Against all odds: union victory in Zimbabwe

Part two

By David Dzatsunga



Photo: COLAZ/Facebook

While we were ruminating on how to defend the union, the Ministry began a schedule of misconduct hearings where they sent out disciplinary teams to every affected college. It was clear from the proceedings that the verdicts were pre-determined.

Technically, these were winnable cases according to the lawyers, but these were kangaroo [court] hearings characterised by intimidation and outright bullying. We were facing an existential crisis and needed to hibernate like a snake to change our skin, our strategy.

Early in 2012 the verdicts from the hearings were announced. Most of the general membership were fined various amounts. National and branch leadership were transferred from their current stations to, in most instances, stations far away, with immediate effect.

Spouses teaching at the same stations were separated. The transfers included fines deductible from meagre salaries. Children were left without parental care.

All in all, 30 of the branch leaders were moved and it was the darkest hour in the short life of COLAZ. Our lawyers rightly counselled that we had to comply with the verdicts or else face instant dismissal from the service. So, we all complied and the union started the appeals process which yielded other surprises.

The appeals process has two options: seeking a review from the Public Service Commission or filing an application with the Labour Court. The union used both options.

While we got favourable outcomes from the court, we discovered that it had no power to enforce its own judgements and that we had to register the judgement by applying to the High Court. We further discovered that in the case of a monetary award, the union could not enforce it because of the State Liabilities Act which prohibits attaching government property.

We were in a corner and needed to abandon the litigations amidst serious intra-union rancor, especially from those who had been transferred. It became clear that the legal route favoured the employer and enriched our lawyers
while draining the union of resources
and energy.

While all this was unfolding, the union joined Education International (EI) in 2015. We immediately presented our case to the secretary general of EI, who directed us to a certain David Robinson, executive director of the Canadian Association of University Teachers (CAUT) who expressed a willingness to assist COLAZ.

We soon had a Development Cooperation Agreement with CAUT which helped capacitate the union in terms of office equipment, conference funding and networking with other higher and further education unions in EI.

Protest letters to the Zimbabwean authorities came from a lot of unions in the global north, with demands for the government to cease and desist. It helped immensely to have external voices rallying to our cause. This was the solidarity we had lacked in the beginning and it did shake the establishment.

The union also resolved at its 2017 annual conference to abandon the radical approach for a more measured advocacy and lobbying campaign meant to expose the excesses of the Ministry while amplifying our grievances through well researched papers, media campaigns, engagements with parliament, media exposes, appeals to the Office of the President and Cabinet among other strategies.

Unions such the National Tertiary Education Union (Australia), University and College Union (UK) and Danish Masters lent their financial and moral support.

The first and widely celebrated outcome was the dismissal of the hated secretary by President Mugabe, following an expose we published in The Herald newspaper.

The article was entitled *COLAZ hits back at Mbizvo: Right to Reply* in which our secretary general brutally laid bare the corrupt activities of the secretary and how that made him unfit for office.

With that victory, the Ministry and the principals had no choice but to take a step back. The union had survived and was now enjoying the victory of having dethroned a mini dictator.

The breakthrough towards restoration of the status of college lecturers came with the 2017 coup that saw the removal of octogenarian President Robert Mugabe, ushering in the Second Republic in 2018.

Honorable Minister Professor Amon Murwira was appointed to the Higher and Tertiary Education, Innovation and Science and Technology Ministry in 2018.

With a new parliament in place, the union hastened to again petition the Parliamentary Portfolio Committee of the Ministry, who on receiving the petition shared it with the minister for his response before the union could lead oral evidence.

Instead of responding to the committee, the minister opted to invite the union leadership to a meeting.

He acknowledged that the petition was most justified and that the solution could only come from us, the Ministry and the union. He advised COLAZ to withdraw the petition from parliament to allow for an intra-Ministry intervention.

While the minister agreed that our quest for the 70 per cent of universities salary was right and just, it was not reason enough to convince the president and Cabinet because there were many other professionals (doctors, engineers, etc.) in the civil service who were lumped in the Patterson Grading System with us. There was nothing special about our Master's degrees or PhDs.

Professor Murwira framed our argument thus: Our TVET (Technical and Vocational Education and Training) colleges are best placed to fulfil the government's efforts to introduce Education 5.0. They are best suited for the teaching of a heritage-based education whose graduates will produce goods and services.

However, he continued, these colleges will need autonomy so that the academics therein can have the academic freedom necessary for innovation to take place unencumbered by the bureaucracy of the civil service.

Further, personnel in the sector would need to have favourable terms and conditions comparable to that of universities. Therefore, all TVET colleges should be migrated from the Public Service Commission to a new employment authority

dubbed the Tertiary Education Services Council (TESC).

A change of legislation was therefore mooted and an existing law, the *Manpower Planning and Development Act* was flagged for amendment to accommodate the envisaged paradigm shift toward Education 5.0.

The president and Cabinet were duly convinced and the bill passed unopposed in both houses of the legislature, with the president in agreement.

Thus was born the *Manpower Planning and Development (Amendment) Act*, 2020, a culmination of a union struggle that began in 2009.

Against all odds, in one of the most difficult environments in which to organise, a small but patiently determined union managed to cause a change of legislation and provide its members their well-deserved status.

This is the second part of a two-part series. You can find part one in the March edition of *Western Teacher* here.

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