

LABOUR-MANAGEMENT RELATIONS IN DEVELOPING COUNTRIES: THE CASE STUDY OF ZAMBIA

Harold L. Gilmore*

ABSTRACT. Labour-management relation in Zambia are undergoing change which is being brought about through the legislative process. While it shares many of the features of industrial democracy found in Europe, it has taken on several of its own. Uniqueness is introduced as a result of the political philosophy of the government as well as the social and economic history of the country.

Significant background factors and environmental forces contributing to change are presented. Specific attention is devoted to the nature of labour-management relations subsequent to recently enacted industrial democracy legislation. The author examines the extent to which the objectives of worker participation and labour peace are being realized.

1. INTRODUCTION

"Growing demand for a greater involvement of employees and their representatives in decision making have provided an impetus for new legislation on industrial democracy and for the introduction of a variety of new participative schemes in Western Europe. In turn, this interest is reflected by burgeoning literature comparing different national schemes for industrial democracy and reviewing recent legislative developments (Batstone and Davis, 1976; von Beyme, 1976; King and van de Vall, 1978)" [21, p. 273].

* Dr. Gilmore was a Fulbright Senior Lecturer at the University of Zambia, Lusaka, and a consultant to the Government of Zimbabwe, Harare. The author wishes to acknowledge the contribution made by Morris Mulima, ILO Labour and Workers Education Regional Advisor, Lusaka, Zambia, in the preparation of this paper.

Considerable information is now available about legal frameworks for participation in Great Britain, Western Europe, India and the Middle East. The Third World has only recently taken interest in this approach to managing organization behaviour. As has been noted:

. . . "in countries such as India, Pakistan, Sri Lanka, Peru, Tanzania, Bangladesh and Jamaica, to name a few, the initiative for workers' participation in management or in enterprise decision making came originally from the government and not from the trade union movement. Governments in developing countries see co-determination as a means of replacing conflict by co-operation and of bringing together labour and management in a joint effort to step up production, to industrialize more rapidly, and to enlist popular support for economic development" [31, pp. 97-98]. The developing nation of Zambia is a case in point.

Recently enacted legislation has the stated aims of workers participation in the form of works councils to assure industrial peace, to increase productivity and to improve working conditions. Further interpretation of these aims suggests a redistribution of power in decision making, enhanced humanization of the work place and a more equitable distribution of income.

The purpose here is to present and assess initiatives taken in Zambia to regulate the behavior between labour and management. Because of the unique socio-political-economic environment in Zambia there are private and public sector implications that are significant. The Zambianization of industry has created a "mixed" economy involving substantial government participation in the private sector through a system of state-owned or state-controlled (parastatal) companies under one state-owned company, ZIMCO (Zambia Industrial and Mining Corporation Ltd.).¹ This makes the implementation of this form of participatory management of interest to both public and private administrators. Outlined below is Zambia's political and socio-economic

philosophy; the historical development of organized labour; the legal basis for labour-management relations; and an assessment of the extent to which the resulting form of participatory management has achieved the objective of industrial peace.

The development of a nation depends upon harmonious labour-management relations. This is especially true in developing nations where the socio-economic and political situation is fragile as it is in Zambia. The situation there is in a "revolutionary" rather than an "evolutionary" state. Extensive changes in the national environment have occurred in a relatively short span of time. It is against the background of rapid change, recently gained national independence and circumstantial factors that this attempt to legislate labour-management relations must be assessed.

2. ENVIRONMENTAL CONTEXT

An understanding of the economic, socio-political, union, and legal environment is desirable in order to appreciate labour-management relations in Zambia and to assess the extent to which industrial democracy is working.

2.1 Economic Considerations

The Zambian economy is based upon the production of a single major commodity for export - copper. The reliance on this commodity has meant that the government has focused its attention on that portion of the labour force working in the mines. The aspirations for national development held by the government are inextricably enmeshed with the state of the mining industry and its prevailing labour relations. Any and all economic development has been and will be for the foreseeable future based on the production and sale of copper. Some indication of the importance of mining and its labour force can be seen by reviewing selected statistical data.

The mining industry generates the greatest share of the total gross domestic product (GDP) of the various kinds of economic activity within Zambia. The annual percentage of GDP attributable to mining is usually between 24-36 percent. In terms of exports, copper normally accounts for more than 90% of the total and obviously the major source of foreign exchange [1, p. 1185]. Given the dominance of the copper industry in the economic wellbeing of the nation, it is no surprise that the prevailing labour-management relations situation within the mining industry is of utmost importance.

With respect to employment, mining plays somewhat of a less dominant role. Nevertheless, of the 384,100 employed in all industries, mining accounted for over 6% [1, p. 1192]. This amount was only exceeded by community, social and personal services which are not organized by labour unions. It should be noted, however, that the government has expressed the firm desire to overcome their dependence on copper. The objective for future development is the rural agrarian sector in order to unshackle the economy from copper, make the nation self-sufficient in food production, and increase the number of jobs.

Despite the laudable diversification objective, national agricultural potential and substantial inputs of economic aid (1981: \$ 300 million excluding IMF credits) the nation remains captive to copper and subjected to severe shortages and restricted supply of basic goods and services. The U.S. Department of State, Bureau of Public Affairs reports in *Background Notes*, August 1984, chronic food production shortages due to problems with weather, government prices, internal distribution and milling capacity.

2.2 Socio-Political Considerations

There are several socio-political factors related to Africa in general and to the Zambian society in particular that have a bearing on the

democratization of labour-management relations. They include the political philosophy and African culture.

2.3 Political Philosophy

Independence in Zambia witnessed the removal of a colonial government and its replacement by what is referred to as a people's government; a humanist government form based on the principle of egalitarianism through which it seeks to create a society in which there is equal opportunity for self-development for all. Further, Humanism as espoused embodies the principles of equality, selflessness, dedication, sacrifice, and hard work for the common good of society. As stated by President Kenneth Kaunda, "Humanism is a political philosophy which endeavours to devise a social, political and economic order which is based on man's truth rather than on man's untruth" [23, p. 4].

The philosophy of Humanism is best understood against the background of African culture. Some key features of this culture are

- Traditional culture in Africa emphasized the fellowship of man and the development of human relations;
- The traditional community was a mutual aid society. It was organized to satisfy the basic human needs of all its members and, therefore, individualism was discouraged.
- Human need was the supreme criterion of behavior. A person could take from his neighbor without penalty to satisfy his basic needs;
- The traditional community adhered to the hierarchical relationship of the chief and elders. Their decisions were final on social behavior;

- The traditional community was an accepting community, people were valued for being part of it not for what they could achieve: and
- The traditional society was an inclusive society. The web of relationships which involved some degree of mutual responsibility was widely spread. The result being the extended family system. This system in turn constitutes a social security system which follows the path of personal relationships rather than an institutionally oriented one.

The above summary of African culture forms the base upon which the Humanism concept is built. The development of Zambia's Humanism, comparable to Tanzania's African Socialism, is unique with significant implications for labour-management relations.

2.4 Labour Relations in a Humanist Society

Of the three main human factors of production; owners, managers and workers, workers are obviously in the majority. The Humanist ideology establishes certain basic concepts about the place and role of the worker in any given enterprise. They are:

- That the worker is the source of power and must also be the source of power by which they are governed; this means
- The workers must have a direct say in how the affairs of their enterprise shall be managed;
- That workers will have a say in how much and in what form capital formation will occur; and
- That among other things, the workers will have a say in the task of producing and distributing what they produce [23, p. 103-108].

The essence of the above concepts is to place the worker in a central role in all enterprises. The degree and scope of worker participation, however, will depend on what workers do to increase their participation for their own good. President Kaunda urged workers to achieve maximum participation, i.e., spend at least ten hours a day working and thinking; wage an all-out war on indiscipline, lethargy, lack of knowledge, laziness, and lack of initiative.

On the other hand, the above labour-management concepts are not entirely consistent with the African cultural and ideological foundation upon which they presumably are based. For example, traditional community relations were hierarchical with the chief and elders having final decision. Tradition does not appear to prepare the community for participation. Nor was the value system achievement oriented. People were valued for being part of the community and not for what they achieved. Participation in labour-management relations and the concept of industrial democracy rests on the notion that workers because of their achievements through production must play a significant role in the process.

What appears to have happened is that labour-management relations in Zambia have for reasons of political expedience been tied to a contemporary political philosophy having a questionable basis in traditional African culture.

Furthermore Humanism with its emotional content has served to divert attention from the need to develop an administrative system to include labour-management relations appropriate to a modern economy. In this case one based on Socialistic principles applied in a consistent and effective manner.

2.5 Apartheid Considerations²

Trade unions in Zambia came about as a result of colonialism and apartheid policies and laws. These factors served to deprive the

indigenous citizen and workers social and economic development which black workers eventually sought to resolve through unionization.

Contrary to the expectations of the colonial administrators, they did not find free and abundant labour in Zambia. The entire population was fully occupied on the land in subsistence farming. In order, therefore, to pave the way for colonial economic development, measures were adopted to develop a black labour force. The specific measures taken to accomplish this were taxes, land appropriation, discriminatory marketing, forced labour and a Master and Servant Act.

The introduction of taxes forced many individuals to leave their homes and join the labour market in order to pay the taxes which were set equal to one month's pay. The appropriation of land created a large number of landless job seekers who were forced into labour. What developed was a labour force concentrated in the mining area of Zambia or "Copperbelt" which, in turn, facilitated the continued development of this industry and area of the country.

However, while the labour force was successfully developed, it was an unstable one. The one month wage equivalent tax rate had turnover as an inherent problem. As soon as the indigenous mine worker earned what he considered enough money, he was inclined to return to his village. To counteract this problem, additional measures were taken. A Master and Servant Act was enacted under which the servant was not allowed to leave his employment as he wished. Another measure was the Pass Law which prevented and restricted the movement of workers in towns. The purpose of these measures was to build stability into the labour force [28, pp. 65-66].

The foregoing measures created class and race consciousness within the black workers. This, in turn, gave rise to industrial conflicts which resulted in violence and death and triggered a call for stronger unity among the black workers in the Zambian mines. A "Funeral Burial Aid Society" which aided relatives of those who had died provided the beginning of the African union movement.

The colonial administration in principle did not accept or permit trade unions among black workers. They did allow European (white) workers to form trade unions, however. As a result, five white trade unions were organized in what was then known as Northern Rhodesia—The Northern Rhodesia Mine Workers Union, Northern Rhodesia Salary Staff Association, The Rhodesia Railway Workers Union, The Rhodesian Railway Engineers Union and The Northern Rhodesia Civil Servant Association. Each of these unions operated separately and as a result did not realize their full bargaining potential although some gains were achieved. A notable agreement was a system of “whites only” jobs.

The second strike by black mine workers occurred in 1940 and followed in the wake of a successful strike carried out by the European (white) workers union whereby they received higher wages. This of course stimulated the blacks to strike for increased wages and in addition “they also demanded improved conditions of service, better houses, better working hours, and an end to all ill-treatment of black workers by white supervisors [14, p. 64].

The black workers strike resulted in violence and served to demonstrate the intensity of their dissatisfaction. As a result, the colonial administration established a Commission of Enquiry “to investigate the extent of dissatisfaction among African workers in the mines” [16, p. 95].

The Commission came forth with a recommendation that “it was necessary and probable to allow some moderate advancement of African workers into jobs that were considered to be the whites” [16, p. 113 and 128, pp. 66-67]. This recommendation was not implemented and instead the Northern Rhodesian Mine Workers Union “won an agreement that effectively established a color bar in the copper industry” [14, p. 75]. As a result of this agreement, the African mine workers, in order to express their dissatisfaction more widely boycotted Asian run stores accusing the Indian traders of

extortion, sharp practices, and objectionable attitudes of racial superiority towards their customers [[15]. Due to this boycott and other strikes, it became obvious that the unrest had to be stopped. Both Great Britain and the colonial administration recognized this need and, coupled with the fear of a labour party forming, stimulated them to action.

2.6 Trade Union Development

In 1947 when a labour government came to power in Great Britain, it was accepted that a trade union movement be formed in all the British colonies. A labour organizer was sent to Northern Rhodesia to help promote the formation of African trade unions in the territory. Although Africans were permitted to organize, they were not permitted to involve themselves in politics nor their funds used to finance political objectives.

The same year, William Comrie, a British trade union expert, was appointed Labour Officer on the Copperbelt. He arrived in March and proceeded to implement the government's policy on African trade unions. With the help of Mr. Comrie, who represented the changed attitude of the colonial government, during 1947 the African Mineworkers' Union (AMU) was formed. "The formation of the AMU was the culmination of a long struggle on the part of the African miners to have their own union as distinct from the European Mineworkers' Union" [33, p. 293].

From this beginning the Zambian trade union movement grew. In 1959 there were eight African unions, in 1960 there were 25. By 1964 the number of unions had grown to 50. This was also the year during which Northern Rhodesia gained independence and her name changed to Zambia.

2.7 Post Independence Developments

Independence not only changed the political system in Zambia, it also marked the beginning of change in the trade union movement. The following table shows clearly the trend in the number of unions [4, 5, 6, 7, 8, 9, 10, 11, 12, and 13]:

YEAR	NUMBER OF TRADE UNIONS
1964	50
1965	44
1966	42
1967	21
1970	19
1972	18

The table depicts the results of the consolidation of small unions into larger ones. This resulted from the formation of the Zambia Congress of Trade Unions (ZCTU) with 18 affiliated unions and 140,000 members. Its mission: regulate the size, structure and behavior of the trade union movement.

2.8 Legislative Considerations

Zambia has provided for the development, regulation, and government participation in labour-management relations by the enactment of several laws. Broadly classified, the legislative coverage of interest here includes terms and conditions of employment; provisions for trade unions and trade disputes; establishment of regulatory bodies, works councils, and an Industrial Relations Court.

2.9 Reform Legislation

December 1971 saw the passage of major legislative reform in the form of Act No. 36, 1971. Among its labour-management relations

provisions it set up works councils and an Industrial Relations Court. It should be noted that although the Act was passed in December 1971, enactment was to be effected via statutory instrument on a date or dates established by the President for different parts or sections of the Act.

It was not until February 1974, that President Kaunda signed Statutory Instrument No. 29 which brought the Act, with the exception of one section, into operation on April 1, 1974. It was this legislation that put Part X, pertaining to the Industrial Relations Court, into operation.

A major change brought about by this reform legislation is that all collective agreements signed between any group of employees or employers at the firm level or by a joint council at the industry level, is legally enforceable. Under the Act, all collective agreements are registered with and approved by the Industrial Relations Court. They contain certain "statutory clauses" concerning the length of the agreement and the method of its termination. Once an agreement is approved by the Industrial Court it will ". . . have statutory effect . . . and shall be binding upon the parties thereto, so long as it remains in force" [30, Section 83:3]. It is noteworthy that this statutory provision extends not only to those agreements which are decided within the Court itself, but to all collective agreements including those negotiated by Joint Councils, and those reached by conciliation, mediation, and autonomous negotiation between the two parties to the agreement.³

In sum, violation of a collective agreement becomes a statutory offense. The weight of law has been accorded to collective agreements by making them legally binding contracts. To carry out this concept the Industrial Relations Court was given the status of a high court. Zambia has provided for two High Court judges, two other members being appointed by the President of the Republic, and two assessors

chosen by the Chairman of the court from a list of fourteen nominees presented by the Minister of Labour [30, Section 96:2].

The various tasks of the Zambian Industrial Court are spelled out in the Act [30, Section 98]. The bulk of its business revolves around three main issues. First, the examination of collective agreements and either approving, rejecting or amending them. Of paramount importance is putting them into a form which is suitable for legal interpretation. Second, making awards and agreements in those cases where conciliation has failed or where a collective dispute has come before the Court. Third, trying cases for breach of collective agreements registered and approved by the Court.

There are several interesting provisions of the legislation related to the nature of collective bargaining and labour-management relations. The legislation specifies that collective agreements must name the period of the agreement and means for its dissolution. Even if both parties wish to change or dissolve the agreement the Court may order the existing agreement to remain in force for as long as it sees fit [30, Section 87:1].

The nature of the decisions and awards made by the Court are to be made so as “. . . have regard to the Government's declared policy on prices and incomes” [30 Section 100]. This places the Court itself as the first major instrument of direct Government control over wage awards, as it is the first check on all collective bargaining taking place throughout the country. In addition to having the first say, it also has the last say. “An award or decision of the Court . . . shall be final and binding upon the parties thereto . . . and such award or decision shall not be questioned in any proceedings or court” [30, Section 101:3].

In its application of incomes and prices policy the Industrial Relations Court has created uneven constraints. Due to the exclusion of

the large public sector and higher salaries in both the private and public sectors implementation gives the appearance of discriminatory practices.

It can easily be seen that the legislative provisions setting up the court gives to it a substantial voice at the national level in all aspects of labour-management relations. Furthermore, since it is an official body, it provides a substantial voice for the government with regard to these same relations.

In addition to providing for a labour court, Act No. 36 contains provisions which can be construed as an attempt to restructure the existing social structure of Zambian industry. The device set up for this purpose is contained in Part VII of the Act called works councils which came into force May 1976.

An examination and assessment of Part VII provisions and implementation holds the key to determining to what extent industrial democracy is working.

3. INDUSTRIAL DEMOCRACY

President Kaunda, in his frequent reference to the philosophy of Humanism, constantly speaks of workers' participation. A number of important pronouncements regarding the democratization of business and industry have been made of which the first occurred at the Second National Convention [29, p. 22], in Kitwe, December 1969, and in two seminars that followed.⁴ Dr. Kaunda devoted the major part of his comments to the philosophical and moral considerations which had prompted the then impending revision of Zambia's labour-management relations legislation. Definitive guidelines for the establishment of works councils were contained in Part VII of the Industrial Relations Act which reflected how this democratization process was to take place [30, Part IV].

3.1 Works Councils

The law states that “. . . not later than six months from the coming into operation of this section, a council shall be established in every undertaking employing not less than one hundred eligible employees” [30, Section 55:1]. An eligible employee is defined as “. . . any employee other than an employee serving a trial period of probationary employment, a casual employee, an employee specifically engaged on a temporary basis for work of an intermittent or seasonal employment” [30, Section 3:1]. The next step in the process is the formation of working parties [30, Section 56:1]. Working parties are comprised of eight members of whom four are management nominees and four trade union nominees. The working party performs the ground work leading up to the formation of the works council. It educates the work force, classifies the employees into management and eligible employees, determines council membership size, receives nominations, and holds elections for council membership. The working party is dissolved after elections are completed.

“Every council shall consist of not less than three nor more than fifteen members of whom two-thirds shall consist of the members elected by eligible employees, and one-third appointed by the management of the undertaking” [30, Section 57].

“The principal objectives of every council shall be to promote and maintain the effective participation of workers in the affairs of the undertaking . . . and to secure the mutual co-operation of workers, management . . . and the trade union in the interests of industrial peace, improved working conditions, greater efficiency, and productivity” [30, Section 69].

To this end “Every council shall be entitled to be consulted upon and to participate fully and effectively in all the schemes and programs relating to the health and welfare of eligible employees in the

undertaking" [30, Section 70:1]. Specifically but not exclusively, . . . every council shall be consulted on every matter or scheme relating to medical, facilities, housing, and pension schemes, recreational facilities, canteens, and all other amenities to be provided or already provided for the eligible employees in the undertaking" [30, Section 70:1].

Another area of participation provides that ". . . every council shall be entitled to be informed forthwith in writing of all decisions taken by the board of directors, the proprietors or the management of an undertaking . . . in relation to the investment policy, financial control, distribution of profits, economic planning, job evaluation, wages policy, and the appointment of senior management executives in the undertaking" [30, Section 71].

Finally, council approval is required for all policy matters in the field of personnel management and labour-management relations. Said matters include but are not limited to the following:

- "... (a) recruitment of employees . . . and assessment of their salaries;
- (b) transfer of employees from one undertaking to another owned by the same employer;
- (c) rules as to discipline . . . ,
- (d) redundancy of the employees . . . ;
- (e) bonuses and incentives . . . and the modes of payment . . . ;
- (f) safety of the employees . . . ; [30, Section 72:2].

In the event the council should disapprove a covered matter, it must inform management of the reasons in writing. Therefore, management can put the matter before a Board of Review and if either party

is still aggrieved by the decision of the Board of Review either party may appeal to the Industrial Relations Court whose decision is final and binding upon both parties [30, Section 73].

Dr. Kaunda pledged that extensive structural changes were to be implemented which would have significant impact on traditional management prerogatives and the existing system of industrial supervision. These assurances made clear the interrelationship between the political philosophy of Humanism, Socialism and the democratization of business and industry.

The provisions of the law show the scope and substance of the intended changes. What they do not show is the effect that the impending law would have on management and worker relations and expectations, especially when considered against the backdrop of national independence, Humanism, and Zambianization.

Industrial managers attending a Lusaka seminar expressed misgivings on the subject of workers' participation in management. They viewed it as a competing philosophy to the status quo. However, the black mine workers at Mufulira welcomed the idea and voiced the hope that the legislation would help to increase their power [36].

When compared to the ideas expressed earlier by President Kaunda, the provisions of Act No. 36 did much to allay some of the concern of managers. On the other hand, those in favor of stronger provisions were disappointed with the law.

Mr. Wilson Chakulya, Minister of Labour and the former Secretary General of the Zambia Congress of Trade Unions attempted to explain the departures from the President's aspirations to the Parliament in 1971. In so doing, his comments reflected the concern felt by both labour and management.

' We are not establishing workers' councils but works councils whose principal objectives are to involve all persons working in an undertaking in the promotion and maintenance of effective participation of workers, management and trade unions in the interest of industrial peace, greater efficiency and high productivity" [19, p. 235].

The minister further dismissed the idea that the works councils would be composed only of workers. He informed Parliament that works councils would be composed of two-thirds workers and one-third management nominees . . . [19, p. 250]. He went on further to say:

" . . . there is no intention to punish anyone, there is no intention to grab the power of management and place it in the hands of workers" [19, p. 255].

The formula of representation as provided by the law

" . . . is an important departure from what was originally supposed to be done, that is to create councils for workers only" [19, p. 250].

It appears that the resulting legislation is disturbing to all parties concerned, i.e., government, management, and labour. Presidential aspirations remain unfulfilled; decision making, long the exclusive domain of management, has been opened to a limited extent to the work force; trade unions, historically the exclusive representatives of labour in collective bargaining must share power with works councils, composed in part by management.

These participatory provisions came into force in May 1976. Enactment was followed by an introductory phase until November

1977 during which time workers were provided on-the-job education in their new rights by joint management-union working parties. Following the education phase, councils were formed in all applicable phases of work. Based on the latest data available, as of July 1978, there were 113 councils in operation out of an estimated 165 covered establishments. Sixty-eight percent of covered establishments, representative of all sectors of the economy, had organized councils during the first eight months of the program. While less than 100% conformance could be questioned, given familiarity with the level of acceptance and state of corporate development within Zambia, program progress in two years is noteworthy.

Since the principal objectives of the works councils are to promote and maintain worker participation and industrial peace; and to improve working conditions, efficiency and productivity, their effect, in part, should be reflected in less strike activity.

3.2 Trade Union Behavior

Since 1972, 18 unions have made up the Zambian Congress of Trade Unions (ZCTU) with 337, 922 members from government, education, business, industry and service organizations. The specific unions in ZCTU, their size and year of registration are included in Table 1.

Every trade union must register with the Zambian Congress of Trade Unions in accordance with the provisions of the Act or be dissolved within six months of the date of its formation or upon refusal by the registrar to register it. The registration requirement applies to all trade unions with one hundred or more members (Section 8 (1) (a)). Registration carries with it the requirement to submit its rules, the content of which are prescribed by the Act, and to submit preselected decisions to the Congress for approval.

TABLE 1

TRADE UNIONS AS AT 31st DECEMBER, 1982

Name of Union	Year of Registration	Membership
National Union of Public Service Workers	1980	71,636
Mineworkers' Union of Zambia	1967	53,500
National Union of Building, Engineering and General Workers	1960	29,720
Civil Servants' Union of Zambia	1969	28,150
National Union of Commercial and Industrial Workers	1960	28,000
Zambia National Union of Teachers	1962	26,977
Zambia United Local Authorities Workers' Union	1971	23,700
National Union of Plantation and Agricultural Workers	1962	17,694
National Union of Transport and Allied Workers	1967	12,000
Railway Workers' Union of Zambia	1967	11,023
Guards' Union of Zambia	1972	8,484
Zambia Union of Financial Institutions and Allied Workers	1970	8,200
National Union of Postal and Telecommunication Workers	1964	4,307
Zambia Electricity Workers' Union	1971	4,300
Hotel and Catering Workers' Union of Zambia	1966	3,029
University of Zambia and Allied Workers' Union	1976	2,500
Airways and Allied Workers' Union of Zambia	1968	2,040
Zambia Typographical Workers' Union	1971	1,662

Source: [30, p. 33].

The requirements associated with registration and the formation by law of a regulating body was designed to place the Government in a position of greater control over the very existence of unions and, in turn, their ultimate behavior. It is easily seen from the tabular data that the Government has a commanding position relative to all unions in the country and especially the powerful and important Mineworkers' Union of Zambia with its 53,500 members.

However, even though the law requires that a decision to hold a strike ballot or to call a strike be approved by the Congress, labour-management relations in Zambia have been far from peaceful. Strike behavior sheds light on the degree of compliance with this aspect of the law and adds another measure of the extent to which works councils have led to industrial peace. The hostile labour relations in Zambia are clearly seen by examining strike activity. As can be seen from Table 2, 3 and 4, during 1950 there were 74 strikes which involved about 6,500 workers resulting in 8,600 man-days lost. Apparently it was officially felt that this record was commendable for the Labour Department observed that "Both employers and trade union leaders must be given credit for their patience and willingness to continue discussion in the hope of reaching a peaceful settlement. African union leaders are rapidly acquiring skill in negotiations and the advance in this direction is remarkable" [2, p. 12].

The following year, 1951, saw a substantial increase in strikes and more importantly an even greater increase in man-days lost. During this same year a Trade Disputes Ordinance was enacted which made it illegal for strikes or lockouts in essential services. While this legislation kept essential services operating it did little to stem strike action. Nineteen fifty-two produced even more strikes and another substantial increase in the number of man-days lost.

TABLE 2

INDUSTRIAL DISPUTES INVOLVING LOSS OF WORK
1950 - 1974

Year	Number of Strikes		Number of Employees Involved (in thousands)	Number of Man-days Lost (in thousands)
	All Industry	Mines		
1950	74	8	6.5	8.6
1951	91	3	10.8	76.6
1952	114	14	45.3	669.5
1953	94	4	6.4	22.4
1954	143	7	NA	NA
1955	49	2	39.8	1548.4
1956	110	26	118.1	469.0
1957	76	19	16.0	210.0
1958	40	2	24.3	1159.2
1959	23	2	2.1	2.2
1960	61	8	7.0	5.0
1961	65	23	12.0	19.6
1962	94	23	52.0	560.0
1963	194	58	41.0	410.0
1964	151	22	29.3	125.7
1965	114	10	9.7	22.5
1966	241	32	304.9	579.4
1967	222	17	24.0	40.0
1968	206	25	30.7	65.9
1969	161	22	17.0	21.1
1970	128	9	32.2	125.9
1971	126	10	15.0	10.0
1972	74	NA	10.4	20.3
1973	54	NA	6.4	5.0
1974	55	NA	7.4	36.6

* National Independence..

** Industrial Relations Act No. 36 of 1971 [30] enacted.

NA Not Available

Source: [26].

TABLE 3

INDUSTRIAL DISPUTES INVOLVING LOSS OF WORK
1975 - 1979

Year	Number of Strikes		Number of Employees Involved (in thousands)	Number of Man-days Lost (in thousands)
	All Industry	Mines		
1975	78	8	17.01	51.0
*1976	59	11	5.6	6.5
1977	51	6	9.2	15.6
1978	50	5	42.1	297.3
1979	44	7	10.8	42.9

* Works Councils in effect from May

Source: [34, p. 607].

TABLE 4

INDUSTRIAL DISPUTES INVOLVING LOSS OF WORK
1980 - 1982

Year	Number of Strikes		Number of Employees Involved (in thousands)	Number of Man-days Lost (in thousands)
	All Industry	Mines		
1980	121	11	28.4	79.8
1981	156	30	76.7	556.4

Source: [11, p. 37, p. 44 and 13, p. 29].

The remainder of the 1950's saw a general decline in the number of strikes and employees involved although the number of man-days lost remained high. While there were fewer strikes they obviously became longer in duration. One explanation for the decline is that during this period the struggle by the nationalist movement for political independence had intensified and made employers vulnerable to wage demands as a way of keeping peace and helped reduce worker political demands.

From 1960 strikes increased rapidly until they peaked in 1968. This increase in the number of disputes ". . . actively reflected the feelings of persons and actions of the labour force who were noticeably affected by the rapid pace of political change taking place in the territory. Such a reaction in the sphere of industrial relations must be expected during a period of political transition and it is likely to subside now that a time of stability is at hand [3].

It is apparent that industrial conflicts within Zambia were not due solely to social or economic dissatisfaction. The years preceding independence saw political activism and agitation as additional causes creating an environment wherein workers were more willing to strike.

Nineteen sixty-four is a demarcation year. That year brought the government under the leadership of the black nationalists who had mobilized the people against foreign domination and its racial abuses. Coincident with political independence, workers' expectations were raised for a new era of socio-economic rewards.

An understanding of strikes after independence requires reference to government policy. The government views increasing consumptionist demands, indiscipline and strike action by workers as detrimental to the public interest. It therefore adopted a policy of restraint with regard to wages and to the use of strike action. This

policy, which was contradictory to the stated promises of independence, had by 1966 created a crisis of expectations. This crisis resulted in numerous wildcat strikes especially among miners.

The unsettled conditions prevailed over the next two to three years with the government taking an increasing role in trade union activity - especially strikes. In addition to defining almost all business and service activities as essential to the public interest and thereby making it illegal to strike them, the government resorted to force. In certain cases ring-leaders of strikes and some union officials were detained under the Preservation of Public Security Ordinance.

The strike data reflect the limited effect of government influence. The increased involvement led to a relative stabilization in the number of strikes since 1972 until the 1980's. At the same time there was growing concern among the workers concerning the objectives and effectiveness of the union. It was recognized that the political party had become increasingly involved in union affairs. The resulting general feeling was that the union had been weakened and was not able to redress member grievances some of which dated back to pre-independence days. The government was viewed as oppressive, and in addition to force made maximum use of the Humanism philosophy, seminars, workers' education and ideological propaganda in an effort to shift worker interest from "personal interests" to "national interests."

4. PROBLEMS AND ACHIEVEMENTS

Although the ensuing years may not be sufficient time in which to evaluate the success of the policy and legislation of workers' participation, it is none-the-less enough time to assess whether or not the intended aims can be achieved.

A careful review of workers' participation in Zambia has revealed the following insights in terms of policy, legislation and implementation:



a. As a policy it is an opaque concept that lacks clarity and is therefore exposed to a variety of interpretations. Recently created institutions like the Department of Industrial Participatory Democracy are not in unison with Presidential pronouncements and other institutions, both private and public [35].

b. As an attempt to legislate labour management relations, the Act of 1971 is seriously flawed. Management need only inform and consult with the works council, which they do but usually too late and with information which is either unclear, incomplete or overly complex.

Furthermore, management is able to circumvent council disapproval by using the provisions of the Act which exempts decisions from review if based on company policy. In any event, management has the final say.

The Act of 1971 also makes provisions for management to challenge a decision of the works council not to approve a management decision before a specially convened tribunal or the Industrial Relations Court. Working on the assumption that participation implies a mutuality of interest and a common goal, this provision, while not extensively utilized represents a derogation from the principle and notion of participatory democracy and introduces an undesirable third party. In the long run, the third party should be phased out as attitudes change and the necessary ideological environment is firmly established.

Additional legislative flaws include a secrecy requirement on the workers' representative while not requiring the same of management representatives; reporting requirements to workers is once per year, to management as often as necessary; representatives of management may be removed at any time, while there is no removal provision for elected members; coverage is severely limited in that the public sector is excluded as is agriculture and firms with less than 100 employees.

Some enterprises have "reorganized" into units of less than 100 employees to avoid coverage. The net result is that participation is not provided for large numbers of workers in parastatals and the private sector [17 and 18].

c. Implementation has revealed the problems discussed above and more. A primary problem exists due to the overlap of works councils with trade unions in particular and other participatory bodies such as the Department of Industrial Participatory Democracy, Party committees and labour representatives on Boards of Directors. Terms of reference are unclear resulting in works councils turning to bargainable issues rather than issues pertaining to the more important decision making process of an undertaking.

Just as important is the question of attitude. Management has not fully accepted the concept while workers are unskilled in exercising their new found responsibility. Both parties fail to "open up" and "level" with each other in a true participatory manner [8].

Notwithstanding the above problems, there are some achievements. Worker participation has opened up another channel of communication although there has not been much democratization. Worker education programs have heightened awareness of the concept and shown where additional training of workers and management is necessary. Workers are more informed about management issues. It is becoming apparent that industrial democracy is an evolutionary concept and like most management concepts, its objectives can be achieved in numerous ways. No one form of worker participation may be appropriate for the nation as a whole. To this end President Kaunda on 13 January 1983 directed that trade unions be represented on the Board of Directors of the Zambia Industrial and Mining Corporation Limited (ZIMCO) as a means of augmenting existing forms of participation and to further widen participation in the economic field. Representation is to be introduced on all boards of directors in the subsidiary and associated companies of

ZIMCO as well. He issued a call for an extension of the concept referring to it as worker self-management [24].

5. CONCLUSION

The Industrial Relations Act, No. 36 of 1971 and other related legislation articulates government labour policy. In effect, strikes are prohibited which of course has the potential of taking a substantial amount of power away from the unions.

Strike activity since 1971 however illustrates that workers still seem willing to engage in unlawful work stoppages. This reflects to a certain extent the basic lack of discipline that exists within the labour force in general and among union members in particular. Two major strikes in 1981 (January and July) by mineworkers on the Copperbelt in protest over the non-availability of food staples effectively shut down copper production from three to five days each time. This was by far the most serious labour unrest to affect Zambia in years. These strikes followed on the heels of 110 strikes in 1980 by workers demanding improvement in terms and conditions of work as well as non-work related issues. *Most all of these issues are subject to the deliberation of works councils.*

Since corporate management, especially mining company management, is responsible for providing not only a workplace but most of the infrastructure e.g. housing, transport, communication, health, education, etc. to support corporate activities there is a vast opportunity for grievances to emerge. Furthermore, the political orientation of the unions creates the situation wherein workers express dissatisfaction with non-work related government policies by striking. The 1981 strikes were due to food shortages which were not corporate but national problems.

Until the role of works councils is reconciled with that of unions in labour-management relations it appears confusion will exist and relations will continue along historical and traditional lines. Conflict rather than cooperation as a result of participation is likely to prevail.

In view of the relatively brief experience and troubled economy, it may be too early to pass judgement on industrial democracy in Zambia. However, at this point in time the prospects look dim. There are likely to be labour-management disputes until the economy is healthier, pro-government union leadership exists and works councils become more effective in achieving greater worker participation, discipline and confidence in the recently defined labour-management relationship.

Implementation up to now suffers from the absence of a nationally coordinated program. Evaluation is lacking with no effective feedback and problem resolving mechanism. If industrial democracy is to realize its aims it needs more than ideological and moral support [25].

NOTES

1. For an extensive discussion of the impact of Zambianization upon the demand for mining labour see [27, pp. 97-120].
2. See [22] for a more comprehensive discussion.
3. See [31, Section 92:5 and Section 94:4] respectively.
4. Lusaka and Mufulira, respectively [33].

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