

# The Influence of Trade Unions on Promoting Industrial Relations in Zimbabwe

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**ABSTRACT:** The roles of trade unions in promoting industrial relations. The study aimed at establishing the roles of trade unions in industrial relations, to identify the challenges hindering the performance of the trade unions in industrial relations, to explore the extent to which the ZCTU is achieving its desired goals in industrial relations and find ways of improving the performance of trade unions in industrial relations in Zimbabwe in the COVID 19 era. Trade unions play important roles in industrial relations which include influencing government policy, collective bargaining, and representation, educating members, minimizing discrimination, and promoting industrial harmony. Empirical studies were done in Britain, Romania, Nigeria, Botswana, and locally showed that trade unions represent workers at the grassroots level, bargain for the interest of the workers, and ensure that there is a good relationship between workers and employees. The study revealed that the effectiveness of the ZCTU in Zimbabwe is being hampered by the economic crisis, loss of membership, restrictive labor legislation, victimization of activists, and political interference. Trade unions are important actors in industrial relations as they improve the working conditions of the employees but in developing countries, their operations are being curtailed by globalization changes and the economic crisis. The study recommends that the trade unions need to adapt to the changing environment, promote human rights and democracy, training officers and activists, form strategic partnerships and social alliances, intensive recruitment and training, and participating in job creation.

## I. Trade Unionism

Historically it was the speedy industrial changes in Britain, starting in about 1760, which created conditions in which trade unions began to grow (Feather, 1963). Trade unions also emerged as a result of industrialization in Europe where rapid industrial society was taking place (Schillinger, 2005). In the 1820s and 30s, a national general union was set up and it enrolled 150 unions and membership rose to between 10 000 and 20 000 individuals, and trade unions were legalized in 1872. Nationwide during the 1850s and 1872, there was the growth of trade unions in other industrializing

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countries especially the United States, German, and also in France. In France, labor organizations were illegal until 1884. Trade unions later spread to Belgium, Canada, Mexico, India, Japan, Australia, and Costa Rica.

### **Trade Unionism in Africa and Other Developing Countries**

Trade unions came to Africa after the phase of 1945 and it was supported by colonialism because the saw is a means of maintaining peace and stability at the workplace and beyond (Schillinger, 2005). The conditions of work and living standards were very poor because men and women slaved being given meager wages and children under age toiled alongside their parents for long hours to earn a living (Feather, 1963). Paradoxically national independence led to the loss of independence of trade unions (Schillinger, 2005). The new regimes exploited trade unionism (Schillinger, 2005). In Zambia there was the Zambia Congress of Trade Union (ZCTU), in Nigeria there was the Nigeria Labour Congress, in Zimbabwe there was the ZCTU and in Ghana, there was the Ghana Trade Union Congress (GTUC). The coming of Structural Adjustment Programs in Africa affected the trade unions' operations as many workers lost their jobs as a result of retrenchments and privatization of state-owned companies. In countries such as Congo-Brazzaville, Niger, or Mali, trade unions declared their independence from the ruling single parties and played an important role in the transition to multi-party democracy (Schillinger, 2005).

### **Trade Unionism in Zimbabwe**

The first form of trade unionism in The Southern Rhodesia trade union was formed from 1916 with white workers in the mines and railways sectors. These trade unions were divided based on racist ideology and self-interest, black and white workers trade unions (Bhebe and Mahapa 2014). Pre-independence unions were largely controlled by the whites representing and worked to preserve the economic privilege of white workers over the black majority. According to Robin (1979), 18 000 black workers died from accidents and diseases because there was a lack of adequate change house facilities and poor working conditions in the mines. After independence, the new government favored the creation of a new umbrella organization and this led to the creation of the ZCTU (Henk, 1995). 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 government played a pivotal role in the formation of ZCTU in 1981 through the merger of six trade unions because it wanted to create a labor relations regulatory framework. It was established by the ruling ZANU- PF to reduce industrial disputation and the Minister of Labour ensured the election of leaders loyal to the party (Henk, 1995). At its inaugural congress in 1981, the ZCTU elected Alfred Makwarimba as its president and the late Albert Mugabe as Secretary-General.

### **Importance of Trade Unions**

Trade unions emerged as a result of their efforts to protect worker's rights and workers were being more aware of their rights in many areas of their life such as the right to bargain, organize, the right to negotiate in the conditions of employment. Trade unions have become an important instrument in the improvement of the workers' quality of life due to the establishment of various conditions of service such as general improvement of working conditions, minimum wages, and norms for mandatory work hours, provisions for health and safety (Rao 2010). A trade union is a permanent form of workers therefore there is an emphasis on collective bargaining and coordinated efforts and it is formed to protect worker's interests such as economic, political, and social interests with economic interest taking a centre stage. Group effort and collective action are core in the achievement of trade unions' objectives. Workers join trade unions to get greater bargaining power and a sense of job security because a worker cannot bargain as an individual. Trade Union membership helps safeguard its member's job security, as a union is there to campaign on behalf of its members, Trade Union ensures that health and safety regulation exist in an organization.

### **Constraints**

There is great confusion today about the purpose of trade unions. According to (Flanders, 1970) unions in the future will have a drastically reduced function in the industrial system and will retreat more or less permanently into the shadows. The role of trade unions has shifted from a representation of worker's interest in being the vehicles for political action and coupled up with challenges the trade unions are no longer giving a top-notch performance. Trade unionism has been infiltrated by politicians for their benefit and as a result leader of trade unions are affiliated to a political party and as a result, the leaders of trade unions to the lines of their political party than protecting workers' interests (Tarugarira, 2011).

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Restrictive labor laws have also jeopardized the performance of trade unions such as POSA, AIPPA and Zuva Petroleum judgment which allowed termination of employment contracts on notice as prescribed by the Labour Act Chapter 28:01 leading to a mass termination of contracts over 30000 employees lost their jobs and the implications to their general standard of living were unbearable and trade unions did not play an important to avert the situation as trade union leaders were also affected. The judgment led to Labour Amendment No 5 of 2015 which also further severely curtailed the operations of trade unions. This affects attitudes to their future and what should be their legal and social rights and obligations in present-day society, as well as their own decisions on policy and organization (Flanders, 1970). A severe economic hardship that results in poor financial basis and massive retrenchments is narrowing membership of trade unions whose strength is determined by the size of its membership. Despite the presence of trade unions in Zimbabwe, relations between employers and employees are strained and this is evidenced by continuous strikes as in mid-April (2018) 16,000 nurses were fired by the Zimbabwean government following a multi-day walkout over unpaid wages (Dzirutwe, 2018). This has affected workers as many have lost their jobs and also their families lost their source of income, some even becoming homeless after being unable to pay rent.

### **Role of Trade Unions in Industrial Relations**

According to the International Labour Organization (2015), trade unions understand the labor challenges in their country and they have practical ideas for overcoming them, which makes them natural stakeholders in employment policy-making. Trade unions are the only vehicle where workers' interests can be channeled better than any other means. Salamon (2000) and Maimunah (2007) argue that there are three main reasons why people join trade unions and these are economic regulations, protection of rights, and social needs. Workers who are ill-informed about their rights, without the unions they will remain exploited because a trade union is a body where workers can turn to and informed about their rights better, it speaks on their behalf, advice and represent them in court (Taylor, 1994). Trade unions play an important role in representing workers and this is supported by International Labour Organization Conventions 87 and 98 which recognize freedom of association and workers' rights to organize and to bargain freely.

### **Collective Bargaining**

The main duty of the Unions is to bargain collectively ensuring workers are rewarded properly, furthermore, the unions are also charged with the task to prevent disputes between the two parties who have to bargain in good faith and disclose all relevant information to each other. According to the Labour Act Chapter 28:01; workers have the right to collective bargaining and to be provided with a collective bargaining agreement at the workplace. Workers also have the right to engage in a collective job action provided proper procedures are followed hence the role of trade unions. The collective alternative is to individual bargaining or the methods used by trade unions to further their basic purpose of maintaining or improving the conditions of their members working lives (Doellgast and Benassi, 2014). It is important to note that bargaining can take various forms such as individual companies and trade unions or employers' associations and union federations (Doellgast and Benassi, 2014).

### **Actors in the Labour Market**

Trade unions play a vital role in the labor market (Taylor, 2013). The term "actors" in industrial relations gained currency in John Dunlop's *Industrial Relations Systems* (1958). Dunlop (1958) proposed that three parties' employers, labor unions, and government are the key actors in a modern industrial relations system. Dunlop (1958) also argued that none of these institutions could act autonomously or independently. Instead, they were shaped, at least to some extent, by their market, technological, and political contexts (Kochan, 2003).

### **Protection of Workers' Rights and Economic Defense Organ**

Workers' rights are human and legal concerned with the employment relationship between employers and employees between workers and their employers, these include the right to be a member of a trade union. Trade unions play a vital role in giving their members information about their rights in the employment relationship. Schillinger (2008) asserted that trade unions play an important role in protecting their members' rights and conditions of employment. Trade unions are the basic economic defense organs of the working class. The individual worker is too atomized and powerless to counter-balance the concentrated power of the employer who controls the means of livelihood (Gwisai, 2006:327). Trade unions minimize the power of the employer on the suppression of worker's rights and mobilize the collective power of workers to gain better working conditions and counter unilateral control of the workplace by the

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employer (Gwisai, 2006). Trade unions also serve to reduce potential strife between employers and employees, between government and employees. When employees are disgruntled they turn to government, they blame the government for their woes because the government on tripartite negotiating forum it acts as a regulator and referee.

### **Protect Social Needs of Workers**

Trade unions also create a platform where workers can socialize, develop self-esteem, and companionship. There is solidarity in trade unionism as reflected in union slogans such as "an injury to is an injury to all" and "all in, all-out" (Gwisai, 2006). Ashwin and Clarkes (2002) argue that trade unions in countries like Russia they negotiate on working conditions and general rights for the workers. One of the trade union's main aims is to the protection of members' interests at the workplace is a core function of trade unions.

### **Political Change**

Trade unions act as a platform where workers learn to work collectively, develop political consciousness, and learning on how to organize. Unionism has played a significant role in democracies in different countries as South Africa with the Congress of South Africa Trade Unions (COSATU), the Movement for Democratic Change (MDC) formation in 1999 backed by the Zimbabwe Congress of Trade Union (ZCTU) herald a different era of the employer-employee relationship. The government accused the ZCTU of violating its constitution for opposition politics (Tarugarira, 2011). The association of trade unions with political parties started in the early years of the rise of African nationalism. It is the abuse of workers by colonial employers that led to the formation of trade unions by workers leading to the formation of nationalist parties. Bhorat and Naidoo (2014) argued that trade unions have an important role in changing labor laws. Trade unions are instruments of change in the socio-political system so that workers may have their government and prevent their exploitation by the employers.

### **Challenges faced by Trade Unions**

The challenges trade union face worldwide is closely related to the political, social, and economic environments (Anyango et al, 2013).

### **Severe Economic Hardships**

The Economic Structural Adjustment Programme (ESAP) was associated with the closure of companies coupled with massive retrenchments of workers. The Zimbabwe Programme for Economic and Social Transformation (ZIMPREST) followed and there was not much improvement from the later program. By 2005, unemployment had reached 80% and inflation was over 500%. The standard of living of workers continued to decline (Tarugurira, 2011). The economic decline continued up to 2008 which saw the total collapse of the economy coupled with the abandonment of local currency and high inflation. Currently, unemployment is over 90% and most of the workers are in the informal sectors and this has grossly affected trade unions.

The closure of companies has led to the decline of trade union density and their influence and a collective force that can counter the employer's unilateral control of the workplace, 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 (ZIM ASSET), these were good programs which were not backed with clear cut implementation strategies. Effective strategies should be backed by resources and support of the implementers which was one of the weaknesses of these programs which affected their success. Lack of stakeholder involvement, participation, and dialogue marred the success of these programs. .

### **Restrictive Labor Legislation**

Restrictive legislation has affected trade unions' density most workers perceived trade unions as incapacitated as a result of withdrawing their membership. The Public Order and Security Act (POSA), more appropriately a reincarnation of the notorious colonial Law and Order Maintenance Act (LOMA), severely curtailed the operations of trade unions in that it became practically impossible to either organize meetings or embark on collective job action (Tarugurira, 2011). Although Section 24 of POSA exempted trade unions from seeking permission to hold meetings, this Act was

erroneously applied by the police to disrupt trade union meetings. The ability of the ZCTU to mobilize was crippled, for none of the unions had to be found operating above the law with impunity.

Access to Information and Protection of Privacy Act (AIPPA) had a more damaging effect on the ZCTU than the ZFTU. The closure of *The Daily News* and *The Tribune* independent papers under the Associated Newspapers of Zimbabwe (ANZ) within the framework of AIPPA blocked a reliable conduit of information to the ZCTU membership, given the tendency of the state media to bloat any information deemed unfavorable to the government. The Registrar of trade unions can refuse to register a trade union, for instance, if its accounts are not being kept per the Act (Tarugurira, 2011). The use of violence has also affected the operations of trade unions in representing workers. Trade unionists have been arrested and jailed without trial, some have been detained for months or years and some have been shot cold blood (Jazdowska, 2001).

### **Weak Financial and Organizational Resources**

Trade unions have been embroiled in poor administration such as mismanagement of funds leaders enjoying lavish life such as paying themselves high salaries and driving posh cars using membership contributions and they have affected the credibility and functions of trade unions (Saunders, 2001). Furthermore, the economic hardships which affected membership density also led to subscriptions decline therefore affecting the operations of trade unions. Workers did not see the logic of paying subscriptions while their salaries were being eroded. This also affected the outreach programs of trade unions which were meant to recruit more members (Tarugurira, 2011). Currently, the country is facing economic challenges coupled with high inflation, low productivity, high unemployment as a result of the poor performing economy have grossly affected trade unions' performance.

### **Politicization**

The participation of trade unions in politics at the expense of worker representation has become a major challenge of trade unions. The environment has become so political to the extent that institutions clearly show their political affiliation even some churches let alone trade unions. Trade union shows their political affiliations and there are more concerned about fulfilling the interests of their leaders in politics at the expense of the interests of workers (Schillinger, 2005). The issue of trade unions pursuing political goals at the expense of the interests of workers is now a common phenomenon (Raftopoulos and Sachikonye, 2003). The government has viewed trade unions who represent workers' interests from a labor militancy perspective as a threat to national stability and as pursuing regime change agenda. Strikes organized by trade unions have been viewed from a political perspective however, Henk (1995) argued that the trade unions have shifted from a direct vindication of the interest workers to be the vehicles for political action organized labor in a populist alliance. The story of the post-independence period is enthralled with some ineffective unions that were absorbed by the employer and they condemned strikes as counter-revolutionary. Labor militancy was construed as a threat to nationalism and the gains of the nationalist struggle, much to the detriment of workers. The government expected trade unions to operate within the parameters of its socialist objectives. At the 1985 Congress, the ZCTU president bemoaned how the role of the union, as a mediator for workers, had been hijacked by the government (Tarugurira, 2011).

### **Loss of Membership**

The decline of membership density in trade unions has been a cause of concern to the smooth function of trade unions. Tarugurira (2011) the economic challenges in Zimbabwe such as unemployment, hyperinflation coupled with a weak currency and other political challenges and natural disasters such as Cyclone Idai and COVID 19 have reduced the size of trade union membership there affecting its financial base collective bargaining position whose forte is based on the size of membership. The massive exodus of skilled professionals to greener pastures in countries like Namibia South Africa, Botswana, and other overseas countries have negatively affected trade union density. The International Labour Organization statistics indicate that by June 2005, three to four million Zimbabweans earned their living through informal sector employment while the formal sector employed one million three hundred thousand workers. A booming informal sector against a shrinking formal sector slashed the membership base of trade unions. The other cause is the current privatization of state-owned enterprises (Tarugurira, 2011).

### **Natural disasters such as COVID 19**

The emergence of COVID 19 virus across the world has affected the economies in all the countries in the world. The virus originated from the Chinese city of Wuhan and has spread in every country in the world like veld fire with South Africa being in the top five affected countries in the world. Almost every country has imposed lockdown measures to reduce the spread of the disease but this has adversely affected the economies, therefore adversely affecting the employees. Trade unions have raised alarm over conditions of service of employees in the COVID 19 era but the circumstances associated with the pandemic do not allow trade unions to function properly under lockdown regulations it is an offense to organize a strike under what circumstance. The Zimbabwean government cushioned the civil servants without consulting the trade unions making trade unions powerless.

### **The Extent to which Trade Unions are achieving their goals in Industrial Relations.**

Trade unions are effective when they meet the expectations of their members (Boxall and Haynes, 1997). A union that understands workers' needs, but cannot shift employer behavior is ineffective (Boxall and Haynes, 1997). Bryson (2003) argued that effective trade unions should produce tangible positive results for their members such as general genuine representation in areas such as job security, better salaries, and wages, protection against unilateral control of the workplace by the employer. Trade unions have made various achievements in representing workers.

### **Achieved Democracy and Independence**

Trade unions in Africa have played an important role in the democratization process (Maree, 2012). The characteristics in major parts of Africa differ from elsewhere. In Sub-Saharan Africa, trade unions have been effective in fighting for democracy and the independence of African states from colonialism. Movement for Democratic Change (MDC), in 1999 gained political with its leader Morgan Tsvangirai a former trade union leader. (LEDRIZ, 2012). The year 2008 saw a violent election campaign and the economy had collapsed pressure from the international community led to power-sharing with the opposition party MDC (LEDRIZ, 2012). Morgan Tsvangirai was sworn in as prime minister and the parties agree to share power and produce a new constitution. This is one of the major achievements of ZCTU in bringing a democratic change in Zimbabwe.

### **Improved Wages**

The minimum wages received by certain employees within a particular industry has also been an important concept in trade unionism especially in Zimbabwe and this is one of ZCTUs achievement over the years. Collective bargaining is an important tool for determining salaries and wages to be paid to employees through trade unions representatives

### **Improvement of Workers Conditions**

The relationship between ZCTU and the government of that day was paternalistic, with the government claiming to protect workers' rights, gazetting minimum wage (Dansereau 2003). Reward systems are in different categories, individual and team performance, monetary or non-monetary. The ZCTU bargained for improvement of workers conditions bringing about more 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. The maximum regular working hours in most countries are eight hours a day and 40 hours a week and the agreed working time in a week in the collective agreement is 37.5 hours per week. Trade unions in Zimbabwe had to bargain for normal working hours as workers had to work for over 16 hours a day. Overtime work is restricted and an increment in salary must be paid for the overtime. Employers terminating the employment relationship without proper notice is deemed to pay the employee full pay for the notice period

### **Social Needs Protection**

Employees can ask for assistance from Trade Unions to protect them from unilateral decisions by employers such as termination of employment by an employer without proper procedures, sometimes these issues spill in courts. According to Kanyenze, Kondo, Chitambara, and Martens (2011), there is a distorted form of protection of social needs that have usually seen the concerned stakeholders advocate only for those situations and conditions which favor workers, mostly at the expense of the common good or goals. ZCTU has tried over the years to protect the social needs

of workers and this has been evidenced by confronting the government on the soaring of prices of basic commodities (ZCTU, 2018). The increased socio-economic problems and their diverse nature have created a great urgency for sound social protection (Chambati and Magaramombe, 2008).

### **Minimized Discrimination**

The relationship or association between workers and their employees is critical in upholding the rights and working conditions of the workers described above. Discrimination has, however, become common nowadays for workers to be receiving unlawful treatments at their workplaces. Negative issues such as worker discrimination and harassment are evident in increased denial of workers due to wages, the continued provision of unsafe conditions in which to work as well as the unlawful termination of employment contracts are minimized by trade unions. The ZCTU has successfully addressed the issue of discrimination in the workplace and now there is minimized discrimination in the workplace although 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, et al, 2015).

### **Termination of Employment**

Termination of an employment agreement is an interesting concept in trade unionism. Through providing guidelines and advocacy on how employees should be dismissed, trade unionists can address the unfair or improper dismissal of employees. 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, 2003). The Supreme Court ruling of 27 July 2015 of the Zuva case in Zimbabwe, resulted in employee's contracts to be terminated without being given the packages provided they were given a three months' notice. This ruling resulted in many workers losing their jobs and the Labour Act Chapter 28:01 was then amended. ZCTU, in response to this scenario, vouched that companies which had retrenched workers should honor their obligations to pay packages as prescribed by the Labour Act Amendment No 5 of 2015. This was a success as workers had been losing jobs without packages.

### **Lessons learned from Performance Trade Unions in Industrial Relations in Zimbabwe**

Trade unions understand the labor challenges in their country and they have practical ideas for overcoming them. Unions are central advocates for the promotion of decent employment that makes them natural stakeholders in employment policy-making. No one speaks better for workers than their unions. Trade unions have gained experience and broadened the perspective of governments in many countries, by taking part in poverty reduction strategies and ensuring that they include issues such as decent work (D'Art and Turne 2011) their input on national employment policy is even more crucial.

### **Broadening their Activities**

According to Tarugurira (2011), trade unions deal daily with a whole range of traditional issues, such as wages, pensions, benefits, collective bargaining, health and safety, working conditions and many other things, with an increasingly complex employment reality to address, they will have to extend their areas of intervention and social dialogue to wider socio-economic policies. Widening the agenda means moving from activities centered only on labor institutions towards an understanding of employment issues in a larger economic context. Trade unions have to re-think and diversify their means of intervention. In countries that have a forum bringing together all national employment policy stakeholders, trade unions should be as active as possible (Tarugurira, 2011).

### **Building Alliances with other Stakeholders**

Addressing employment challenges involves so many policy areas that the only way to tackle them is through the broadest possible partnerships and coalitions (ILO, 2015). Given the limited resources of individual unions, forming networks with social and economic actors at the national level can be very effective. Strategic networking with like-minded organizations helps to ensure places (and voices) at the various tables. Trade unions also need to ensure that women, youth, and informal workers are well represented and their voices heard in the process of developing a national employment policy. They will also need to build a membership base that understands the issues as well as coalitions

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that can help to influence the public debate (Tarugurira, 2011). Establishing partnerships with universities and research institutions is another good way.

### Alignment with National planning processes

National development frameworks are the place where national priorities are defined (Schillinger, 2005). A national development framework is a country's overall plan that sets out its priorities for development over some time. Trade union timing should be coordinated with the timing of the national development framework's formulation and revision schedule (ILO, 2015). There should be policy coherence in terms of objectives, targets, and monitoring indicators. The leading actors should closely collaborate and this close alignment creates a strategic space. Technical working groups follow specific areas, such as the private sector, health, and education (ILO, 2015).

### Raise Membership

Trade unions should make efforts to raise their declining membership base in the informal sector (ILO, 2015). There is a need to recruit those in the informal sector to counter the decrease in membership of the trade union. This will assist trade unions with their numbers as well as their financial capacity and for the trade union to be effective in areas of organization and negotiation there is a need for training of activists and officers to ensure good working conditions of the employees. The ZCTU needs to make the education of members one of its priorities concerns and should actively promote training which will lead to a continued skilling of the workforce to be able to respond to the flexibility of the labor market.

### Conclusion

The Industrial Relations developments in Zimbabwe since 1890 in the colonial era has not been a pleasant story to tell sound and free democratic employer-employee relations. The repressive labor regime has been a common phenomenon pre and post-colonial political economy. The regulations of trade unions have not been genuine in the first place the objective was to try and neutralize the revolutionary potential by granting union leadership privileges which makes them social partners with the employer. Bourgeois law aims to integrate trade unions in the state and render them harmless by instituting restrictive measures that weaken trade unions and blacklisting known activists. There has been a common phenomenon where human resources departments have been made so sophisticated to the extent that attractions of union membership become difficult. Union membership in Zimbabwe increased continuously throughout the 1980s and 1990s. Some thought that this signaled the emergence of a strong labor movement. Later union membership declined drastically due to several reasons cited above. The emergency of COVID 19 seems to have put the final nail on trade unions and weakening further the already ailing trade unions in Zimbabwe

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