

Collective Bargaining Agreement: Harare Municipal Undertaking

IT is hereby notified that the Minister of Public Service, Labour and Social Welfare has, in terms of section 80(1) of the Labour Act [*Chapter 28:01*], published the Collective Bargaining Agreement as set out in the Schedule. This agreement was registered in terms of section 79 of the Labour Act [*Chapter 28:01*].

SCHEDULE

EMPLOYMENT COUNCIL FOR THE HARARE
MUNICIPAL UNDERTAKING

EMPLOYMENT OF YOUNG PERSONS

This further agreement has been made and entered in accordance with the provisions of the Labour Act [*Chapter 28:01*] (herein referred to as the “Act”) between the Harare Municipality, of the one part and the Employee Party represented by the Municipal Workers Union of Zimbabwe (MWUZ), the Zimbabwe Urban Councils Workers Union (ZUCWU), (Harare Branch), the Water and Allied Workers Union of Zimbabwe (WAWUZ) and the Zimbabwe Allied Municipalities Workers Union (ZAMWU), of the other part, being parties to the Employment Council for the Harare Municipal Undertaking.

1. This further agreement shall come into operation on the date of registration of this agreement.

2. The principal agreement (Statutory Instrument 135 of 2012) is amended in clause 4 by the addition of the following definitions:

“child” means any person below the age of eighteen (18);

“child labour” work that is mentally, physically, socially, or morally dangerous and harmful to children; deprives children of the opportunity to attend school or forces children to leave school prematurely; requiring them to attempt to combine school attendance with excessively long and heavy work and work that is in violation of a country’s minimum age laws;

“worst forms of child labour” means extreme forms of child labour which involves child slavery, exposure to serious hazards and illnesses and or leaving children to fend for themselves on the streets at a very early age;

“hazardous work” any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise health, safety, or morals;

“light work” work, which is not likely to jeopardise the education, health, safety, rest or the social, physical or mental development of a child.

The Principal Agreement is amended by the addition of clause 37 as follows:

1. Parties hereby agree that City of Harare shall adhere to the Labour Act [*Chapter 28:01*] in terms of employment of young persons.

2. The employer shall not employ any person in any occupation who is below the age of eighteen years:

- (a) to perform hazardous work;
- (b) to perform work in an undertaking other than as an apprentice or in conjunction with training at a vocational or technical training school.

3. For purposes of apprenticeship, the minimum age shall be sixteen years.

4. Any contract of apprenticeship with an apprentice which was entered without the assistance of the apprentice’s guardian, shall be void and unenforceable against the person purportedly employed under such contract.

5. A person under the age of eighteen years but not younger than sixteen years may perform work in the undertaking that is carried out in conjunction with a course of technical or vocational education.

6. The employer shall not cause any person under the age of eighteen years to perform hazardous work which is likely to jeopardize that person’s health, safety or morals in accordance with ILO Convention 182.

5. No employer shall cause any person under the age of eighteen (18) to perform the following work —

- (a) any work which is likely to jeopardize or interfere with the education of the child or young person;
- (b) any work involving conduct with any hazardous substance article or process;
- (c) any work that exposes a child to electrically powered tools, cutting or grinding blades;
- (d) any work that exposes a child to excess heat, cold, noise or whole-body vibration;
- (e) any night shifts.

List of hazardous work

- 1. Working in confined spaces.
- 2. Working at heights.
- 3. Working under different weather conditions (hot, cold, rain and humid).
- 4. Working in construction zones.
- 5. Working on public roads and streets.
- 6. Working on noisy environment.
- 7. Working on waste and dusty environment.
- 8. Driving heavy duty trucks, excavator, tipper and front-end loader.
- 9. Operating conveyer belts.
- 10. Cleaning conveyer belts.
- 11. Using cutting blades.
- 12. Servicing machines.
- 13. Attending to electrical faults.
- 14. Using gas cutters.
- 15. Use and storage of hazardous chemicals and substances.
- 16. Use of electrically powered tools such as grinders and welding machines.

17. Operating heavy machine causing whole body vibration.
18. Maintenance activities in high voltage areas.
19. Any night shifts.

Declaration

The Harare Municipality and the Employees as represented by the trade unions i.e. (MWUZ, ZUCWU, WAWUZ and ZAMWU), having reached an agreement set forth herein, and the undersigned hereby declare that the foregoing is the agreement arrived at and affix their signatures thereto.

Signed at Harare on this 14th day of July in the year of our Lord two thousand and twenty-two.

CLLR. J. K. KUNASHE,
Employer Party Representative,
for and on behalf of Harare Municipality.

B. MATENGARUFU,
Acting Human Capital Director,
for and on behalf of Harare Municipality.

CLLR. L. GOMBA,
Employer Party Representative,
for and on behalf of Harare Municipality.

CLLR. P. T. MANGWIRO CHIKWAKA,
Employer Party Representative,
for and on behalf of Harare Municipality.

G. MATONGERA,
Employee Party Chairperson,
for and on behalf of Municipal Workers Union of Zimbabwe.

C. MATSIKA,
Zimbabwe Urban Councils Workers Union Chairman.

T. K. MUSARURWA,
Water and Allied Workers Union of Zimbabwe President.

T. MURAMBATSVINA,
Zimbabwe Allied Municipalities Workers Union President.

R. MATSIKIDZE
Employment Council for the Harare Municipal Undertaking,
Chairman.

R. KATSANDE,
Employment Council for the Harare Municipal Undertaking,
Secretary General.

