

# **MIDLANDS STATE UNIVERSITY**



**FACULTY OF SOCIAL SCIENCE**

**DEPARTMENT OF POLITICS AND PUBLIC MANAGEMENT**

**LABOUR MARKET FLEXIBILITY AND ITS EFFECT ON WORKER'S RIGHTS AND  
REPRESENTATION: A CASE STUDY OF FOOD INDUSTRIES AND THE FOOD  
FEDERATION AND ALLIED WORKERS UNION OF ZIMBABWE.**

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**A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF THE  
REQUIREMENTS FOR THE DEPARTMENT OF POLITICS AND PUBLIC  
MANAGEMENT; MIDLANDS STATE UNIVERSITY, GWERU. ZIMBABWE**

**NOVEMBER 2015**

## **DEDICATION**

I do dedicate this work through the support of my parents Mr and Mrs Mariga and two my siblings Langton and Munashe .

## **ACKNOWLEDGEMENTS**

Special mention goes to my supervisor Mrs Mutasa for the assistance provided during the course of the study. I do extend my gratitude to the food industry workers , FFAWUZ staff, and other lobby groups for the services rendered which include time ,cooperation making this research a success.

I am highly indebted to the following individuals through their tireless efforts managed to have their assistance in related areas. Many thanks to my partners and friends Rumbidzai Mafavuke,Cde Taga ,Drassila Banda ,Rudo Chafa,Ropa, Vimbai Mushuku ,Mrs Mazanhi and Nivvana Zvandikona for their various contributions.

I would like to take this opportunity again to thank my parents Mrs and Mrs Mariga for the moral and financial support I received from them.

Above all hats-off to God Almighty who granted me the wisdom and grace throughout the entire research.

## ABSTRACT

This study explored the effects of labour market flexibility to workers' rights and representation the case study being Harare food and allied industries and the Federation of Food and allied Workers Union. The research was predominantly influenced by the ever-increasing instability of Labour relations and the deterioration of workers representation and rights in Zimbabwean food industries. Capitalist, Keynes and the Classical theories served as the theoretical and conceptual framework to the study. An amalgamated exploratory design was used to assess, to identify, unravel reasons and effects of labour market flexibility to workers' rights and representation in food industries, which included qualitative and quantitative approach. Fifty questionnaires were distributed among the NEC graded employees in the food and allied industries using stratified random sampling. In-depth interviews with the Federation of Food and Allied Workers Union of Zimbabwe staff using purposive sampling was used to obtain qualitative data. Data analysis and presentation of questionnaires was done using graphs and tables. Qualitative data from parts of the questionnaires and interviews was also hinged on thematic and content analysis. The research established that violation of workers' rights and representation resulted from labour market flexibility. Measures like, changes in working hours, collective bargaining, trends in contracts of employment, trade union participation and membership were used to gauge the extent to which flexible labour markets affected workers rights. Flexibility to labour market has resulted in the conversion of permanent employees to become casual and fixed term contracts leaving them vulnerable to job losses and victimization at work. This also led to employers to take advantage and ignore the labour laws in altering and making changes in every line of employment relations thus crippling workers' rights leaving them insecure of their job lives. This has compromised the significance of trade unions since it ignored labour regulations, which is the backbone and a Broadway to the functions and duties of a trade Union the Federation of Food and Allied Workers Union of Zimbabwe lost almost half of its membership to labour market flexibility. The study concluded by recommending that there is need to revisit the labour legislations and statutes to consider and pay attention to the new prevailing labour situations. The study considered that a careful attention should be given on the powers and duties of an employer since they tend to abuse their privileges.

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## LIST OF ACRONYMS

AIPPA	: Access to Information, Protection and Privacy Act
FFAWUZ	: Federation of Food and Allied Workers of Zimbabwe
NEC	: National Employment Council
NSSA	: National Social Security
POSA	: Public Order Security Act
TNF	:Tripartite Negotiation Forum
TNF	:Tripartite Negotiation Forum
ZCTU	:Zimbabwe Congress of Trade Union



# **1 CHAPTER ONE**

## **1.1 INTRODUCTION**

Labour market flexibility is defined as the ability of companies to alter their workforce in terms of the class of employees they hire and those that they dismiss and the number of hours they work. Labor market flexibility also includes alterations in wages and Trade unions. A flexible labour market is one whereby employers have little or few legal regulations regarding the labour relations and with this reason, they set wages according to their interests, dismiss workers whenever they wish and change their working schedules. A labour market with decent work is bound by rules and regulations that protect abuse of employment relations standards such as restrictions in minimum wages and the incusing of trade unions.

This chapter is purposed to give introduce background information of the whole research study, the statement of the problem and the objectives of the study and the research questions to guide the researcher. This chapter of the study will highlight also on significance, justification, limitations, delimitations methodology, and summary of the study.

## **1.2 BACKGROUND OF THE SUDY**

From the independence of Zimbabwe, industrial relations shifted from the flexible labour market to a more decent market following the labor relations act which stipulated on the workers' rights and the relations to which industrial relations would be held. This led to the formation of trade unions in Zimbabwe and several statutes pertaining the regulations to which industries were to abide to. In 1992, the Labour Relations Act was put forward to shade clearly the workers' rights and the regulations to which the industrial relations activities were to follow. After the Labor Relations Act was put forward, the government and employers proposed for an amendment of the Labor Relations Act .This aimed to make it easier and flexible for employers, following years of intense lobbying by to end the system of wage arbitration as it considered it as an onerous labour appeal and dispute settlement procedures. Employers had Argued that the labour costs

were by then positioned second from raw materials in terms its contribution to company`s production costs.

The employers felt frustrated by the labor laws raising facts that they gave much of the privileges to the employees thus putting the employers at vice state. The Zimbabwe Congress of Trade Unions and other labour organizations harnessed the workers` rights and advocated for the upkeep of workers` rights, working hours, wages, rights and privileges were set through the National Employment Councils (NECs) and the Tripartite Negotiation Forum (TNF). By the continuity of the Economic meltdown in Zimbabwe, the employers saw it difficult to carry on in compliance with the labour laws of Zimbabwe and then sort strategies to escape from these laws and introduced flexible Labour market environment. Employers became reluctant to labour laws and the government cheeped in with different strategies to avoid the principles and aims of Labour regulations. AIP.A and POSSA limited the right to demonstrate and set the judicial presidency, which then affected all the labour judgments .Direct employment was thrown out to allow employers to hire and fire workers willy-nilly in what is disguised as a relief for companies to adjust to market forces.

In cutting costs, companies adopted the fixed term contract strategy, casual contracts, overtime without payment, unpaid leave, early retirement policies, retrenchment, and Labour broking just to mention the major ones.

The Look East Policy initiated by the Zimbabwean Government compromised the whole Zimbabwean industrial relations since the investors from the East were not comfortable with the Labour laws of Zimbabwe therefore influenced the government to flex these laws so as to pave way for the so defined as the investors .

In the national budget statement of Zimbabwe in December 2013, the Finance minister Mr.Chinamasa alluded that government will review the country`s labour laws in a bid to widen a flexible labour market, hoping to increase productivity therefore clearly putting it that concern has shifted from the working rights to productive aims hence creating an antagonistic environment between employees and employers.

Plainly, flexible labour market has made it easier for employers to change contracts, hire, and fire and to make changes on their working hours wage rates. Before when labour market had low flexibility, laws characterized it and statutory that would give directives in areas such as setting of minimum wage rest and requirements from trade unions and representatives as is the case in the South African employment relations. Recently in Zimbabwe ,the July 17 Supreme court ruling against Zuva petroleum employees that an employee's contract of employment can be terminated on notice .This exposed a huge gap for employers to take advantage of terminating contracts on notice with no terminal benefits as stated by the labour act. This affected most of the employees in the Food manufacturing sector since thousands of them lost their jobs without any terminal benefits thus clearly witnessing the development of labour market flexibility.

According to the Federation of Food and Allied Workers Union of Zimbabwe, it lost more than 3000 members due to labour market flexibility. More than 300 employees are losing their jobs monthly due to labour market flexibility. The Union has failed to fully represent the workers' rights since most of its powers to represent are in the Labour laws of Zimbabwe therefore; the government has intervened in labour relations and intensified restrictions on the rights to demonstrate. The government set the judicial presidency making it difficult for Unions to take full actions towards the infringement of workers' rights.

### **1.3 PROBLEM STATEMENT**

The research seeks to address and assess the impact of labour market flexibility and how it has affected workers' rights and representation in the food manufacturing industries in Zimbabwe. Food manufacturing industries in Zimbabwe has more than 54 major companies operating in and more than 50 companies that operate with labour market flexibility hence, Retrenchments, unpaid overtime, labour broking, casual contracts, and fixed time contracts are characterizing the food manufacturing industries of Zimbabwe. This has directly affected the workers in Zimbabwe and the Federation of Food and Allied Workers Union participation in the representation of these workers therefore this research seeks to evaluate the labour market flexibility effects on workers in food manufacturing industries and its representation.

#### **1.4 OBJECTIVE OF THE STUDY**

- Examine labour market flexibility emergence and development.
- To give a microscopic analysis on how labour market flexibility has affected Workers representation and workers' rights in Zimbabwe.
- To examine the forms of labour market flexibility implemented in Zimbabwe.
- To examine the challenges faced by the Federation of Food and Allied Workers Union of Zimbabwe due to labour market flexibility.
- To recommend possible solutions to the effects labour market flexibility.

#### **1.5 RESEACH QUESTION**

- What is labour market flexibility and why did it developed in Zimbabwe and specifically in the food manufacturing industries.
- How the labour market flexibility has affected workers rights and representation in food manufacturing industries in Zimbabwe?
- What are the forms of labour market flexibility in the food manufacturing industries in Zimbabwe?
- What are the possible solutions to curb labour market flexibility effects in the food manufacturing industries in Zimbabwe?

#### **1.6 SIGNIFICANCE OF THE STUDY**

Food manufacturing industries in Zimbabwe are affected by labour market flexibility mostly than other industries in Zimbabwe and the Federation of Food and Allied Workers Union has faced many challenges in representing the workers in these industries due to labour market flexibility. The employees and actors in employment relations in food Manufacturing industries has little knowledge of what Labour market flexibility is and their possible forms and effects therefore, this study will be of a great significance since it will be used by every actor in the labour relations in Zimbabwe. Trade unions ,employees ,company managers ,employment

councils ,students(Academia) ,the tripartite negotiation forum and the civil organizations in carrying out their researches about labour market flexibility .

## **I. Trade Unions**

This study will add value to the trade unions when analyzing the actions of the employers and the government towards employment relations in Zimbabwe. This study will also help a long way to the trade unions in Zimbabwe when pursuing further researches about labour market flexibility. More so the study will help trade unions in mobilizing and recruitment of employees to their unions Through education and workshops about labour market flexibility.

## **II. Workers**

The study will be useful to workers since it will highlight and enlighten the workers of Zimbabwe about labour market flexibility and their possible forms, types as well as their effects to them. This will also help a long way in giving them strategies and remedies to curb and avoid them from effects by labour market flexibility.

## **III. Company managers (Employers)**

By highlighting the labour market flexibility effects, the employers will be in a position to understand that labour market flexibility helps nothing in Zimbabwe but to infringe workers' rights therefor leading to a decline in productivity not boosting it.

## **IV. Tripartite Negotiation Forum**

Findings in this research will provide recommendations that will help the Tripartite Negotiation Forum that consist of trade unions ,government and employers in coming up with policies that will attend to effects labour market flexibility effects as well balance policies for the benefit of both the employees and the employers .

## **V. Academia**

This research will add value to the board of knowledge and academia, the students and every organization in exploring labour market flexibility not only in the food manufacturing industries but also in every industry. This study will also be useful to the academic world and institutions in carrying out their researches on Labour market flexibility using this literature as well as knowledge in future studies.

### **1.7 Delimitations**

The study is delimited to Food manufacturing and allied industries which comprises of bakery, detergence, edible oils and fats, soft drinks, meat , fish and poultry, food processing and the Federation of Food and Allied Workers Union of Zimbabwe as its Workers representatives .

These industries were mostly affect by the system of fixed term contracts and casualization of labour, early retirement, compulsory retrenchment, unpaid overtime, no leave days, Labour broking, refusal by the government to hold demonstrations and major challenges in the reluctance of the Law by the Employers and the government.

Food Manufacturing industries have proved to have the most industries in Zimbabwe with large numbers of employees being affected by labour market flexibility than any other industry in Zimbabwe thus making the study Easy and more broad.

### **1.8 LIMITATIONS**

During the study , the reasecher encountered some challenges in carrying out the research in the field .Workers and employers were reluctant to disclose some of the vital information about labour market flexibility due to several reasons that among them included, lack of interest to the operations of research ,company laws and code of conducts that does not allow the workers to disclose of any information.

Food industries in Zimbabwe have strict hygienic policies and rules therefore limiting access for the researcher to gather all the data needed for the study since the researcher was hoping to enter the company premises .However with these hygienic policies ,the researcher was not granted the access to most of the companies .

Most of the food industries are located apart from each other for environment protection purposes therefore resulting to the inability of the researcher to have regular visits to have adequate information.However improvisation to these challenges was applied by the researcher .

## **1.9 METHODOLOGY**

Due to limited time of research and limited access to data, the researcher used an amalgamated approach in carrying out the research to acquire efficient and more precise information about labour market flexibility.

Cooper and Schindler (2003:146) alludes to the view that a research design is a plan and structure of examination conceived to attain responses and remedy to research problems. Therefore the research design can be seen as a plan for the whole research and give a context of the researcher`s plan of action. It then gives remedy, method to use to access data, sampling techniques, and come up with ways to limit challenges. The researcher used descriptive method as the research design.

Researcher used a descriptive study in trying to understand the nature and character of a certain phenomenon under a specific problem. According to Ortinam (2003), descriptive research refers to is typically determined by revealing the occurrence and nature at which something takes place or the connection among variables. Therefore the investigation on the effects of workers` rights and presentation in Food industries entails for better understanding of the effects of labour market flexibility.

Descriptive research involves both quantitative and qualitative, as the researcher seeks to gather data that permits the description of the situation that is under study. Descriptive study and design was found to be much helpful and compatible for this study since it helps to explain different

variables and it is easy to implement. Descriptive design is cheap and economical and significantly, it can reduce financial challenges without hindering the progress.

## **1.10 DATA COLLECTION SOURCES**

Cooper and Schindler (2003: pg. 87) asserts that data is undefined facts presented to the researcher from the field. From the undefined data from the field, the researcher then deduced meaning and conclusions to a research study. Data used by the researcher is mostly, highly primary, primary data means the data and structures of variables precisely gathered then designed to meet the immediate problem of research. Therefore, precisely data was gathered to assess the flexibility of labour effects to workers' rights and representation in the food industries in Zimbabwe.

A few of secondary data was used to supplement data in the research. Secondary data that was there before the reach was started and this is basically written newspapers and books as well as journals.

## **1.11 METHODS OF COLLECTING DATA**

### **1.11.1 Questionnaires**

Zikmund (2000:366) alludes to the view that questionnaire refers to a tool for gathering data using a carefully structured and designed laid down questionnaires. According to Skinner (1990) refers to questionnaire as questions that the respondents individually respond to by filling to the questions asked on the paper rather than the one carrying out the research. It presents written information to the respondents and requires the respondents to write down the responses targeting the information asked by the research question. Leady (1980) alludes to the view that a questionnaire is a common place for observing data that cannot be reached by physical eyes and witness. According to Martins (1995), there are three characteristics and features of a good questionnaire i.e. devoid of leading, clarity, and complex questions. Questionnaires thus they should be clear and easy so that the respondent can interpret them.

The questionnaires comprised of close-ended questions that seek the respondents to provide a simple answer and specific like ticking a box where there is male or female whereas open ended allows a chance to express one's views and expressions. Kinnear (1990) alludes to the view that also close-ended questions also contain probable subjects as well as answers that the respondents can respond by making varieties of choice of themselves. These questions seek the workers to respond to the effects of labour market flexibility to their rights and representation. The researcher insured that the questions were carefully drafted in wording and order to make them simple and unbiased.

### **1.11.2 Questioners advantages and disadvantages**

Questionnaires were largely used in this research after considering certain number of advantages that follows the use of them.

### **1.11.3 Advantages**

1. It focuses on specific areas of a particular problem.
2. They give respondents enough time for them to respond as compared to other methods like `interviews that could strain the minds of respondents.
3. A questionnaire provides empirical information that it can be presented quantitatively and qualitatively.
4. It gives the respondent guarantee to anonymity thus; he/she can provide information without influence from the researcher.

#### **1.11.4 Disadvantages**

1. Respondents sometimes are not certain of the security of the information thus they tend to be reluctant to exercise.
2. The respondents especially in the food industries, they work very late therefore, this may give stress to workers. If they are tired, they may not fill in the questionnaires or they may not give actual information.
3. Respondents may fail to interpret the questions, resulting in respondents giving irrelevant answers.

The researcher used more of close-ended questions since they are easy to administer and saves time in presenting data. Questionnaires entail respondents respond using their experience at work. The researcher chose them since they allow the respondents to respond fully therefore broadening choices and quality of findings gathered.

#### **1.12 Interviews**

An interview is a conversation conducted by the researcher to the respondents to gain information and data. Responses were recorded through note taking, as well as voice recording. Due to limited time, the researcher used phone call interviews as one of the main research tools to obtain data.

In a bid to thoroughly investigate and assess the effects of labour market flexibility, the researcher used in-depth interviews.

### **1.13 Advantages of in-depth interviews**

1. The researcher has a great leeway to explore and explore more about labour market flexibility.
2. The interviewer can analyse and tackle more on areas of concern.
3. The rate of the response is quick.
4. The researcher can judge the response of the respondent with his or her reaction.

### **1.14 Disadvantage of in-depth interviews**

1. Respondents may be biased and
2. Respondents may become emotional and therefore give false or twisted information.

### **1.15 Secondary sources**

The researcher also partly used the statutory instruments and the labour act to consolidate data.

### **1.16 Advantages of secondary sources**

1. secondary data is authentic
2. Secondary data was available and provided three important qualities.
  - Convenient
  - Accuracy
  - Cheapness

3. The information collected from the statutory instruments is useful since it acts as evidence to the labour laws that was ignored by the government and the employers.

### **1.16.1 Population**

According to Levin (1994), population is assemblage of elements used to acquire data. According to Cooper and Schindler, (2003:179) population is a total element needed by the researcher in making some interference with. Population of research therefore is the total group that the researcher is concerned in carrying out an investigation .The chosen population is made up of Food manufacturing industries N.E.C graded employees, members and staff of the Federation of Food and Allied Workers Union.

### **1.16.2 Sample**

This refers to part of population representing the population targeted that will represent the rest of the whole population; therefore, it is also part that represent a target population. Levin (1994:52) alludes to the view it is a collection of selected elements of targeted population that is being studied. Sample of the study was then taken from five sectors of food manufacturing industries in Harare .The researcher picked ten employees from each sector randomly from any company falling in the sector.

### **1.16.3 Sample unit**

This is a lone collection subjected defined as sample. Sampling unit in this case is the N.E.C Food graded employees and the Federation of Food and Allied staff.

#### **1.16.4 Sample size**

The research is more inclined to the N.E.C Food graded employees and FFAWUZ as they are heavily affected by labour market flexibility. However, other actors of concern are considered to take a play .The researcher picked randomly 10 employees from each sector of the five sectors of food industry summing to the population of 50.

#### **1.16.5 Pilot Testing**

The research distributed four questionnaires to fellow students, two Trade Union questionnaires and two employees questionnaire. The pilot testing helped the research in correcting areas where the pilot respondents pointed out that needed clarity. Interview guidelines were also analysed through pilot testing ad adjustments made there on.

#### **1.17 Data Presentation and Analysis Procedures**

This involves a systematic process of analysing data and statistically illustrating and describing the data into meaningful information .The questionnaires were then evaluated on their completeness .Close ended questions were illustrated statistically following descriptions whereas, open ended questions were qualitatively presented and analysed .Pie charts ,bar graphs and tables

#### **1.18 Summary**

Chapter 1 highlighted on the background of labour market flexibility, the research objectives and possible guideline questions as well as the significant of the study to various institutions and actors. The researcher laid emphasis to the delimitations, limitations, and methodology used to acquire enhanced quality output of the research. This chapter gave an overview of the

background of the study. Chapter 2 will explore and define on labour market flexibility literature about its forms, reasons for its existence and the effects of labour market flexibility.

The chapter outlined the methodology used when the researcher carried out his research and highlighted the possible strengths and weaknesses of each method used .It illustrated on the presentation and analysis of data.

## **2 CHAPTER TWO**

### **2.1 LITERATURE REVIEW**

This Chapter is a review of relevant literature from various authors and other scholars who wrote about labour market flexibility. This literature relates to the labour flexibility effects to workers' rights in the food industries in Zimbabwe and the Federation of Food and Allied Workers Union of Zimbabwe, which represents workers rights in the Food industries of Zimbabwe. Therefore, this chapter will discuss on labour market flexibility, its forms and types, its development and its effects on workers' rights and representation.

### **2.2 Definition**

Labour market flexibility refers the employment's ability to and responds to change. (Rubery and Grimshaw, (2003) allude that Debates on labour market flexibility are not a new phenomenon. However historically the name labour market flexibility became popular in the 1980s, Labour market evolution was marked by the periods when labour dominated the market followed by the influence of trade unions to maintain the stance of the labour force market. According to Polanyi`s analysis, the capitalist system drew attention to the growing tensions which arose when the labour force to dominated the market due to certain laws and statutes that guided the labour relations and this led to the capitalists to sort ways and actions to run away from the calamity raised by the increasing force of labour force .

According to the L.S.E(2006) flexibility of labour is an escape point of employers from entertaining the labour force needs and wishes since they are they termed them as the key to their business demise and low flow. This has tend to become a metaphor for unfettered markets and led to the ignorance of labour institutions that guide the principles and rights of employees in the labour environment and sort strategies to freeze their capabilities and duties .

## **2.3 WHAT MOTIVATES LABOUR MARKET FLEXIBILITY**

### **2.3.1 The ever-changing business environment**

A highly competitive product market environment, rapid increase in technological change and an increasing production capital intensity has triggered change in the employment relations thus resulting in employers coming up with strategies to maximize the profits and cut the costs hence ignoring the workers' rights and recognition. More so Labour survey reports (2004) reported that the increase in labour market mobility and deregulation of it influenced labour market flexibility. This inherited from the Structural adjustments which prerequisite the opening of the product market and removal of trade barriers which Zimbabwe failed to capacitate. Liberalization of trade resulted into massive competition of goods and instability in product market, which led the employers and the government to adopt measures to cut costs.

### **2.3.2 Changing social environment**

The changes in the social environment created an environment that raised concerns to the workers. The maternity leave for women has raised concerns from the employers that it drags productivity thus by labour market flexibility if women is pregnant it only means that she should be replaced by someone thereby cutting maternity leave costs and the time spend without production due to the absence of her.

### **2.3.3 Government policy environment**

The desire of the government to make the economy attractive to investors has led to the ride of labour market flexibility. In the Zimbabwean situation, the government adjusted its labour laws to meet up with the standards of investors. The Zimbabwean government has opted to look east and allow the East to invest in Zimbabwe to boost the economy of Zimbabwe. However, this effort was not going to be successful with the laws that were in Zimbabwe that protected employees from exploitation therefore this led to the government to revisit the labour act and create room for investors to invest Zimbabwe.

In other areas apart from Zimbabwe, Scholars has proven that judicial presidency has pushed a force in fueling labour market flexibility. For instance the Lithuanian legal system as well as many other countries and regions have become more and much pluralistic as Trade union authorities and activities loses their legislative roles and duties. This was indirectly intercepted by the government through certain laws i.e. Judicial precedents, court opinions ,law summaries as well as other factors that can influence the smooth flow of labour regulations have become the order and choruses of the labour environment. In Zimbabwe recently the Herald asserted that Chief Justice Chidyausiku passed a judgment that a permanent employee can be terminated of his or her contract in three months without any terminal benefits and this was adopted all over the companies in Zimbabwe resulting in massive job loss of employees.

#### **2.3.4 FORMS OF LABOUR MARKET FEXIBILTY**

Given term labour market flexibility, It becomes complex to highlight a simple measure of labour market flexibility nor it is easy to give a satisfactory indication for labour market flexibility. According to Cheadle (2006), labour market flexibility has got different angles which employers and government can use to minimize the cost of labour .He highlighted areas, which employers and government use to reach labour market flexibility. Areas include flexibility of employment (ways to twist and turn employment levels to suit their interests), Wage flexibility (altering wages depending on cost versus production) and functional flexibility (changing of work processes, terms and conditions of employment).

#### **2.3.5 Employment flexibility**

According to Van Renem (2005), Employer `s freedom to hire and fire is at the backbone of labour market flexibility. The employer gains the velocity to hire and fire employees at any given period thus ignoring the whole concept that was highlighted in the stipulated legislative labour instruments. The basic question addressed in this paper therefor is what effect does labour market flexibility have to the workers and their representation therefor there is need to highlight on the major and basic forms of labour market flexibility.

### 2.3.6 Wage flexibility.

Institutions and regulations have limited wage variations that included minimum wage

Figure 2-1Poster created by ZCTU 2014



regulations, trade union activities and the extent to which there is coordinated wages and alary bargaining. The economic theory states that in case of oversupply, prices fall therefore causing employers to flex the wages to meet up with the market demand .Van Reenem alludes to the view that workers have become cheaper in the society since the introduction of labour market flexibility. This is because employers were granted immunity not to be questioned by trade unions on issues concerning wages .This significantly direct to the situation of Zimbabwean

food industries ,whereby salary and wage increments have been ignored since 2011. However, the union has been making effort to bargain with employees but it proved that employers were not interested in that.

### 2.3.7 Functional flexibility

(Robert Vender 2011).asserts that modern approaches to job evaluation and organization has witnessed massive efforts to implement labour market flexibility .Multi-tasking , duplication of labour and a dynamic change of labour codes of conduct strengthened labour market flexibility since employers take advantage of their authorities to alter every aspect that seem to hinder productivity profits and escaping from legislative traps.

### **2.3.8 Contract of employment**

This has emerged to be of greater consideration when highlighting labour market flexibility in almost every literature and reports of any country or industry. Most of the employees in the Food manufacturing industries are on casual employment and some on fixed term contracts for a long period thereby preventing the consequences of terminating a permanent contract employee. Jacob Starling (2000) noted that economically labour market flexibility is another form of termination of permanent contract strategy basing on the notion that any employer has the power to hire and fire whenever he or she deems fit thus led to the introduction of fixed term contracts and the ignorance of permanent contracts in the Food manufacturing industries in Zimbabwe. In Zimbabwe, casual employees have been given another name that is permanent casual employees; this was done to cut costs in any possible manner necessary.

### **2.3.9 Supply side flexibility**

Considering the fact that by the employers move to labour market flexibility ,there is more concern to the out puts rather than the labour input ,According to Aue Peter (2009 the labour laws are ignored thereby giving room to employers to authorize on time of starting work and when to finish meaning that there will be nothing like overtime .

### **2.3.10 Work time flexibility**

Work time flexibility is when an employer sort ways to change and alter pattern and hours ,determining work schedules and timetables ,extension of labour working hours ,overtime and the refusal of the employer to grant leave days for and employee are some of the examples of work time flexibility as a form of labour market flexibility .

### **2.3.11 Labour brokering/Subcontracting**

Scholars have not commented much on labour brokering since before, it seemed like a mere phenomenon that had no effect to labour relations until the 21<sup>st</sup> century, that is when it came to visibility. In Africa, subcontracting formally practiced in Namibia and implemented in South Africa and Zimbabwe, commonly known as labour hire in which companies contract labour brokers to avoid labour maintenance, training, and remuneration. Acc International Land Coalision (2013), brokering has seen to pave its way into labour market flexibility and has characterized Zimbabwe as well. This has been done to run away from issues and conflicts of gratuities and service pays following the termination of an employee's contract.

### **2.3.12 Job rotation**

Job rotation has proved also as a form of flexibility of labour. Nevertheless, employees do not get payments for these duties and tasks and also they are not enhanced and upgraded as their statutory instruments require recognizing the increase in workload. The effects of this development have resulted in increasing workloads for employees.

### **2.3.13 Special economic Zones**

These zones are aimed at creating a protective wall to certain companies so that they boost the economy. This means that these zones are immune to any rule and regulation that might try to hinder the exercises of labour relations. These economic zones are mostly found in companies that have the capabilities of increasing trade and profits therefore by creating a barrier for any Trade Union and labour laws to be exercised, they promote labour market flexibility.

Scholars dwell much in the benefits of labour market flexibility being an alternate remedy to the prevailing economic and employment crises. Rather they concentrated much on its benefit. However labour market flexibility has failed to answer to the problems of the economy but it worsened the situation by affecting workers' rights.

## 2.4 EFFECTS OF LABOUR MARKERT FLEXIBILITY

Table 2-1two dimensions of Employment

DECENT OF PROTECTIVE	FLEXIBLE OR UNREGULATED
Hiring regulations and standards	No hiring standards
Right dismiss restricted	Unrestricted dismissal rights
Severance and termination notice required	No notice required
Casualization and fixed term contracts monitored and restricted	Unrestricted casualization and fixed term contracting
Temporary agency restricted	Limitless temporary agency work
Regulated collective dismissals	No extra restrictions on collective dismissals
Full participation of Trade union activities in representing workers	Limited activities of trade union activities due to low membership through fixed term contracts

Source: Employment protection... 2002

### **2.4.1 Unskilled workforce**

Casual and fixed term contracts being the core characteristics labour market flexibility, they prove the casual employees and workers on fixed term contract suffer constant rotation and job alterations .This means that they will need more time in practicing and gaining the skills for the job thus giving strain to their experience resulting in them be less experienced .

### **2.4.2 Job insecurity**

Gift Maoneka (2014), a paralegal officer at Federation of Food has commented in chronicles Newspaper that labour market flexibility creates stresses in industrial relations since workers will be working under fear that they can lose job any time. Labour market flexibility stipulates that the employer have the power to hire and fire willy-nilly. Job security is more impotent to workers than the levels of wages .Therefore, insecurity has led to lower morale for workers and productivity for the company .

### **2.4.3 Compromised worker's representation**

(Goslinga and Sverke, 2003) Casual employees and fixed term employees do not subscribe to trade Unions due to the nature of their jobs. Trade union duties and responsibilities were compromised since trade unions base their stance on legal statutes to operate and represent fully its workers hence by the labour market flexibility ignoring the labour laws it means that trade unions are limited of their duties to participate in the employment relations. Apparently the Federation of Food and Allied Workers Union of Zimbabwe has been affected significantly since most of the workers in food manufacturing industries are on subcontracts, fixed term contracts and casually employed thus making it harder for workers to join the Trade unions knowing that at any time he or she might get fired within a month.

#### **2.4.4 Imbalanced bargaining power**

Ross Gitting (2009) argues that labour market flexibility creates an imbalance bargaining power since both sides the employer and the employees have roughly imbalanced bargaining power. However where one party has far more power than the other – such in this case the employer bargains with an individual employee for services meaning there is no conciliatory and labour disputes agents to discuss or facilitated the bargaining process , the economists' model offers no assurance that the weaker party will get a fair deal. Zimbabwean food industries are not to spare in the situation whereby the employees are not being given a chance to bargain on any factor affecting their lived at work.

#### **2.4.5 High unemployment rate**

labour market flexibility has proved to be the major cause for unemployment in most of the European countries as alluded by Cheadle(2000) since employees were getting fired frequently so as to minimize the costs and maximizing the profits .This effect has not spared Zimbabwean Food industries situation since retrenchments and frequent termination of employment has characterized it.

### **2.5 THEORY AND CONCEPTUAL FRAMEWORK**

Theoretically the labour laws covers all the employees, however the labour laws does not include new forms of employment prevailing in Zimbabwe i.e. casual and fixed term contracts. Legal jurisdiction does not attend fully to the needs and rights of a casual employee and fixed term contracts .For instance in Zimbabwe employees work up to 10 years on fixed term contract without enjoying the full benefits and security of employment. According to Theron (2005) the standard employment relationship is based on assumptions, For instance the labour act Chapter 28:01 strongly major on permanent employees and assumes that an employee has one employer this it fails to tally on what is on the ground whereby subcontracting and casualization of contracts became the choruses of the about relations .

### **2.5.1 Classical theory**

The researcher made use of classical thought and theory, which is essentially laissez faire of wholesome capitalism. In this view the business owns the means of production and are the ones that determine everything to run in the employment relations without any input from any firm .Classical theory alludes that all markets equilibrate with adjustments. If there is excess if the production profits fall, the employers will alter wages to reimburse the costs. This theory has proved to apply in the Zimbabwean food industries in which the employers are ignoring the legal statutes and operate in following the demand of profit and forgetting the employees' rights therefor clearly giving proof that this will affect the life of the workers in the sense that they will be living in a fluctuating employment environment. Employers saw the the labour laws as the key blocks to low productivity hence by escaping the point of labour legislations ,labour market flexibility emmerged .

### **2.5.2 Keynes theory**

Keynes theory of employment states that the employment environment should follow the suit of economic fluctuations, when economy is financially unstable ,the employers should minimize the costs by cutting wages down to maintain the nature and sustenance .He alluded that Trade Unions restricts flexibility in wages and worsens deflation therefore the employers should lower their wages and ignore the works of trade unions since they make everything become costly and directly this means that workers are no longer enjoying their full privileges as per law requires.Zimbabwe has applied this theory throughout the food industry companies because employers are more concerned with productivity other than the employees lives and rights, any decrease in the price-level will result in employees being underpaid and termination of their contracts. This has made the employers to ignore the probable causes to low productivity alleging to the employees' wages as the problem to the productivity downfall hence leading to flexibility in wages.

### **2.5.3 Capitalist theory**

Lastly, human capital theory which states that the employer is the one who owns the life of an employee in which he or she dictates the input and outcomes of the employee through working hours and wages. (Becker, 1964) alludes that employers has the authority over the movement of employees and can alter and make changes whenever necessary, this has led the employers to converted most of the permanent employees to become casual and fixed term . This has affected largely the food manufacturing industries in Zimbabwe because they lack working experience due to the fluctuations of the employees contracts thus leading to poor productivity and poor working skills of an employee.

### **2.5.4 Summary**

The chapter offered a literature provided by other scholars and a review of Labour market flexibility. Various definitions of labour market flexibility from scholars were cited defining issues hovering around the concept of doing away or ignoring labour laws. It also highlighted on the effects that comes with labour market flexibility. The Chapter also explained and assessed the motivation of flexible labour markets, its possible forms, effects of flexibility in labour market and theoretical conceptual framework of the reasons and prevalence of labour market flexibility.

### **3 CHAPTER 3**

#### **3.1 DATA PRESENTATION AND ANALYSIS**

##### **3.1.1 Introduction**

The purpose of this study is to find out the effects of labour market flexibility to workers' rights representation from the views from the victims of labour market flexibility which are the food industry workers and the Fedaeration of Food and allied workers Union.

Questionnaire response rate, interviews response, and overall response of both questionnaires and interviews are covered in this chapter. Findings are qualitatively and quantitatively presented using tables, graphs and descriptions. The researcher is going to give an analysis from the findings as to how Labour flexibility has affected the rights of workers and their representation.

Data collected was partitioned into two segments namely workers representatives i.e. Federation of Food and Allied Workers Union of Zimbabwe and the food industries employees. Cooperative assessment and analysis of the findings obtained is also to be covered in this chapter.

### 3.2 Response rate of Questionnaires

**Table 3-1**

Respondents	Target population	Sample %	Actual response	Response %
Baking industry	10	20%	8	16%
Food processing	10	20%	6	14%
Soft dinks	10	20%	5	10%
Edible oils	10	20%	7	12%
Meat ,fish & poultry	10	20%	4	8%
Totals	50	100%	30	60%

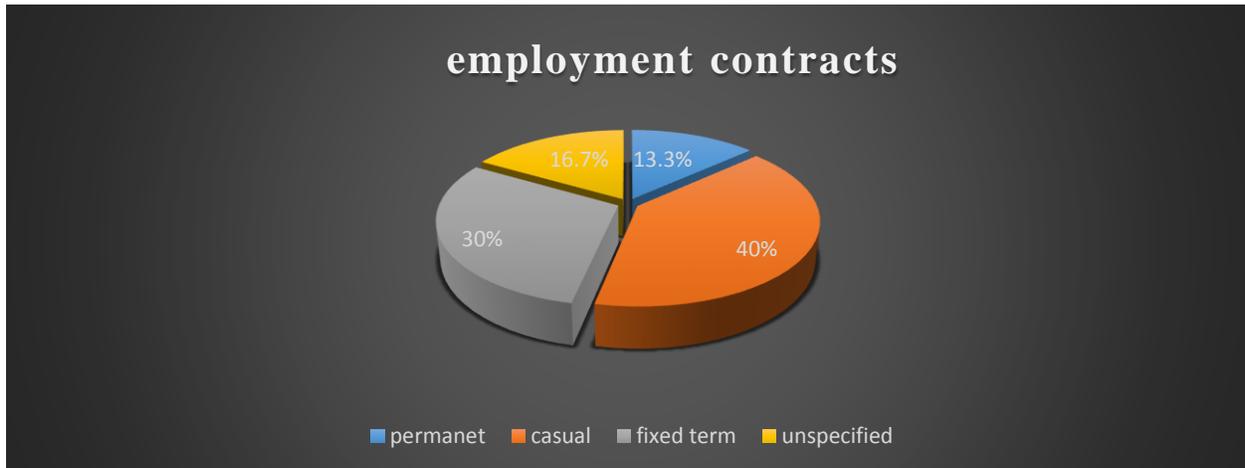
The table above represents the results from employee’s questionnaires from five sectors targeting 10 employees per sector. Of the targeted population , 60% percent from all the sectors in the food industry was recorded as to be filled .

From the table above, it shows that Baking industry has the highest number that significantly responded with 16% response rate followed by Food processing with 14% response rate followed by Edible oils with 12% response rate followed by Soft drinks with 10% response and lastly with Meat, Fish, Poultry and abattoirs with 8% response rate.

In carrying out the survey, the researcher used purposive sampling to annalyse on the prevalence of contracts of employment ; the researcher-categorized workers in four-dimensional partitions namely fixed term, permanent, casual, and unspecified to get the views separately for a more precise analysis. Response rate of employees with their employment contracts specified.

### 3.2.1 Employment contracts

Figure 3-1 Trends in employment contracts

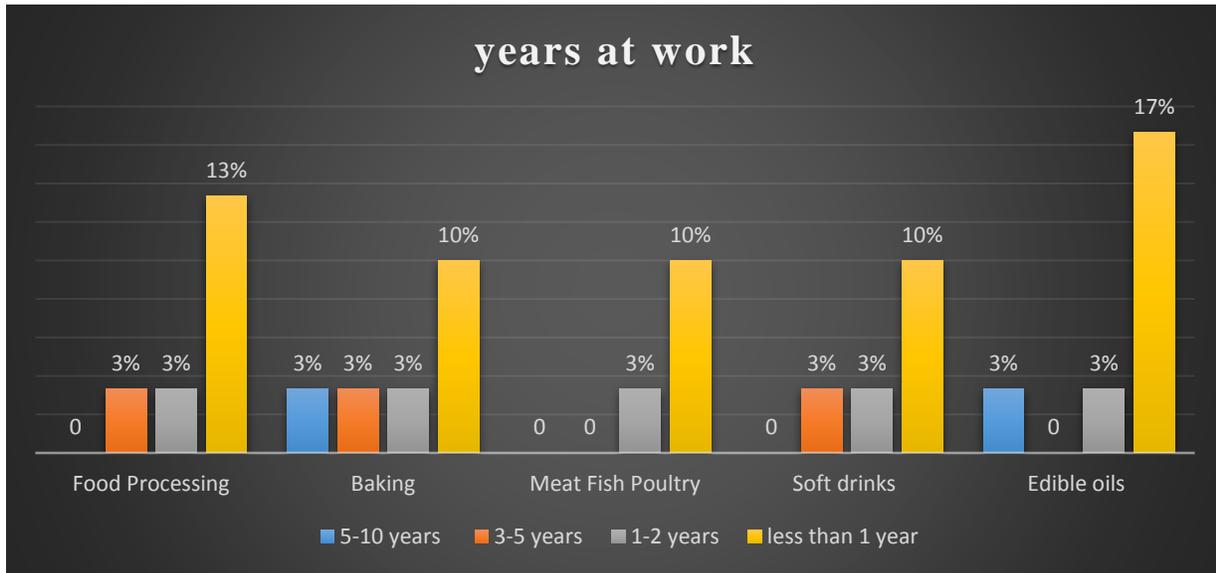


The pie chart above, shows that the large number of respondents were casual employees comprising of about 40% in the food industry, followed by fixed term contracts which comprised of about 30 %, followed by those employees with unspecified contracts comprising about 17% and lastly permanent contracts with the least number of employees comprising a percentage of 14%.

From the pie chart the researcher revealed that most of the permanent employees in food industries are part of the management team being the supervisors and supervisors comprising of 13% of permanent employees in Food industry. Significantly proving that 87% of the employees that most of the employees that are not permanent are prone to dismissal anytime and they do not enjoy full benefits at work since they are not on permanent contract thus evident that labour market flexibility is really a living phenomenon in Zimbabwe food industries .

### 3.2.3 Period spend at work

Figure 3-2employees working period



#### Total % of employees working for less than

Total % of employees working less than a year	60%
Total percentage of employees working 1-2 years	17%
Total percentage of employees working 5-10years	7%
Total percentage of employees working 3-5years	10%

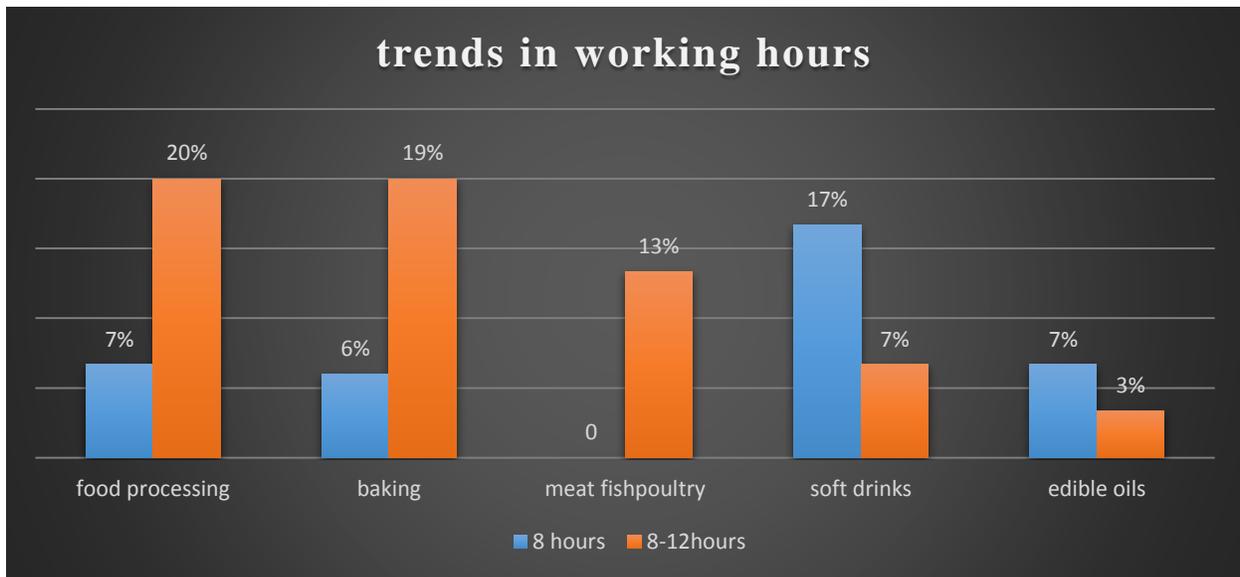
The table above shows the years of employment spend in each sector of the five sectors in which the research was taking place.

Findings shows that employees with less than one year covered the larger portion of the employees in the food industry in 2015 covering about 60% of the respondents, employees with a year to two years covers about 17%, employees from three to five years covers about 10% and those that are from five to 10 years covers about 7% .

### 3.2.4 Working hours

Graph below shows the percentage of working hours to which Food industry employees were spending at work.

Figure 3-3 employees working hours

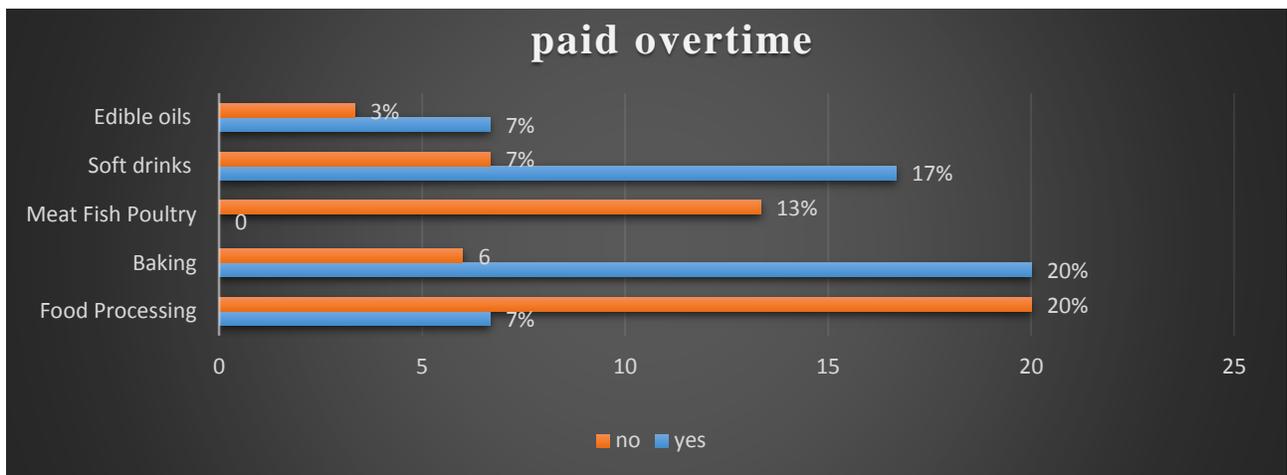


The table highlights the percentage of working hours for employees in the food industry and the data has been collected from the questionnaires, it is witnessed that sectors had fluctuations in working hours. Food processing recorded 7% maintained 8 hours and 20% worked from 8-12 hours, baking industry recorded 6% that maintained 8 hours and 20% worked from 8-12 hours, meat fish and poultry recorded 13% of employees worked from 8-12 hours, soft drinks recorded 17% of employees maintained 8 hours and 7% worked from 8-12 hours, edible oils recorded 7% of employees who maintained 8 hours and 3% worked from 8-12 hours. Overall 37% of the employees work 8 hours per day whereas 63% has fluctuations ranging from 8 to 12 hours per day.

### 3.2.5 Overtime payment

Graph below shows the frequency of employees that are paid for overtime and those that are not being paid of overtime.

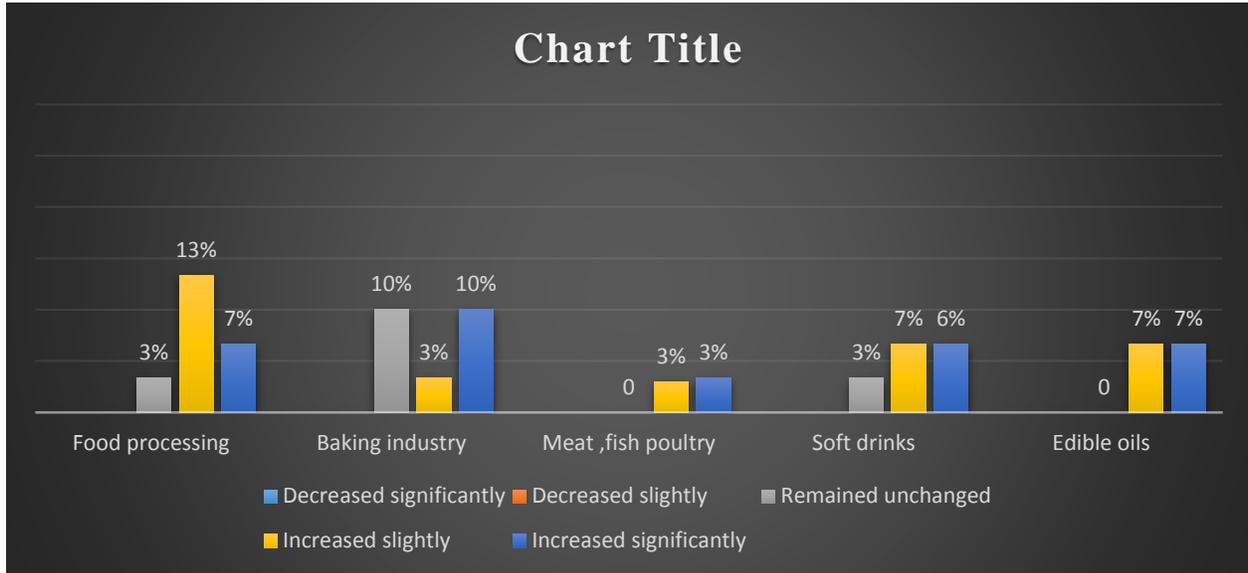
Figure 3-4 trends in overtime payment



The graph has revealed that employees get different treatments in the payment of overtime whereby 51% of employees comprising of Edible oils with 7% ,Meat fish and poultry with 17% ,Baking with 20% and Food processing with 7% of the employees in food industry are paid for working hours whereas the remaining 49 % comprising of 3% of edible ils ,7% of Softdrinks ,13% of Meat ,fish and poultry ,6% of Baking and Food processing are not being paid for overtime. Further among the 49% of employees , the researcher has revealed the probability of employees to have converted overtime to become unpaid leavedays and off days since most of the respondents highlighted the it in the forms of labour flexibility.

### 3.2.6 Changes in working hours

Figure 3-5 showing Changes in working hours

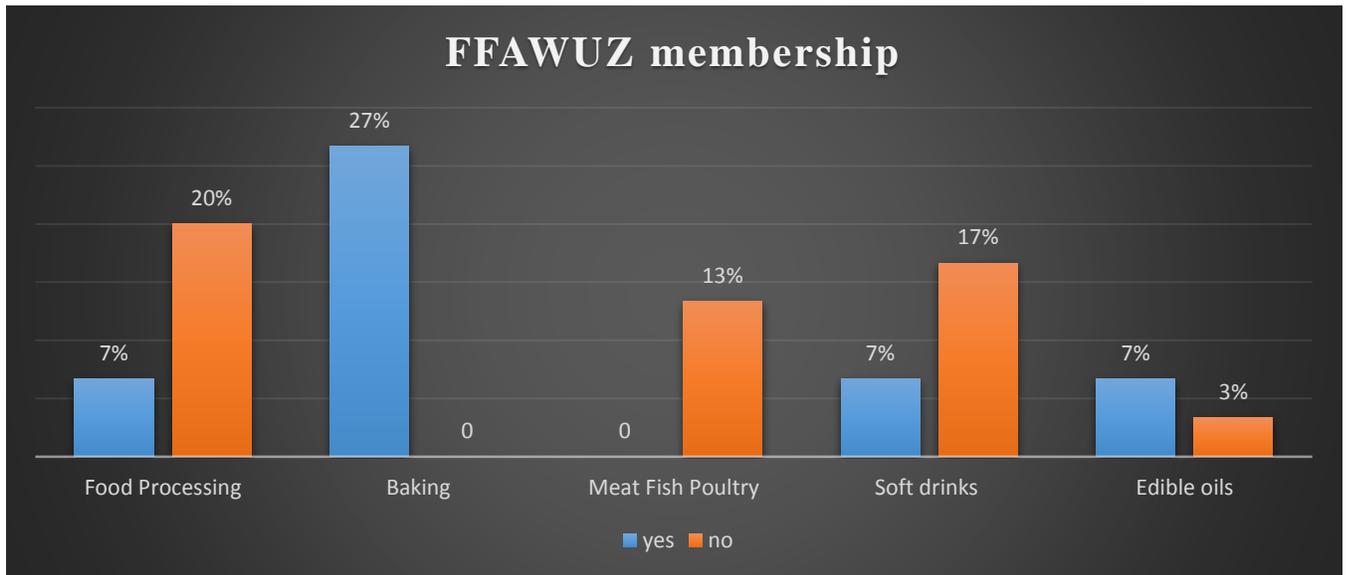


Graph above shows the trends in changes of working hours since the emergence of labour market flexibility. The 2015 research findings revealed that there has not been any decrease in working hours rather there is a significant rise in working hours whereby 17% has remained unchanged, 47% has increased slightly and 33% has significantly increased. The researcher observed that the changes in contract of employment from permanent to casual and fixed marked the leeway for employers to alter working hours.

### 3.2.6 Membership to FFAWUZ

#### Trends in Trade Union membership

Figure 3-6 FFAWUZ membership



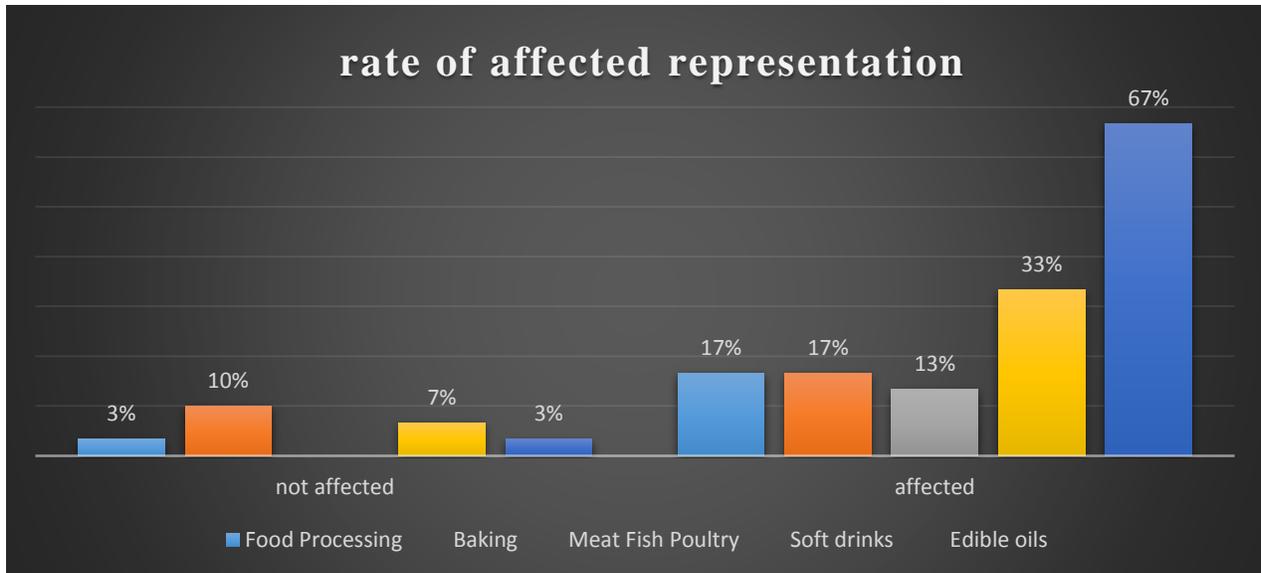
The graph revealed that 53% of workers have renounced their membership from FFAWUZ due to labour market flexibility. This is because most of the workers have been shifted from permanent to casual and fixed making thus making them loose membership to FFAWUZ.

Question 5 sought to find out and highlight whether the employees were aware or enlightened about labour market flexibility and the forms of flexibility that are affecting their industries.

The researcher revealed that most of the employees are aware of labour market flexibility since 60% of respondents highlighted their knowledge on it and its various forms. Positively they highlighted that labour market flexibility hovers around unfair dismissal, denied of their rights to join a trade union, unpaid overtime, labour broking, wage and salary freezes and extended working time.

### 3.2.7 Workers representation affected

Figure 3-7 extent of representation affected



Respondents highlighted the issue of loss of bargaining power that by not being part of a trade union or represented by FFAWUZ it leaves them vulnerable to unfair treatment. One respondent clearly highlighted that *“with no FFAWUZ representing and defending us we are doomed to dismissal”*

The researcher further carried out an interview for FFAWUZ staff about the effects of labour market flexibility. He interviewed three staff members of FFAWUZ of different departments namely the Secretary general Mr. R Dzimiri, The Organizing secretary and education, Mr. J Mawopa and the Legal Advisor Ms. Beta.

### 3.3 Emergence of labour market flexibility

From interviews carried out by the researcher, the researcher revealed that labour market flexibility affected the Federation of Food and Allied Workers Union in its activities to represent and advocate for workers’ rights. The researcher started by asking about the emergence of labour

market flexibility and the possible reasons and they all responded significantly positive and citing that that labour market flexibility was a move to isolate instabilities in the labour relations due to regulations and statutes that controlled labour movement in Zimbabwe that the employers and government failed to uphold.

*“The government has ignored labour laws in a bid to create a flexible industrial relations assuming that it will create a better Zimbabwe but however this was not a better and good idea to implement in Zimbabwe since the Zimbabwean labour environment is too small and companies are limited and centralized.”* Said the Para legal office Mr. Mawoneka

More so from the interviews conducted to FFAWUZ staff, the researcher revealed that the respondents highlighted and concentrated on the plan to accommodate investors. This act stimulated labour market flexibility since the companies and government freeze the labour laws to accommodate these investors and resulted in the creation of special economic zones especially in food processing industries.

### **3.4 EFFECTS OF LABOUR MARKET FLEXIBILITY**

From the tables and figures above the researcher managed to measure the extent to which Labour market flexibility has affected workers rights and representation .the following assessment comprises of questionnaire and interview findings from the reseach.

#### **3.4.1 Unfair dismissal and forced early retirement**

From questionnaires on Question 8 that sought to find out how representation of workers has been affected and which areas employees where not being represented have mostly affected, the researcher revealed that unfair dismissal is one of the worst effect following labour market flexibility since respondents highlighted workers are facing dismissal with no or with short notices. One respondent commented, *“People are being dismissed with short notice in our*

*department*” as if it was not enough, the researcher also discovered that employees are facing forced retrenchment and early retirement with little or without any consignment at all.

*“As workers we are being forced to retire early and we are facing retrenchment with little package, most of my workmates were retrenched and others forced to retire before their time”*

### **3.4.2 Casualization of Contracts**

The researcher also revealed that employers make use of casual workers to minimize labour costs and increase capacity afar permanent contract normal working hours. One respondent from Food processing responded on a questionnaire,

*“It’s not fair, me as a casual contract I work for more than 8 hours per day but permanent contracts do not”*

Casual employees work late mostly and they work on weekends and holidays. This is beyond doubt a tactic to escalate employment but circumvent requirements of the labour law to pay overtime.

### **3.4.3 Health and social instability**

By characteristics labour market flexibility gives nothing except salary thus workers do not acquire benefits and assistances, evidently this means workers do not take part in contributions of NSSA or any compensation and pension fund. This has left employees and their dependents to be destitute because they have nowhere to claim compensation for injury, sickness or death on duty .Also due to low wages workers cannot pay for private insurance therefore putting the workers life at risk.

#### 3.4.4 Compromised workers representation and bargaining power

From interviews conducted to FFAWUZ staff, the researcher also revealed that labour market flexibility has greatly affected workers representation in Food industries and significantly, this has resulted in unfair labour practices from employers. Further labour market flexibility resulted in the demise of permanent contracts leading to the fashioning of fixed term and casual contracts in food industries. By this effect, it became easy for employers to dismiss and hire without any legal consent thus affecting the lives of employees at work, FFAWUZ organizer specifically said:-

*“Flexible labour market has made most of the employees to be on fixed term contracts and casual workers. This has resulted in us losing membership to represent and also it has created a an insecure working environment for workers its like vave pa so (they are insecure of their jobs) anytime munhu unogona kumuka zvanzi basa rapera (you can be dismissed anytime )and if you are not a member of the union kwave kutoenda kumusha” (there is I can do except to go home)*

This has went on to affect the bargaining environment of Food industry workers. Collective bargaining has been one of the pillars of FFAWUZ ever since its formation and through cooperative action; workers can expand and enhance employment-working standards. Nevertheless by most of the workers being on fixed term and casual employment, it means that they do not FFAWUZ therefor this has compromised collective bargaining outcomes. Determinations from the National employment council of Food and the drafting of the statutory instruments favored or the little number that still subscribe to FFAWUZ therefore leaving behind the larger number of employees without their concerns attended . Legal advisor specifically highlighted that:-

*“When it comes to the issue of bargaining with the National Employment Council, we represent our members and those that are not part of FFAWUZ, we don't .this simply means they will not be covered or be included in the bargaining processes”*

This research has attested that labour market flexibility has negatively affected workers rights in the sense that it has compromised their rights and the employers took advantage of the employees that they lack representation.

### **3.4.5 Reduced significance of FFAWUZ**

The researcher also exhumed that labour market flexibility has crippled workers' rights and it has reduced the significance and value of FFAWUZ. It proved to be the worst cancer to workers as it attacked the workers immunity against employment injustices .This has been witnessed by employers being ignorant to labour laws and the reluctance of the government to enforce effectively these laws.FFAWUZ also has failed to exercise its meaning and duty because of the governmental policies that are hiding its actions so that the government to initiate about market flexibility smoothly FFAWUZ general secretary highlighted specifically that ;-

*“we cannot demonstrate in the streets like the what our labour act says , there is POSA that has been put in place to watch our movements and if we try to engage in a collective job actions , we will be dispersed by riot police and even if we try the peaceful demonstration , the process and prceedures to apply for demonstration are very complicated and it now different from what we used to do in the 90s , it gave room for empyees to ignore labour laws and pursue their profits look at what they did with the Chidyausiku July 17`s judgment and they failed to comply with amendment number of the labour act 5 and it led our members to disengage from us”*

According to FFAWUZ staff, the interview revealed that labour market flexibility has compromised the significance of a FFAWUZ in industrial relations considering the fact that employees are renouncing membership due market flexibility and complicating the principle of FFAWUZ of collective grievance handling.

*“This has violated our principle of togetherness since employees are leaving the Union every day the government by not taking action to this cancerous act”*

The research also revealed that FFAWUZ has failed to get access to most of the food industries workers due to special economic zones; trade unions cannot affect these zones in any way.

*“These zones were made not to be affected by any labour law so as to maximize and sustain the economy thus by this act, trade unionism in Food industries is failing its effectiveness”*

These economic zones have created a barrier or an obstacle to FFAWUZ to access to workers as well as the companies and it has ignored all the labour laws allowing employers to extend working hours and stop paying overtime to employees.

Analyzing the effects of labour market flexibility, the researcher revealed that labour market flexibility has gone far to affect workers' health and safety. From questionnaires, one respondent highlighted that *“no pension and medical aid granted”* With the deterioration of job security, it has become difficult for workers to participate in occupational health and safety workshops and trainings, worsened by the fact that most of these workers have nowhere to report their cases. With this in mind, it is undoubted that workers find it difficult to report an accident or injury due to fear of reprisal.

Labour market flexibility has led to the increase of unprotected workers since it created a generation of casual and fixed term contracts other than the old phenomenon whereby permanent contracts were common in the food industry. With the shift from permanent employment to flexible labour, it led to fluctuations in schedules and working hours. This has led workers to work more than 8 hours per hour without paid overtime. Most of the bakeries, food, and meat processing companies in Harare have got ambiguous timetables, which could be changed or altered at any time when need arises.

The researcher also revealed that labour market flexibility gave rise to employees to lack the capability of shaping their careers and leave them unskilled, therefore increasing the worker's vulnerability to exploitation. It has also compromised workers protection since workers will be having little or no knowledge of the work thus resulting in accidents and poor standard outcomes. FFAWUZ asserted that most of the injuries and accidents found in the food industries are resulting from lack of skills and experience, Mr Mawopa gave an example of workers in Food

processing, that “*extruder operators in food industries are unskilled and that is the reason why they are frequently injured*”.

### **3.5 Summary**

This chapter presented the data collected from questionnaires, and interviews. It also highlighted on the analysis from the emergency o labour market flexibility that it was put in place to minimize costs and maximize profits of companies to boost the economy, however this resulted negatively to workers’ rights and representation. The research also exhumed that labour market flexibility arose as a way to accommodate investors who saw the Zimbabwean Labour laws as unfavorable to exercise their businesses. The employers were also strained with the labour laws since they failed to comply with the labour law standards due to the unfavorable economic environment. All these factors contributed to the emergence of labour market flexibility.

The researcher revealed that labour market flexibility greatly affected workers rights and presentation. It created job insecurity since it made employees to become casual workers and some to be on fixed term contract making them vulnerable to job loss at any time, since the employer can now hire and fire without any obligation of the law. Labour market flexibility also exposed workers to exploitation by employers, regarding the fact that labour market flexibility strategies are anti-union. This is the reason why most of the workers in food industry are not FFAWUZ members.

## **4 CHAPTER FOUR :SUMMAYRY ,RECOMMENDATIONS AND CONCLUSION**

### **4.1 Introduction**

Chapter four majors mostly on the entire study and reseach findings overview ,filling up the gaps and recommending on what needs to be done so as to curb the effects of Labour markert flexibility .The Chapter is going to highlight the whole summary of the whole reseach study.

### **4.2 Summary**

The study inclined mostly on the effects of labour markert flexibility to workers rights and representation in the Food industry and FFAWUZ which is the trade union that represents food employees workers rigts .The study also looked at the reasons to why flexibility has emerged and the resecher noted that globalization , look east policy , the need to accommodate investors as well as the plan of employers to flex the labour laws since they saw labour laws as a stamblin block to production .This resulted in the conversion of employees contrats fromm permant to asual and fixed term contract and the fluctuation in working hours and wage payments ,job rotation ,subcontracting and the creation of Special economic zones .the government then introduced POSA that hinderd and controlled collective job actions . ths contributed to the rise in ob insecurity , compromised health and sefaty of casual and fixed term employees ,massive job losses following the July 17 judgement that allowed an employer to dismiss and employee on a three months notice without any terminal benefits .Labour flexibility crippled the roles and duties of FFAWUZ as trade union since due to the shift of contracts of employment ,workers renounced membership from FFAWUZ..It affected the bargaining power of trade unions through the NEC ,lost membership and reduced its significants as a sound trade union like what it used to be before .

The reseach fullfiled the reseach questions and objectives which gave a better hand to the researcher to explore related litreture concerning the effects of labour mrket flexibility to workers.It also highlighted the recommendations to the effects of labour market flexibility.

### **4.3 Conclusion**

Labour market flexibility has a positive outcome if it is practiced in an environment with more and bigger companies with variety and plenty of employment. However in Zimbabwe at large, it resulted negatively due to lack of employment and economical instabilities therefore labour market flexibility has led to massive job loss of employers and created an insecure working environment for workers, it also hindered the participation of the Federation of Food And Allied Workers Union's role in representing workers at all levels.

### **4.4 Recommendations**

- Labour market flexibility has found its way to implement smoothly in food industries due to loopholes found in the current labour laws of Zimbabwe. This means that there is need for revision of the labour act Chapter [28:01] to define the terms Casual and Fixed term contracts, marking a fixed period of time a casual or fixed term worker can spend, after that period has passed he or she can automatically become a permanent employee.
- Further, the Labour Act has acknowledged only casual contract and not the individual who carries out the work. Therefore it is essential for the labour laws to acknowledge the casual employees, further this there is also need for the improve legislation that does not promote labour market flexibility that promotes the interests of the worker.
- Amendment 17 of the labour act section 7 has resulted in the progression of labour market flexibility. Therefore, there is need for FFAWUZ, the employers, and the government to identify the requirements and provision of Section 17, which includes revoking of the influence of employment control and termination from the employers and strengthening the acknowledgement of employees as permanent workers if the period covered as fixed term and casual, is up.
- Labour Act has not been amended to consider the concern of fixed term and casual workers therefore FFAWUZ can discuss and bargain the acknowledgement and improvement working situations and conditions of casual workers and fixed term

contracts through collective bargaining agreements .If these modifications are achieved at sectorial level ,it will then be easier for them to be adopted at national level as law.

- More so there is need also to implement and adopt some of the ILO declarations and conventions that promote decent work. In addition, the government needs to consider looking at the provisions of labour laws to regulate and prevent labour market flexibility look at the regulation of the labour market flexibility and pulling back the authority to hire and fire employers from company employers .
- There is also need for FFAWUZ to come up with a plan for all the workers who are employed regardless of the status of their employment whether it is permanent ,casual or fixed term employment .All workers need to be represented at the .

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## 4.6 APENDIX 1

### 4.6.1 QUESTIONNAIRE FOR WORKERS IN FOOD INDUSTRY

MIDLANDS STATE UNIVERSITY

Department of Politics and Public Management

Effects of labour market flexibility to workers rights and representation

RESEARCH QUESTIONNAIRE

I am Arshford Mariga, **Bachelor of Science (Honours) in Politics and Public Management** student at Midlands State University (MSU). I am doing my research on the “**Effects of labour market flexibility to workers’ rights and representation in the Food industries of Zimbabwe** and the Federation of Food and Allied Workers Union. The rationale of the study/research is to examine the extent to which labour market flexibility has affected the workers’ rights as well as to the how it has affected the representation of workers from Trade Unions particularly Federation of Food and Allied Workers Union. The information obtained could assist FFAWUZ, NEC food, the workers, TNF as well as the populace in decision making in order to curb these effects

There is NO identification requested from you and your opinions/responses will be treated in strictest confidence and will be used for academic purpose only. It will be highly acknowledged if you answer all the questions as truthfully as possible. Please indicate your choice by making a tick and, explain and comment where necessary.

**SECTION 1**

Male

Female

Please highlight the sector you are from

sector	
Food processing	
Baking	
Soft drinks	
Edible oils	
Meat ,fish and poultry	

Please tick the box that indicates your contract of employment

Permanent

Fixed term

Casual

Unspecified

If not permanent employee please highlight how long do you renew your contract

.....

**SECTION 2**

1. How long have you been working at your company?

.....

2. How many hours do you work per day?

.....

3. Do you work overtime?

YES/NO

If yes, do you get paid?

YES/NO

4. Have your weekly operating hours changed in the last five years?

- Decreased significantly
- Decreased slightly
- Remained unchanged
- Increased slightly
- Increased significantly

.....

5. Are you a member of FFAWUZ, if not please highlight the possible reasons why you are not a member.

YES

NO

.....

6. Do you understand Labour Market flexibility, if yes list any forms of labour market that you are aware of.

.....  
.....  
.....

7. How has Labour Market flexibility affected your life as an employee?

.....  
.....  
.....

8. Has labour market flexibility affected your representation from your Trade (FFAWUZ)

YES/NO

b. If yes give some areas which were affected.

.....  
.....  
.....  
.....

9. What do you think can be done to curb/do away with Labour Market flexibility

.....  
.....  
.....  
.....

**THANK YOU VERY MUCH FOR YOUR TIME**

## **4.7 Apendix 11**

### **4.7.1 Interview guideline questionnaire for FFAWUZ staff**

Good morning/afternoon. My name is Arshford Mariga .I am a fourth year student at Midlands State University doing a BSc Honours degree in Politics and Public Management and am carrying out a research on **Labour market flexibility and its effects to workers rights and representation .A case study of Harare food industries and the Federation of Food and Allies Workers Union of Zimbabwe** and you have been selected for an interview .You are assured that information given will be treated as confidential and is going to be used for academic purpose only. Your effort will be greatly appreciated.

1. In your own view , what could be the reasons for emergence of labour market flexibility?.
2. What are the major forms of labour market affecting your industry?.
3. How has Labour market flexibility affected representation of workers ?.
4. How has labour market flexibility affected the significance of FFAWUZ ?.
5. Which areas have been affected in representing workers ?.
6. In your own views what do you think can be done to curb the effects of labour market flexibility?.

#### **FFAWUZ staff interviewed**

Legal Department : Mr Gift Mawoneka,Ms P. Beta

Organising Department : Mr R Mawopa

Secretary General : Munhurume