

Social dialogue and effectiveness of tripartism in Zimbabwe

In the World of Work, social dialogue refers to all types of negotiation, consultation and exchange of information between or among representatives of governments, employers and workers on issues of common interest relating to economic and social policy.

It is described as both a means to achieve social and economic progress and an end in itself, as it gives people a voice and a stake in their societies and workplaces.

As one of the four pillars of the Decent Work Agenda (DWA), social dialogue is important for protecting labour rights, facilitating wage determination, improving working conditions and promoting sustainable enterprises.

Social dialogue can take place at shop floor, sectorial and national levels and can either be bipartite or tripartite in nature.

Bipartite dialogue is two ways and involves workers and employers.

Tripartite dialogue is three way involving interactions between government, employers and employees.

Tripartism is the spirit of tripartite dialogue and is defined in the ILO Thesaurus as “the interaction of government, employers and workers (through their representatives) as equal and independent partners to seek solutions to issues of common concern”.

It refers to institutions, mechanisms and processes for consultation, negotiation and joint decision-making, depending on arrangements agreed between the parties involved.

Social dialogue at the national level —in other words, at the peak level — takes a variety of forms, mechanisms and names, including tripartite labour councils, national councils for social dialogue and economic and social councils (ESCs) and similar institutions.

It can be institutionalised, with an overall or thematic scope (such as specialised wage-setting bodies), or may take place on ad hoc basis, such as when dialogue among tripartite partners is needed in the face of economic shocks.

Peak-level social dialogue can lead to the conclusion of a social pact or tripartite agreement.

Whether bipartite or tripartite, social dialogue is not an event, it's a continuous process of engagement through the negotiation, action planning and implementation.

Social dialogue also dictates that the trio of principals collectively engage in processes of evaluation and monitoring action implementation against set objectives.

Preconditions for effective social dialogue

The following are some of the core conditions that should be in place for effective social dialogue include

1. Political will and commitment to engage in social dialogue on the part of all the parties
2. An enabling macroeconomic and legislative environment founded on the rule of law and democratic principles

3. Strong independent workers' and employers' organisations with the technical capacity and access to the relevant information to participate in social dialogue
4. Appropriate institutional support, including through funding and well-defined legal mandates to ensure continuity of operations during political change, (Buckley & Casale, 2006: 18)
5. Respect for the fundamental rights of freedom of association and collective bargaining
6. Social legitimacy to represent needs of various constituents of the society
7. Practical, realistic and attainable goals and Skills and expertise to engage in a credible and effective manner in broader socio-economic aspects of sustainable development

History of social dialogue and tripartism in Zimbabwe

Since independence, the government of Zimbabwe has put in place several consultative and advisory bodies to facilitate tripartite and bipartite consultations.

These structures were set up to deal with specific employment issues relating to minimum wage fixing (the tripartite Wages and Salaries Advisory Board), 24 retrenchments (the tripartite Retrenchment Board), occupational safety and health (the tripartite Zimbabwe Occupational Health and Safety Council) and the determination of terms and conditions of employment at the sectoral level through bipartite National Employment Councils.

However, the mandate of these structures is fairly narrow and restricted to specific aspects of the labour market to the extent that they do not deal with broader economic challenges facing the country.

Market liberalisation as prescribed by Esap, soured the relationship between labour and government. Resultantly, the souring of relationship affected social dialogue between the partners.

Despite the adverse impact of Esap on labour-government relationship, the ZCTU reviewed Esap and proposed the establishment of an institutional framework for national dialogue, the Zimbabwe Economic Development Council (ZEDC).

The proposal was inspired by National Economic Development and Labour Council (NEDLAC) and a tripartite delegation visited South Africa to draw lessons.

Following this study visit, the social partners began working towards the creation of a similar institutional structure in Zimbabwe, with proposals to establish the Zimbabwe Economic Development and Labour Council (Zedlac).

Challenges, deficits and gaps

Efforts at tripartism in Zimbabwe have been marred by institutional and legislative challenges resulting the lackluster performance of the Tripartite Negotiating Forum (TNF).

Mistrust among principals, conflation of partisan politics with governance process and a lack of political will were chief challenges impeding effective social dialogue at all levels.

From a legal viewpoint, the TNF was not a body enacted by law. As such the government did not have a legal mandate to take up its decisions.

During the rare times when TNF deliberations were taken on board, there was a huge gap between policy provisions and implementation. The social dialogue efforts proved futile in the efforts to promote, protect and advance the rights of workers in the formal sector.

The situation was worse for players in the informal sector which continued to expand with the downward spiraling economy.

There continues to be no national platforms where actors from the informal economy engage with the tripartite principals directly. The current labour law reform and set up of the Tripartite Negotiating Forum, according to the TNF Act, covers the inclusion of other actors as and when necessary.

The Zimbabwe Congress of Trade Unions (ZCTU) continues to be recognised as the national labour center which represents, promotes and advocates for workers' rights at national peak-level dialogue platform from both the informal and formal sectors.

Three social pacts have come out as products of the TNF and have been aborted at design, negotiation or implementation stages.

The Declaration of Intent towards Social Contract was the first pact developed and agreed on in 2001.

The Kadoma Declaration, Towards a Shared National Economic and Social Vision, was drafted and never signed on.

The Kadoma Declaration was rebranded, signed and rolled out during the GNU era.

Reasons for the history of aborted social pacts in all cases were similar.

Escalating culture of violence and economic decay were chief among the reasons.

A lack of political will resulting in sporadic TNF meetings and legal gaps shrouded the efficiency of the TNF.

A situation that has not changed to date in spite of the enactment of the TNF Act in 2019.

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