

Collective Bargaining Agreement: Agricultural Industry

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*], approved the publication of the Collective Bargaining Agreement set out in the Schedule and registered in terms of section 79 of the Labour Act [*Chapter 28:01*].

SCHEDULE

NATIONAL EMPLOYMENT COUNCIL FOR THE
AGRICULTURAL INDUSTRY

COLLECTIVE BARGAINING AGREEMENT:
AGRICULTURAL INDUSTRY

(AGRO SECTOR)

Made and entered in accordance with the Labour Act [*Chapter 28:01*], as amended from time to time, between the Zimbabwe Agricultural Employers Organisation (ZAEO), Zimbabwe Commercial Farmers Union (ZCFU), Zimbabwe Farmers Union (ZFU), Commercial Farmers Union (CFU) and Agro employers representatives (herein referred to as “the employers” or “the employers’ organisations”), of the one part, and the General Agriculture and Plantation Workers’ Union of Zimbabwe (GAPWUZ) and Horticulture, General Agriculture and Plantation Workers’ Union of Zimbabwe (HGAPWUZ) (herein referred to as “the employees” or “the trade unions”), of the other part, being parties to the National Employment Council for the Agricultural Industry of Zimbabwe.

This agreement shall be deemed to have come into operation on the 1st of March, 2020.

The employer party and the employee party agreed on the following:

Following the amendment of section 12 of the Labour Act [*Chapter 28:01*] by Act No. 5 of 2015, in particular, by the introduction of section 12(3a), the National Employment Council for the Agricultural Industry in Zimbabwe has fixed the period after which a contract of fixed duration shall be deemed to be a contract without limitation of time as follows—

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1. Any contract of employment that specifies its duration or date of termination shall, despite such specification, be deemed to be a contract of employment without limitation of time with effect from the date following that on which the employee accrues three years of continuous service with a particular employer. Such employee shall thereupon be afforded the same benefits as are in the Labour Act [Chapter 28:01] or any collective bargaining agreement afforded to those employees who are engaged on contracts without limitation of time.

2. An employee whose contract of employment is terminated and who is re-engaged by the same employer for the same job within a period of thirty days or less shall be deemed not to have broken his or her continuous service.

3. Notwithstanding the date of signature or publication of this agreement, the qualifying service period of three years as stipulated in clause 2 above shall be reckoned prospectively (and not retrospectively) from the 1st of March, 2020.

Signed at Harare on the 13th of March 2020.

The agreement is binding on all organisations within the agricultural industry.

F. ZONDO,
Chairman.

P. CHINGWE,
Vice Chairman.

D. MADYAUSIKU,
Chief Executive Officer.