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SUB-THEME 5: SOCIAL SECURITY AND PROTECTION IN AFRICA

Rife of casualisation of labour in the Agricultural Sector a retrogressive practice to employment security in Africa: The Zimbabwe experience

Abstract

There is great concern about the ever-rising casualisation of labour in the agricultural sector in Africa particularly in Zimbabwe. The study was largely qualitative and used unstructured interviews and focus group discussions. Quota sampling technique was used to accommodate all key stakeholders. Major findings were that; casualization of labour leads to poor working conditions, job insecurity, extended working hours, underpayment of wages and non-provision of employment benefits that usually accrue to permanent employees. It is a form of exploitation and casual workers are not accorded the same protection as permanent employees even though they often work under the same conditions. Employers found casualization of labour as a cheaper and affordable strategy to avoid paying market related wages and fringe benefits. There is need to enforce labour laws in order to accommodate basic fundamental rights and fair labour standards towards casualization of labour to enhance social security and protection (148 words).

Key Words: *Agricultural sector, Casualisation of labour, Retrogressive, Employment security, Labour laws*

1. Background of the study

Casual work has always existed for particular jobs, especially jobs that are routine in nature. This issue of casualisation of labour is prevalent across the world (Fashoyin, 2000). It also covers persons that are unskilled and those with low educational qualifications. This study sought to analyze the effect of casualization of labour on issues related to the contract of employment and conditions of service in the agricultural sector in Zimbabwe. Makwavarara (2004) notes that in the past, casual work was required for seasonal work or work that arises periodically and continues for a relatively short period of time. However, casualization of labour is recently taking a new dimension as both skilled and unskilled labour are engaged as casual workers in almost all the major sectors of the economy. Casualization of labour is described by Boyer (1998) as being anything used as rapid adjustment of employment pattern such as the ability to hire and fire easily, increasing part-time work, fixed- term contracts and temporary jobs.

Zimbabwe's economic situation represents a fragile state characterised by an unsustainably high external debt, massive deindustrialization, casualization (informalization) of employment (94,5% according to the 2014 Labour Force Survey), poor export performance and capital leakages. In Zimbabwe in the minds of many workers, casualization of labour is a term usually associated with work arrangements that are characterised by bad working conditions like job insecurity, low wages, and lack of employment benefits that accrue to regular employees as well as being denied the right to organise and collectively bargain (Sachikonye, 2001). In addition, workers in this

form of work arrangement can be dismissed at any time usually without notice. Hence, it is an unprotected form of employment because it does not enjoy the statutory protection available to permanent employees as stated in Section 4 and Section 12 of the Labour Amendment Act [Chapter 28:01]. This emerging pattern of employment in Zimbabwe today of casualization of labour is fast becoming the dominant form of flexible work arrangement particularly in the Agricultural Sector. Employers use casualization of the labour force as an effective means of reducing cost, maximising profit and de-unionising the work force.

Sachikonye (2001) noted that casual work in addition to providing cheap labour to the benefits of the employers, is also a violation of labour regulations in that casual workers are hired for longer periods than the period stipulated as indicated in Section 12 (3) of the Labour Amendment Act [Chapter 28:01] which says

“a contract of employment that does not specify its duration or date of termination, other than a contract for casual work or seasonal work or for the performance of some specific service, shall be deemed to be a contract without limit of time, provided that a casual worker shall be deemed to have become an employee on a contract of employment without limit of time on the day that his period of engagement with a particular employer exceeds a total of six weeks in any four consecutive months”.

According to Sachikonye (2001) the increase in casualisation of labour in Zimbabwe has been pathetic and this is largely attributed to the government policy of outsourcing. This has resulted in the abolition of some jobs and services in the public sector, and that has been emulated by the private sector organizations, which in turn, engage workers to perform the jobs often on a temporary basis with uncertain wages and without job security. This, according to the government, is to promote public-private partnership,

which in turn is expected to induce efficiency in the economy. The use of casual workers allows employers greater flexibility in hiring and firing and adjusting to swings in production. For the employer, it is less costly to employ casual labour and thereby enabling the maximisation of profits.

In Zimbabwe, casualisation of labour became more pronounced in the 1990s when the government introduced economic reforms in the form of the Economic Structural Adjustment Programme (ESAP). Sachikonye (2001) contended that the country's labour laws were too rigid and could not respond to the demands of the economic reforms. Employers were simply saying they needed flexibility in employment relations so that they could hire and fire employees whenever necessary in response to market demands. On the other hand, trade unions cried foul because such flexibility resulted in the loss of jobs and many would leave their employment empty handed. No wonder why trade unionism became so popular in the early 1990s. Since then, the problem has continued and intensified but somehow seemed to go unnoticed. Sadly, it appeared in the form of unfair labour practice cases reported at the Labour Court.

Casualization of labour has become a subject of great concern as more workers continue to groan under this strategy of cutting costs by employers (Benson, 2000). In an ever-changing market with fluctuating demands, a casualised workforce is seen to be ideal by employers. The expansion of flexibility in the workplace, which provides fertile ground for casualization of labour to thrive, can be considered a contributing factor to the intensification of casualization of labour. Formerly permanent jobs are being changed into casual jobs to increase production. In casual employment, casualised workers are often subject to worst conditions of employment than permanent

employees. This gives room to firms to increase their capacity of their business according to the flows of the market at the expense of the welfare of their employees (Makwavarara, 2004). Casualization of labour has brought some dirty working environment where many potential employees in the labour market are willing to take any job because they have little option of getting employment. It has become a silent form of exploitation (Thompson, 2003).

Campbell (2004) postulated that casualised workers are deprived of their rights and benefits when compared with permanent employees. It is evident that casualised workers in general are more vulnerable to summary dismissal, sexual harassment and underpayment. Casualization of labour is viewed as not good because it lowers the wages and the working conditions even of those employed on a permanent basis. Mitlacher (2007) noted that, the income flowing for casual workers is uncertain, which in turn, means that the house hold relying on this income invariably experience financial problems. Moreover, the invariability of flexible work in some instances may be uncertain, so that the employees concerned suffer unpredictability, which affects negatively on how they should organize their lives. Employers also save generally yet they invest less in training of casual workers relative to permanent employees.

Casual employees are not privy to some entitlements as permanent employees (Mitlacher, 2007). The deregulation of the labour market makes it easier for employers to replace permanent employees with casuals or temporary employees. Makwavarara (2004) concurred that casualization of labour is mainly fueled by flexible labour markets and employment practices. The economic environment and competitive pressures influence these practices. Casualization of labour offers the employers the flexibility in

the recruitment of labour and it enables them to get the labour they require when they need it. Fashoyin (2000) propounded that the increase in labour casualisation has made employers more flexible in the way they manage their labour force. This results in flexibility where the number of workers can be varied to meet the needs of the business without a hassle. Flexibility is particularly important in the Agricultural sector due to fluctuating labour requirements (Makwavarara, 2004).

II Statement of the problem

In Africa, there is a growing concern that the use of casual workers in organisations is on the increase unabated particularly in the agricultural sector. In Zimbabwe, there is a sharp rise on the number of casual workers filling positions that are supposedly to be permanent in nature, in what appears to be deliberate efforts by employers to cut their wage bills and other benefits such as social security payments. In contrast, casual workers are deprived of their rights and benefits as compared to permanent employees. Casualization of labour is increasingly becoming a silent form of exploitation and hence this is the major reason, which motivated the researchers to undertake this study, in order to have better insights of its scenario in the agricultural sector in Zimbabwe.

III Research Questions

- (i) What motivates the casualization of labour in the agricultural sector in Zimbabwe?
- (ii) What is the level of awareness of the relevant labour policies on casual labour by both the casual workers and the employers?

(iii) Which are the major challenges arising from casualization of labour in the agricultural sector?

IV Literature Review

1. Definition of key term

Casualisation- It is a process by which employment shifts from a preponderance (predominance) of full time and permanent positions to higher levels of temporal and informal positions (ILO, 2000). Okafor (2012) defined *casual work* as irregular employment or a part-time labour, including the labour of workers whose normal employment consist of a series of short time jobs. The Labour Amendment Act (28:01) of Zimbabwe defines *casual work* as work for which an employee is engaged by an employer for not more than a total of six weeks in any four consecutive months.

2. Conceptual framework-

Whilst there are many types of flexibility, the researchers used the **numerical flexibility** mode of casualisation to underpin this study (Atkinson, 1984). He considered numerical flexibility as the freedom employers have by enjoying to either expand or contract their labour force as they want or engage workers on a temporary and casual basis. According to Treu (1992), numerical flexibility refers to the possibility of the organization to vary the number of its labour on short-notice, increasing or decreasing it as it sees fit. This enables a firm to adjust rapidly to changing levels of demands by increasing or decreasing the hours worked by its employees. Numerical flexibility aims at reducing this by using casualised workers for example, part-time workers or casual workers to

meet periods of increased demand. As the case with casualisation of labour in the agricultural sector, numerical flexibility is used when the organization can reduce labour costs than hiring permanent employees. Numerical flexibility is also often used in the pick seasons of agriculture. During this period, there is more demand for labour hence casuals are hired. Treu (1992) propounded that flexibility is needed simply because there is more work in summer than in winter, so one needs casual workers to supplement workers during the entire growing season.

Historically, casualisation of labour was meant to deal with seasonal fluctuations. This is the case today in Zimbabwe where casual workers are hired during the peak season in the agricultural sector. Casual workers will be called to supplement full time workers in times of high business activity. In Zimbabwe, they are usually hired for planting, weeding and harvesting the crops. Mills (2004) noted that many casual workers are subjected to appalling conditions of work such as no guaranteed hours of work and do not get paid if they go on sick leave. Campbell (2004) proclaimed that casualised workers are deprived of their rights and benefits when compared with permanent employees. It is evident that casualised workers in general are more vulnerable to summary dismissal, sexual harassment and underpayment (Mills, 2004). The income flowing for casual workers is uncertain, which in turn, means that any house hold relying on this income, invariably experiences financial problems (Thompson, 2003). Moreover, Thompson (2003) notes that the invariability of flexible work in some instances may be uncertain, so that the employees concerned suffer unpredictability, which affects negatively on organizing their lives. Example of this unpredictability can be seen in the agricultural sector, for instance, where casual workers are often expected to work over

weekends, and in some cases, they are not paid overtime. Instead, they are given off days during the week. Casualisation of labour is associated with many types of labour insecurity and it makes work less attractive and secure (Armstrong, 2010). As more technology is adopted by many organizations, the unskilled workers become more disadvantaged (Campbell and Brosnan, 1999). The impact of technology alone is not enough to explain the existence of this situation of workers. Mills (2004) concludes that, casualisation of labour is therefore part of managing workforce in the new era.

ESAP was implemented in 1991 at the behest of the International Monetary Fund (IMF) and the World Bank, to foster economic growth and development (Kanyeze, 1993). It was intended to raise investment levels, thereby facilitating higher growth rates, employment creation and uplifting the standard of living of the majority of the people (Government of Zimbabwe, 1991; Kanyeze, 1993). Sachikonye (2001) that the country's labour laws were too rigid and could not respond to the demands of the economic reforms suggested it. In other words, the employers were simply saying they needed flexibility in employment relations so that they could hire and fire employees whenever necessary to respond to the market demands. The coming of ESAP culminated in retrenchments, proliferation of the Informal sector and the growth of various types of employment such as vending in streets and casual employment. Labour market liberalization has been one aspect of market liberalization under ESAP.

The root causes of casualisation emanate from globalization, technological change and abundance of labour. Employment has greatly shifted from permanent employment to contract employment, part-time employment and casual labour (TUC Guide, 2012). Benson (2000) argued that, casual workers offer enhanced flexibility to employers.

Many individual employers champion casual work, and many vigorously introduce casuals into their workplaces, sometimes building almost the entire workforce. In response to increasing competition ushered in by trade liberalization, companies have decided to focus on flexibility of production and employment to enhance profit margins.

V Methodology

The study was mainly **qualitative** since it sought to capture issues or sentiments raised by experienced different participants in detail (Neumen, 2003; Patton, 2001). Participants were selected based on **quota sampling technique**. **Unstructured interviews** were used for agriculture senior ministry officers, farm owners (farm management) and labour officers. **Focus group discussions** were used to collect data from casualised employees. Data was analysed using the content analysis (Berg, 2001). The researcher observed the following **research ethics** as propounded by Khothari (2004) and Babbie and Mouton (2001); *Informed consent* (the researchers clarified the purpose of the research to the various authorities or heads and all participants, *Honest* (the researchers honestly reported the sentiments raised by participants and did not fabricate, falsify or misrepresent the findings), *Objectivity* (the researchers strived to avoid bias in data analysis, data interpretation, minimized bias or self-deception), *Integrity* (the researchers kept promises and agreements and strived for consistency), *Privacy and confidentiality* of participants (There was none disclosure of participants throughout the investigations). **Data was analysed** based on **Content analysis** based on *summarisation* of key findings and selected *narrative statements* of participants (Berg, 2001).

VII Major Findings

- Casualised employees were needed in the agriculture sector for short period, which is during the peak of the season for planting, applying fertilizer, applying herbicides, weeding, harvesting and shelling.
- The high unemployment rate in the country contributes to labour casualization. Employers reduce labour costs by engaging casualised workers who are cheap to employ compared to permanent employees.
- Casualisation of labour in the Agricultural sector was no longer seasonal but ongoing as a cost cutting measure.
- Casualisation of labour was being used as a more rapid adjustment of employment (such as the ability to hire and fire easily), increasing part-time work, fixed-term contracts and temporary jobs. Casuals could be used to work over the weekends and holidays without employers observing labour law provisions.
- Casualisation of labour is characterized by poor working conditions such as employment insecurity, working for extended hours, low wages and an absence of permanent employment benefits.
- Both workers and casual workers were ignorant about the policies and laws pertaining to employment of casual workers.
- Poor working conditions were compounded by the lack of proper safety clothing and equipment. As a result, Occupational Safety and Health (OSH) remains a challenge in the agriculture sector and yet the sector has higher risks for workplace hazards through chemical use and machinery. Employers were failing to provide adequate personal protective clothing and equipment citing lack of resources due to the economic

challenges and decline in profits. At times, some new employees are forced to wear second hand protective clothing thus, exposing workers to safety and health risks, diseases and illness. In most cases, casual workers are not provided with protective clothing and have to use their own clothes as the employers insist that there is no guarantee that they will continue with the job in the event that a better job opportunity arises elsewhere for them.

- Casual workers are vulnerable to exploitation by employers and do not exercise their right to associate or collectively bargain because they are deemed unskilled. Although the workers can be affiliated to their trade union, the General and Agriculture Plantation Workers Union of Zimbabwe (GAPWUZ), an affiliate of the Zimbabwe Congress of Trade Unions (ZCTU), its union membership has been on the decline especially after the Land agrarian reforms of around 2002. The lack of a vibrant voice often leads to intimidation and victimisation of casual workers.
- Casual workers have less favourable terms of employment than permanent employees performing the same work, as well as less security of employment. They often do not receive benefits such as medical aid, insurance cover, and pension benefits. There is lack of rights and minimal legal status of casual workers. This threatens access to resources and entitlements as well as self-ego.
- Provision of adequate housing or decent accommodation remains a huge challenge for agriculture casual workers. Casual workers are at a higher risk of not getting housing allowances even if they stay outside the farm. Despite many casual workers being really in need of decent housing, but due to the low wages they earn, most of them ended up building houses from mud and poles, and in many cases, the roof and wall is simply

grass. For those who have provision of houses, most of the houses are dilapidated and require proper maintenance more often to avert disasters.

- Given the paltry wages that casual workers earn, most workers cannot afford to take family members to government clinics or hospitals. They resort to traditional medicines, traditional healers and prophets, which can further expose them to more health complications and risks.
- A sizeable number of casuals were mostly children who dropped from school since their parents could not afford tuition fees. That was also worsened by distance as a barrier as some schools could be more than 12 kilometres away from their homes. As a result, child labour was prevalent, as affected families need to make ends meet.
- In Zimbabwe, the trend of casualisation of labour is increasing at an alarming rate as evidenced by most organisations downsizing, and restructuring especially after the lengthy drought of 2013-2015 agricultural seasons and the prevailing macro-economic challenges.

Some quotes of focused group discussions with casual workers

1. One male said, *“when the management is distributing protective clothing, they will give preference to permanent employees and then we casualised workers later that is if there are still available”.*

2. One of the women said, *“management does not pay attention to our grievances. At times, we are asked to work extended hours, work over the weekends and holidays and we are not paid but you are asked to be compensated by taking some off days especially when it is not a busy period”.*

3. Another male said *“there is no specific day for payment of wages and we are constantly threatened with dismissal if we ask anything in line with our pay dates and even other working conditions”*
4. Another female said *“we did not sign any contract with the employee and we have no idea about the status of our contract, hence it becomes very difficult to plan for the future”*.
5. One young woman said, *“we are missing opportunities to get loans from banks because we are not given pay slips which are normally a basic requirement when you want to apply a loan from a bank”*.
6. One female said, *“there are many cases of sexual harassment committed by foremen and supervisors yet management was doing nothing about that”*.
7. A school dropout boy had this to say, *“we are not recognized or appreciated by the farm owner, and hence our engagement and loyalty is not much”*.
8. An elderly woman had this to say, *“we do not have many options to find alternative employment because of our inferior educational background, the harsh state of economy and the work environment is not very conducive and at times we work under dirty areas without protective clothing”*.
- 9 A log serving male casual worker at one commercial farm said, *“I have been here for 12 years now. I am now tired of asking them when they should employ me full time, so it appears they do not have intentions of filling vacant posts of permanent employees”*.

VIII Conclusion

The study concluded that casualisation of labour was the most used alternative form of employment in the Agricultural sector in Zimbabwe as employers wanted to save costs because they pay low wages, there are no costs related to social protection and security. There is non-compliance with the country's labour laws and other statutory requirements, resulting in the violation of workers fundamental rights and entitlement to fair labour practices. Casualisation of labour was therefore causing many adverse effects with hardly any positives.

IX Recommendations

- The Labour Amendment Act [Chapter 28:01] should not be silent about casualised workers. It only defines casual work. The Act must also define casualised worker and protect him/her from abuse by employers and the practice should be abolished.
- The employer must come up with a contract, which is clear on the nature of work to be done, and the hours to be worked with remuneration modalities clearly stated. Both parties must sign the contract.
- The National Employment Council (NEC) for Agriculture should conduct awareness campaigns among casualised workers with regard to their rights and working conditions. In addition, the labour laws must compel employers to train casualised workers and educate them so that they have knowledge of labour issues and policies.
- Trade unions must represent both permanent employees and casualised workers to avoid discrimination.

- Casualised workers should be provided with pay slips so that they can have access to other avenues e.g. accessing bank loans. In addition, the employer must also supply the information pertaining/regarding the pay dates.
- The employer must pay overtime for the extended hours worked including weekends and public holidays in line with set NEC rates.
- Supervisors and management must come up with proper shifts and duty roaster for those who work during weekends and public holidays, so that there is transparency and to control burnout. **(3 803 Words)**

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