Against all odds: union victory in Zimbabwe

By David Dzatsunga



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How does a lecturers' union influence legislative change and restore the status of its members in a toxic, polarised and polarising political environment? Through commitment, resilience and indomitable will.

This article chronicles the unlikely victory of the College Lecturers Association of Zimbabwe (COLAZ) that saw the Government of Zimbabwe enact a new law to address the terms and conditions of higher and further education teaching personnel and those of education support staff.

COLAZ organises in teachers, polytechnic, industrial and vocational colleges (excluding universities) and was formed in 2005 with a specific mandate to restore the status of college lecturers.

Why restore? In the early years of Zimbabwe's independence in 1980, college lecturers' salaries stood at 70 per cent of those of university professors with a lot of other comparable job-related benefits.

All that changed in the early 90s when the government undertook a job evaluation exercise underpinned by its intent to introduce the Patterson Grading System.

Consequently, college lecturers were placed at the same level as school teachers while university lecturers maintained their autonomous status, governed by university councils regulated by the State Universities Statutes while collectively bargaining under the *Labour Act Chapter [28:01]*.

Meanwhile teaching personnel in tertiary colleges were lumped with teachers and nurses and the rest of the civil service under the *Public Service Act [16:04]*.

The *Public Service Act* in its current form is a colonial piece of legislation that denies civil servants labour rights as prescribed in Conventions 87 and 98 of the International Labour Organisation.

Notably, the *Public Service Act* states that civil servants are not allowed to go on strike; they can only consult rather than collectively bargain.

In terms of disciplinary action, a member of the civil service must comply before appealing. The Act also provides for the setting up of the NJNC (National Joint Negotiation Council) wherein, in the event of a deadlock, arbitration can only happen if both the workers and the employer declare a deadlock.

Predictably, the government has never declared a deadlock, citing lack of capacity to pay every time. The government team of negotiators is composed of director level civil servants who have no decision-making powers and must routinely consult the Minister of Labour and the Minister of Finance. Often, when they take time out to consult, consultations go on for an inordinate amount of time and they implement their rejected offer without a signed agreement.

It is against this background that college lecturers met at Masvingo Teachers College in 2009 for an Extra-Ordinary Congress to resuscitate COLAZ, which had failed to take off after its formation in 2005.

Congress elected a new National Executive Board with David Dzatsunga as president. The mandate given to the National Executive Board was to restore the status of college lecturers to the pre-Patterson years where terms and conditions were comparable to those in universities.

The National Executive Board was to fight for the restoration of the 70 per cent of university salary principle and other terms and conditions from the past. There was also the matter of recruiting lecturers, most of whom were organised by teacher unions.

The union was directed to open its headquarters in Harare, the capital of Zimbabwe, and recruit union staff once

membership dues started flowing in. By 2011, the basic infrastructure was in place.

In 2011, COLAZ convened an annual conference that unleashed a tsunami of anti-union bashing by the government through the Ministry of Higher Education, particularly the Secretary of the Ministry.

The conference resolved to go on strike, despite a provision of the *Public Service Act* that clearly prohibited civil servants from engaging in strike action. Lecturers argued that it was an unjust law [and] we had no good reason to obey. At the time, all efforts to engage in social dialogue had been met with a wall of silence from the authorities.

Vocational training colleges in Zimbabwe are headed by famously corrupt principals who are politically appointed and enjoy impunity. After we served the strike notice to the Public Service Commission, the Secretary of the Ministry of Higher Education summoned all college principals with instructions to bring two lecturers, one female, one male, who were not COLAZ members.

Dark clouds were ominously gathering. The system was galvanising to clamp down on the union. This was soon to be confirmed by the lecturers who attended the infamous meeting.

The secretary and the principals resolved to pull every stop to rid colleges of any COLAZ presence. Reports from meeting attendees spoke of an agitated and determined group who were united in branding the union the enemy.

We knew at the time that Ministry officials and college principals were involved in a scheme, or rather scam, in which they were pocketing money out of so-called projects, such as hiring out of college facilities to the public, agricultural production and vehicle repairs among others, the proceeds of which they shared with the secretary, who had issued an enabling production and pricing policy to justify the looting.

The union had spoken against this, including through the media, hence the animosity. The union was hitting their bottom line and it had to go.

The strike action began in September 2011, paralysing all programs in most institutions. In no time, the empire struck back. Eager principals were instructed by the secretary to suspend all COLAZ leadership and to submit misconduct charges against the general membership who were not coming to work.

General union membership quickly retreated once the national and branch leadership was suspended, preferring to face the lesser evil of misconduct charges. It was a clear case of striking the shepherd to scatter the sheep.

Even the union president was not spared and it became clear that we indeed had no labour rights to speak of and that our struggle was much harder than we had assumed. The brutal manner in which the strike was crushed shocked us.

There was not even the slightest attempt to discuss our cause. This was a moment of reckoning. The union had to agree to sink or find a means to swim.

Leadership was required. Money would be needed to hire competent lawyers and the union did not have much given the size of its membership.

This is part one of a two-part series. The next part will be published in a future issue of *Western Teacher*.

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