



Employers

MARCH 2018

Newsletter



UPCOMING EVENT

**Labour Issues:
Termination on
Misconduct**

**Dates: 05 APRIL
2018**

Venue: TBA

Dear Members

Welcome to the March 2018 edition of our Newsletter, which focuses on:

1. Review of the Meet the Minister event,
2. Review of the 2018 Human Resource Indaba, and
3. Preview of the Labour Issues: Termination on Misconduct workshop.

We pledge to continue offering quality and demand driven services to members in the areas of Employment Law, Labour Relations, Executive Training and Development as well as Management Consultancy in Organisation Development. We urge you to continue engaging with us and specifically request that you update your contacts with us to enable us reach you effectively and timely.

I wish you pleasant reading.

EMCOZ President
M. Chimbgandah

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The Event And Its Rationale

EMCOZ hosted a “Meet the Minister” morning meeting under the theme “How Does Business Position Itself To Make The New Dispensation a Reality” at Monomotapa Hotel on 9 March. The objectives of the meeting were to introduce the new Minister of Labour and Social Welfare, Hon. Petronella Kagonye to the Business Community and undertake a strategic in-depth interrogation of the following issues with the ultimate aim of assisting the New Dispensation achieve its Goals.

Update from the meeting

- The labour law reform process has been delayed by the processes of alignment of the labour act and the National constitution.



BACKGROUND

The Agenda of the New Dispensation aligns closely with the Enabling Environment for Sustainable Enterprises, (ESEE) which EMCOZ has championed for the past three years. There is need, therefore, for EMCOZ to adopt and run with the Agenda espoused by the New Dispensation.

CONTENT

This year's Indaba, took place with the political backdrop of the 'new dispensation' in Zimbabwe under the theme "*Managing Culture Change for Productivity in The New Dispensation*". Participants looked at the recent positive changes in the country's politics and economics, with expectations that the new dispensation reforms could potentially, positively affect the business environment in the country. The workshop was structured in five session themed presentations which were complemented by an interactive panel commentary and concluded by plenary discussions.



CONCLUSIONS

Some of the conclusions and recommendations from the discussions included:

- Ensuring employee buy-in improves the likelihood of success in effecting change.
- Employers should push for productivity linked remuneration.
- EMCOZ to create an awareness plan on productivity and culture change, and commence its implementation.
- Employers encouraged to utilize data and adopt scientific approaches to guide decision making processes,
- Employers are encouraged to share case studies of organizations that have successfully implemented change with meaningful tangible results.

LABOUR ISSUES: TERMINATION ON MISCONDUCT

PREVIEW

CONTEXT

Employers have reported a recent spate of claims by employees who have been dismissed for misconduct for compensation in terms of section 12(4a) as read with section 12(4b) of the Labour Act. This issue is subsidiary in the EMCOZ Class Action Against Aspects of the Labour Amendment Act No. 5 of 2015 as the main issue there is the Employer's' right to terminate on Notice. Members have requested EMCOZ to take this issue up on its own.

RATIONALE

A reputable Law firm has discussed the very issue above in their Issue No.1 of January, 2018. The objectives of this Breakfast Consultative Meeting are:

1. To evaluate the legal argument proffered and
2. Decide whether EMCOZ should initiate another Class Action on behalf of Employers suffering from the claims described above.

THE PROGRAMME

1. The Law firm will present their legal argument.
2. A Plenary Discussion session.
3. A Summary of the Decision taken.

MODUS OPERANDUM

This is a high level highly interactive meeting that will be facilitated by the EMCOZ Labour Committee.

EXPECTED OUTCOME

A decision whether EMCOZ initiates another Class Action on behalf of Employers being asked to pay termination packages for Workers dismissed for misconduct.

For bookings and enquiries contact the EMCOZ office on:

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EMCOZ Membership Satisfaction Survey

MEMBERSHIP FEEDBACK

As part of our pursuit to improve our standards, quality representation, lobbying and advocacy; EMCOZ assesses its performance annually through a Membership Satisfaction Survey. Your participation in this survey will assist EMCOZ in improving its services to you.

The survey link is available here: <https://www.surveymonkey.com/r/V8QKKYK>