new legislation the TNF Act Act No. 3 of 2019. The Act enables the TNF to perform functions pertaining to consultation, cooperation and negotiation on social and economic issues by the three social partners (government, organised business and organised labour) and to provide for matters connected therewith or incidental thereto.

Composition of the TNF

(a) On the part of government, the TNF usually includes the **Ministries of:** Public Service, Labour and Social Welfare (Chairperson); Finance and Economic Development, Industry and International Trade, Mines and Energy, Lands and Agriculture, Environment and Tourism, and Information and Publicity, though other Ministries can be invited depending on the issues under consideration.

(b) Business is represented by:

Employers Confederation of Zimbabwe Industries (EMCOZ) (Business coordinator and Co-chairperson); Confederation of Zimbabwe Industries (CZI); Zimbabwe National Chamber of Commerce (ZNCC); Bankers Association of Zimbabwe (BAZ); Chamber of Mines, Zimbabwe Tourism Council, Commercial Farmers Union (CFU),imbabwe Farmers Union (ZFU)

(c) **Labour organizations** that represent workers at the TNF meeting are:

The Zimbabwe Congress of Trade Unions (ZCTU) (Labour coordinator and co-chairperson), Zimbabwe Federation of Trade Unions (ZFTU) and the Apex council (representing staff associations of government workers or civil servants).

The composition of the respective members of the TNF, depends on the names submitted by the respective constituency (social partners).

(ii) **The National Economic Consultative Forum (NECF)**

The structures are almost similar to that of the TNF. Unlike the TNF where members are first selected by their constituencies, the NECF members are appointed by the State president on recommendations made up by the Ministry of Labour. Public service and social welfare. Its functions were to advise the cabinet on economic issues affecting Zimbabwe, to recommend ways in which industry could improve its production and capacity utilization, to recommend how Labour could be empowered and developed in order to meet ever changing technology and business practices. The major challenge facing NECF is that it is viewed as partisan or polarized since practically appointments may not be based on merit but on political affiliation.

METHODS

- **Research approach**

The Qualitative paradigm was used as it allows freedom of expression (Rubin & Babbie, 2014)

- **Target population**

Was made up of the Ministry of Public Service and Labour and Social Services and Ministry of Finance, Employers Confederation of Zimbabwe (EMCOZ), Civil Service Commission, ZCTU, ZFTU, Apex Council officials/representatives, Labour experts.

- **Sample size and sampling technique**

The non-random quota sampling technique was used to cover the different departments or units and number was determined by the data saturation technique (Kennedy, 2009; Leedy & Omrod, 2015)

- **Instruments**

An unstructured interview guide was used and that allowed respondents to freely express their views for data generation (, Kennedy, 2009; Khothari, 2014).

- **Data analysis and interpretation**

Results were analysed using the content analysis method which involved the categorization of data, classification, summarization and coding (Cresswell, 2014).

- **Research Ethics**

These were observed and included informed consent, confidentiality, honesty and integrity, verification of statements and trustworthiness during data collection preparation, data generation, presentation and analysis (Porter, 2014).

RESEARCH FINDINGS

The following findings/results have been collated and synthesized based on the research questions.

(i) **No meaningful dialogue due to different interests among the three parties**

No meaningful dialogue was taking place due to different sectoral interests among the 3 parties.

Workers' interests were, the need to secure decent wages\salaries, improved fringe benefits, observance of labour rights., safe working environment, social protection, empowerment through improved welfare, involvement and participation, power to influence outcomes (decisions), freedom of association e.g. joining freely a workers committee or trade union.

Employers' Interests were; profit making and to ensure mechanisms to maintain a manageable wage/salary bill, productivity and business expansion, tranquility at workplace, prerogative to have final say or determination (powers), increasing shareholders wealth; business survival and continuity. The fact that employers want to maximize profits, they would obviously be interested in reducing expenditure e.g. by paying low wages and calling for government to reduce taxes or by even evading taxation.

Government Interests were; need for economic growth, increased aggregate production, luring foreign investors preferably through smart partnerships, economic empowerment of indigenous people to own their national heritage, industrial harmony, revenue generation e.g. from taxes (company, sales and income/individual etc). The fact that government would want more tax revenue ,contradicted with the expectations of the other two parties namely, employers and workers who actually want taxes to be reduced.

- (ii) Imposition by the government on certain issues without concurrence or even participation of the other two parties e.g. the current economic blueprint programme Zimbabwe agenda for sustainable social and economic transformation (ZIMASSET, 2013-2018) launched in 2013 by the government. Labour Amendment Act No 5, 2015. Other areas which lacked consultation of other parties were the crafting of the Indigenisation policy, introduction of Multicurrency system and Bond notes
- (iii) Poor economic performance in an environment under political siege especially from Western countries (European Union, USA, Australia etc) who imposed economic sanctions which have affected economic performance and growth of the country on sharp differences over land redistribution as well as allegations of lack of democracy, lawlessness, corruption, poor corporate governance and deterrent laws to freedom of expression e.g. Public Order Security Act (POSA) and Access to Information and Protection to Privacy Act (AIPPA) both of 2002.
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- (iv) There was mistrust among the parties e.g. The majority of TNF felt uncomfortable with the creation of the NECF which they viewed as pro-government and counter attractive.
- (v) Negotiating in bad faith particularly by government.
- (vi) Boycotting meetings especially by the major labour representative body, that is ZCTU.
- (vii) Lack of political will.
- (viii) Reneging by government on previously agreed positions e.g. Kadoma declaration of 2001 for which government did not sign the document.
- (ix) Liquidity crunch due to cash shortages and few exports as a result of underperforming industry.
- (x) Job losses as a result of company closures and retrenchments. The retrenchments increased after the Supreme court ruling e.g. 15 July 2015 which gave companies prerogative to dismiss employees by giving 3 months notice. The willy-nilly retrenchment culminated in over 25 000 being retrenched as at end of August 2015. The Supreme court ruling was seen by workers as government not protecting them which further strained their relationship.
- (xi) The Labour Amendment Act No. 5 of 2015, which was fast tracked in parliament to be a deterrent to employers who were retrenching workers by asking employers to pay terminal benefits in retrospect was immediately challenged by employers who said they had no capacity to pay the retrenchment benefits (2 weeks salary for each year served and yet workers considered that as peanuts)
- (xii) Closure of companies and numerous retrenchment cases have led to a weakened tax base for government which probably explains the continued shift in pay dates for civil servants, a development that has seen government struggling to pay salaries and other benefits to its employees.
- (xiii) Economic sabotage according to government coming from unjustified politically motivated work stay-always and protests.
- (xiv) International isolation (economic sanctions resulting in no foreign aid and credit lines to the Zimbabwe government and a number of industries particularly state enterprises)
- (xv) liquidity crunch exacerbated by cash shortage and low revenue inflows due to collapsing industry,

externalisation of forex and massive corruption especially by senior government officials.

CONCLUSION

Despite the formulation of a legal operational framework, the TNF Act in 2019, there still some sharp differences among the key three social partners. These differences have culminated in lots of boycotting of meetings at times and lack of political will by some of the partners. There were sectoral interests first instead of putting national interests ahead. Prevailing economic hardships also affected the TNF operations as the Social partners had different views on the solutions to avert or ameliorate the crisis.

VI RECOMMENDATIONS

- (i) Labour laws amendments are needed especially to deal with retrenchments and subsequent benefits. Focus should not only be on the retrenchment process itself, but the period before and after the exercise. This should help to cushion the lives of all those retrenched
 - (ii) Need by the government to spearhead implementation of ILO Conventions such as ILO Numbers 87, 98, 151 and 154 that promote right to organise, freedom of association and empowering government workers to be also involved in collective bargaining
 - (iii) Political tolerance and social cohesion for the sake of national development. Acceptance of different views and opinions should be accepted.
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- (iv) There was need to have attitude and behaviour change (paradigm shift) so that all parties prioritized national interests ahead of sectoral interests. There was urgent need for political will in order to create a spirit of togetherness and team work. This could be possible if there was the establishment of a Social Dialogue culture and cultivation of a Social Dialogue mindset
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- (v) Need to streamline the roles of each social partner for synodality;
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Labour should:

- Be driven by a clear understanding that only through productivity enhancing measures and commitment to excellence in the provision of goods and services, can they guarantee workers good salaries, wages, employment and job security;
- Adopt less conflicting labour relations;
- Assist in building the capacity of workers.

Private sector should:

- Encourage managers to employ progressive business practices;
 - Assist in the building the capacity of workers in line with the new concept of social capital;
 - Place productivity and quality through Smart Partnership at the apex of organizational endeavor;
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- Maintain core standards at the work place in line with the Declaration on Fundamental Principles and Rights at Work.

Government should:

- Create an enabling environment.
- Pursue policies essential to success even in the global economy.
- Have political will.
- Overcome its differences with others in order to work towards a common goal.
- Have a common understanding of the problems among all senior government officials like Ministers in order to have a holistic approach to addressing the problems.
- Have access to information and have the technical capacity to interpret and analyze the information to make it more relevant to the social and economic demands of Zimbabwe.
- Have full commitment to dialogue by making broader consultations.

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