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Is strike a collective bargaining enabler

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Introduction

- **Collective bargaining has a great potential for minimizing conflict and redressing confrontational attitude and acrimony inherently associated with employment relations, thereby promoting industrial peace and ultimately economic growth.**
- **Strike is the collective, organized, cessation or slowdown of work by employees to force acceptance of their demands by the employer (Sibanda, 2019).**
- **Collective bargaining is the process whereby organised group of employees and employers seek to reconcile conflicting desires through mutually accommodating each other (Fergus, 2018).**
- **Collective bargaining is therefore a process of demand and concession that has the objective of reaching mutual agreements.**
- **Collective bargaining assumes that both parties to the employment relationship are willing to hear each other out and take into account the presentations made by each party.**
- **Collective bargaining is therefore paramount to the workforce right to strike as the right to collectively bargain is bound to the right to strike.**



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- **The constitution of Zimbabwe is the supreme law of the land and it acknowledges workforce right to strike, in Section 65 (3).**
- **It states that 'except for members of the security service', every employee has the right to participate in collective job action,**
- **It further states that the law may restrict the exercise of this right in order to maintain essential services'**
- **This means that if the constitution provides for the right to strike, any law which purport to prohibit the right would be void.**
- **In 2016, English Drs staged their first strike in 40 years, forcing the government to reform pay & the conditions of services**
- **While in 2018, Zimbabwean Drs embarked on a strike, over sub-standard working conditions that included working conditions, low salaries and shortages of basic medicines and equipment**



Problem statement

- **It has been noted with great concern, that the public service employees are disgruntled over their salaries eroded by the hyper-inflation gripping Zimbabwe in the new dispensation era.**
- **Public service workforce argue that their salaries are almost worthless as they demanded salaries in US dollars as stipulated in their contract of employment.**
- **In the recent years the doctors and nurses have embarked strike over sub-standard working conditions that included poor working conditions, low salaries and shortages of basic medicines and equipment (Newsday, Feb 2022).**
- **Sibanda (2019) postulated that most of these issues faced by public service employees had been outstanding for a long time and could be related to poor performance in the public sector.**
- **The researcher seeks to interrogate whether the only way for employees to have their voices heard is through acting collectively.**
- **To act collectively, they may resort to strike action, hence the researcher seeks to interrogate the question as to is the strike a collective bargaining enabler in the public sector.**

Objectives

- **To identify the causes of strike in public service workforce in Zimbabwe**
- **To find out the instruments that necessitate collective bargaining on essential services in Zimbabwe**
- **To explore the measures that can be put in place to curb strike actions among the Zimbabwean public sector workforce**

Methodology

- **The study was done through the lens of an interpretivist Paradigm.**
- **A case study research design was used.**
- **Purposive sampling technique was employed.**
- **Sample size of 24 participants was drawn from fire employees, lecturers, nurses and doctors in Zimbabwe, using the point of saturation.**
- **Primary data was collected using focus group interviews.**
- **Collected data was analyzed through thematic analysis**

Findings

Objective 1 To identify the causes of strike in public service workforce in Zimbabwe

- poor working conditions
- the demand for salary and wage increment
- the mismanagement of the economy exhibited by hyperinflation,
- lack of trust and government failure to fulfil the promises and agreement

Objective 2 To find out the tools that necessitate collective bargaining on essential services in Zimbabwe

- Economic strikes –
- Sympathy strike
- Ultimatum
- Lockouts
- Wildcat strike
- Rotating strikes
- Sit down strikes

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Objective 3 To explore the measures that can be put in place to curb strike actions among the Zimbabwean public sector workforce

- **Payment of adequate wages and salaries**
- **Improvement in working conditions of employees**
- **Collective bargaining or collective agreements**
- **Proper management of the economy by the government**

Conclusions

Strike is only a collective bargaining enabler when the skills involved are critical and scarce such that the holder of the skill thereof wields more power.

- **But the same cannot be said in the case where the skill can easily be replaced.**
- **For those with non-critical skills strike action could result in dismissal while it forces the other party to the negotiating table if the skill is critical as was the case of junior doctors in Zimbabwe.**
- **Strike is a collective bargaining enabler only when it is a protected strike.**
- **A protected strike is the one that complies with the requirements in the Labour Act Chapter 28:01, where the subject matter of the strike is legitimate and procedural requirements are compiled prior to the commencement of strike.**

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In essence, if a strike is protected no adverse consequences may result for employees who participate in protected strike action thereby leading to collective bargaining action (Frankel, 2006).

- **In the Zimbabwe's case doctors embarked on strike due to the fact that the Zimbabwe Hospital Doctors Association (ZDHA) was backing them up and the union density was high because the members of Zimbabwe Government Radiographer Association (ZiGARA), also engaged in industrial action.**
- **Trade union bargaining power enhances strike as a collective bargaining enabler.**

RECOMMENDATIONS AND AREAS OF FURTHER RESEARCH



Recommendations

- From the findings of the study, the researcher identified that all the challenges faced by the nation, some of which are the causes strike stem from corruption and mismanagement of the economy.
- In that essence, on the part of the government proper management of the economy would curb all the work-related challenges that drive workplace unrest.
- Proper management of the nation's resources in a way that reduces corruption and greediness among the few ruling elites would be paramount in resuscitating the economy.

Areas of further research

- Future research should consider replicating the same study in a different industry.
- There is need also to do a similar study on different economic conditions.
- Future research may consider using longitudinal design to examine the same topic.



Thank you