



FIGHTING FOR THE UNPAID LABOR OF HWANGE WOMEN

March 2018

1. Introduction and Background

For five years now, the Hwange Colliery Company Limited (HCCL), Zimbabwe's biggest coal mining company that is partly owned by the government, has failed to pay its workers their dues, as well as the benefits entitled to widows of its workers. Although there is evidence that the company has not stopped selling its produce, it has for the past few years been declaring losses. The company's workers believe the loss-making rhetoric is a tactic by the management to justify their not being paid salaries.

Unable to cope with the dire situation any longer, widows and spouses of the company's unpaid workers as well as some female former workers got together and resolved to confront the company by holding demonstrations at its head office, demanding their long overdue remunerations.

However, the struggle of these women dates back to 2013 when they organised their first demonstration against the non-payment of their spouses' salaries. But back then, before the demonstration could really start, the then trigger-happy Zimbabwe Republic Police officers in Hwange, was engaged by HCCL and descended on the placard-carrying women as they made their way to the company head office and assaulted them heavily. This was to signal a premature end to the women's first attempt at demonstrating against the non-payment of their spouses' salaries by the company. However, in December 2014 CNRG began working with the women in Hwange, conducting capacity building workshops as well as sharing non-violent strategies for direct action. CNRG facilitated exchange visits between the women of Hwange and women from other mining-affected communities in Zimbabwe and in the region. CNRG also facilitated the participation of Hwange women at feminist training schools organized by WoMIN regional alliance. Thus a new and vibrant movement was born in Hwange.

Meanwhile, HCCL still has not paid its current and former workers their outstanding dues and has more than once reneged on its promise to settle the arrears in instalments. The least owed worker today is owed more than \$5 000.

As the company continued to default on salary payments, the women became the breadwinners, sustaining their families – including the HCCL employees— mostly through informal trading and working numerous menial jobs. Thus the women subsidized the HCCL by supplementing their spouses' slashed earnings, but the HCCL has never acknowledged the unpaid labor of these women.

Unable to take the injustice any longer, spouses of HCCL's current and former workers, as well as other female former workers, converged to once again express their discontent in the form of a demonstration. At a workshop held at the colliery by CNRG and Women and Law in Southern Africa (WLSA) in December 2017, the women started discussions about non-violent direct action to demand their spouses' dues. On January 29 2018 the women went and pitched a tent at the entrance to HCCL offices, where they are camped to this very day demanding what the company owes their families.

There is a good reason why it is their spouses instead of the workers themselves who are demonstrating: the company is in the habit of victimising any worker that raises their voice against any injustice. To spare their husbands the victimisation, the women decided it was safer that they be the ones to protest.

It has been over a month with the women camped outside the company offices, braving the rough weather which has over the last month been characterised by harsh winds, heavy rains and some heat waves in between, in their fight for a better life for their families that are currently in the clutches of poverty.

This report will focus on the plight of the Hwange women and their families as a result of non-payment of their husbands' salaries by Hwange Colliery Company and the efforts that they, with support and encouragement from CNRG and WLSA, have been making to force the coal-mining company to pay what it owes. It will also touch on the impact that the non-payment has had on their families and on them as women. The report will conclude by mentioning CNRG's efforts to strengthen women in mining-affected communities like Hwange to allow them to be able to uphold their rights.

2. Unpaid salaries sink families into abject poverty

Hwange Colliery Company Limited , a mining company that prides itself as being Zimbabwe's major explorer, miner, processor and marketer of coal and associated by-products, producing over 750 000 tonnes of coal per year and sometime exceeding that target in order to satisfy its domestic customers that include Zimbabwe Power Company, National Foods, Stable Chemicals, small-scale tobacco farmers, Dunlop, Boc Gases, Zimchem Refineries, sugar refineries, Macdonald Bricks and Delta Beverages, among others and exporting to more than 13 countries which include Zambia, Democratic Republic of Congo, Mozambique, South Africa, Belgium, China and Russia, has not been paying its workers their salaries for over five years. This is in spite of the mining company glowingly describing itself on its website as a socially responsible company that cares deeply for the Hwange community. On its website it wrote:

“Hwange is unique in many ways. It is a mining town, a Company and a coal town, but owing to its remote location, it has developed as a self-contained community. In order to attract and keep staff, the Company has to maintain high standards of housing, health, shopping, schooling and recreational facilities.”

If HCCL adhered to what it claims on its website, Hwange would be a happy town full of healthy and thriving people. Instead, the opposite is true. According to its workers and their spouses, Hwange Colliery Company Limited has become the very source of their anguish and has turned into a task master that shows little care for its own employees and the residents of Hwange town at large. The neglect of its workers, who had come to depend on it for their survival, has seen the town and communities that surround it sinking deep into poverty and unless measures are urgently put in place to restore the area, Hwange town risks becoming a ghost town in less than ten years.

Without money, parents are finding it very hard to keep their children in school. It is now common to see young men loitering purposelessly in the area, while some very young girls who would have dropped out of school are engaging in commercial sex work, thereby putting their lives at risk.

The majority of the company houses that the workers' families live in are dilapidated, with most of them full of huge cracks, thereby putting the lives of the occupants in danger. Some have since succumbed to the deterioration and have caved in, posing serious danger to the occupants. Research carried out by CNRG in 2016 indicated that workers' quarters lack maintenance, with the ablution facilities in an appalling state, forcing over 200 people to share a single toilet. Hwange women reiterated that their situation was a ticking time bomb as anytime, the area could see a spread of diseases such as cholera and typhoid.

Despite the company houses' deplorable condition, the company has been threatening to evict its former workers from the houses, even though they have not been paid their dues to allow them to seek better accommodation.

Furthermore, while the company continues to claim its productivity levels do not allow them to timely pay its impoverished employees, the company's disgruntled workers

HCCL FINANCIAL RESULTS:

For the six (6) months under review, revenue was US\$18.8 million compared to US\$24.5 million recorded during the same period last year. This represented a 23% decline and was caused by low sales volumes as a result of low production volumes for the period January to April 2017. The operating loss was US\$16.2 million compared to an operating loss of US\$25.9 million for the comparative period last year. Despite a number of once off costs incurred during the period, the Company's loss after tax narrowed by 5% to US\$27 million from US\$28.5 million loss recorded for the same period in 2016. The Company strategically adopted cost containment measures with a resultant effect of reducing both operating and administrative costs. Finance costs for the period amounted to US\$7.2 million compared to US\$1.8 million for the same period last year. Total non-current assets decreased by 13% to US\$141.8 million from US\$162.4 million for the same period in 2016.

PERFORMANCE:

The company's performance over the last six month fell short of budgetary targets due to low production levels during the period January to April 2017 that were attributable to working capital constraints. Monthly production average was 94,216 tonnes compared to the budgeted monthly production of 175,425 tonnes. Whilst the monthly production for the period January to April averaged 42 000 tonnes, a significant improvement in production was witnessed in May and June which recorded 170 000 and 230 000 tonnes respectively. Total sales tonnage was 450,557 against a budget of 1,082,935 and an actual of 585,689 for the same period last year. HCC/HIC coal sales during the period increased by 37.5% from 125,544 tonnes to 172,573 tonnes. Sales of coal fines and breeze increased by 13.7% from 41,982 tonnes to 47,749 tonnes for the comparative periods. Coke sales volume decreased from 39 842 tonnes achieved in the first half of 2016 to 7 069 tonnes for the period under review. This was attributed to the cancellation of toll coking arrangements.

Source –Hwange Colliery Company website

report that top management at HCCL has continued to live affluent lifestyles, with reports of them recently buying for top managers top-of-the-range vehicles that cost between USD\$50 000 and \$100 000. This is in addition to reportedly paying themselves allowances and each manager receiving monthly fuel coupons. According to one employee who refused to be named for fear of victimization, top management is paid from a different payroll from the rest of the workers, with their money being processed in the capital city, Harare. The rest of the workers therefore suspect management has continued to pay each other while the rest of the workers go without receiving anything for months on end. Meanwhile, investigations carried out by CNRG unveiled that the coal mining company owes each worker salaries ranging from \$5 000 to \$50 000—substantial amounts that would, if paid, allow many Hwange families to rise out of their current state of poverty.

2.1 Women’s unpaid labor

The HCCL management has failed to understand why women who are not on their workers’ register are demonstrating against the company. But protesting women have a very strong and legitimate

“It wasn’t easy and it still isn’t easy taking care of our families with our husbands not getting paid. With this situation, many were forced into prostitution for food to be on the table. At times we have to walk long distances looking for piece jobs, such as washing, cleaning and so forth.”

*–Sibonisiwe Ndlovu
(HCCL worker’s spouse)*

reason why they are demonstrating at the company premises. It is because they are the ones who have over the years been bearing the brunt of the poverty brought into their homes by their spouses’ situation. The women have been subsidizing the HCCL since 2013 when the company stopped paying its employees their full salaries by taking on the role of breadwinners. The workers have been able to continue reporting for duty for the past five years because most of them were being sustained by their wives.

According to some of the protesting women, they are now their families’ sole breadwinners as they have been taking care of their spouses and children, a feat they say has greatly been weighing them down. The women credit themselves for the continuation of production at HCCL, saying without their support, their husbands would have stopped reporting for work years ago. To take care of their families, the women have been engaging in various forms of informal economic activities ranging from cross border trade, buying and selling airtime, farming, vending vegetables to mobile canteens and working other menial

jobs that include doing people’s laundry, gardening and cleaning houses. Some have established

stokvel credit unions which they call “societies” where members contribute fixed sums of money to a central fund on a monthly basis which is paid to one member at a time. This has enabled some of the women to invest in small business projects which they use to sustain their families. It is such economic activities that have helped to ensure their spouses report for duty at HCCL.

However, the HCCL has not in any way acknowledged how much the women have contributed into ensuring that the company continues to function by taking on the role of breadwinners after it stopped paying their husbands. Instead, the company has been treating the women as a pestilence that is disrupting the normal flow of business at the company and needs to be gotten rid of. Instead of attending to their concerns that resulted in them carrying out the demonstration, the company has continuously been appealing to the courts to have the women removed from its premises, a sign the company doesn't feel it owes the women anything.

2.2 Hwange Colliery Company's heavy-handedness

Five years ago, on October 7 2013, five months after HCCL had stopped paying its workers, the wives of the company's workers and widows of its former workers decided to demonstrate to force the company to pay, citing the poverty that had been brought upon their lives by the non-payment. Instead of engaging them to address the matter as the women had hoped, their attempt at demonstrating was met with force and fury as the company engaged the services of Hwange police to deal with the demonstrators. The overzealous police did not take long before they descended on the women, severely assaulting the placard-waving women as they marched to the company's head office. The assault the women suffered at the hands of the ruthless police was to see them relenting—effectively bringing to an end what could have been a successful expression of their disgruntlement.

Five years later, in 2018, HCCL still hasn't paid what it owes its workers and the amounts have spiraled out of control. If the suffering that fell on the company's families when the company stopped paying them in 2013 was bad enough to warrant their taking to the streets in protest, then one can only imagine how much the situation has deteriorated more than five years down the line.

2.3 Hwange Colliery Company again turns antagonistic

When the women began their protest, setting their camp about 500 meters away from the Administration block entrance on January 29 2018, they hoped this time the company would heed their plea. However, HCCL again turned antagonistic and in a move reminiscent of 2013, the company's first reaction to the demonstration was to engage the police in an attempt to disperse the demonstrators.

But in an unprecedented move, Hwange police this time declined to assist, citing that the demonstrators had the right to protest in terms of section 59 of the Constitution. Instead, all that the

police offered to do was to ensure that the demonstration was peaceful, and true to their word, police officers have ensured the protest is conducted peacefully.

2.4 HCCL starts feeling the pressure

On Sunday 11 February 2018 the company called for what it termed “an all stakeholders meeting” which was attended by the workers committee, trade unions, retired employees who were owed money, representatives of demonstrating women, widows of former mine employees, retired former managerial employees who are also owed money, pensioners, the Ministry of Labour, the police, Zimbabwe Defence Forces (ZDF) and Chief Shana of Hwange.

In the meeting, HCCL admitted that the company owed its workers a total of \$70 million, however emphasising that its workers were not the only people it owed as it owed all its creditors a total of \$352 million. HCCL management said they did not have the money to pay what then company owed its current and former workers, but could only pay if sales improve, saying that the previously agreed “Scheme of Arrangement” remained the only way to settle the matter. The said Scheme of Agreement was first agreed on in 2015 after workers had suggested appealing to the government to have HCCL placed under judiciary management; a move management was naturally opposed to. In an attempt to quell the fire, management agreed that it would, in a period of four years and six months, pay everyone it owed 23% of what was owed. However, the company has reneged on its agreement with the workers under the said Scheme of Arrangement and has to date only paid workers 12, 2% of the 23% they had agreed on in 2015, with the money paid only when those owed put the management under pressure to pay.

At the meeting, workers had a chance to personally detail their plight, telling the management how they were failing to fend for their families, their failure to pay school and university fees for their children, lack of medical care and the threat of evictions from company houses, among other problems.

Zimbabwe Congress of Trade Unions (ZCTU) Press Release

“The Congress of Trade Unions (ZCTU) condemns in the strongest terms the failure by responsible authorities to intervene and bring an end to the labour dispute that has engulfed Hwange Colliery Company. What is also disheartening is the conspicuous silence from the Ministry of Labour and Social Welfare to this unending battle between the spouses of the workers and management. Despite being at fault, the management is acting arrogantly by refusing to meet the striking spouses and had the temerity to approach the courts to seek permission to disperse the strikers. To add salt to injury, the management unilaterally deposited an average of \$200 in the accounts of workers. That is an insult.

On February 2 2018, the ZCTU sought the intervention of His Excellency, President ED Mnangagwa but his envoy Home Affairs minister Obert Mpofu failed to solve matters. We believe the president should have sent the Labour minister instead of a minister who is responsible for the police. The ZCTU president has also been on the ground but management has acted in bad faith by refusing to meet them.

The workers have not been paid for the past four years and as a result, their families are suffering. They cannot access medical care, education and any other service that requires money. The majority of workers have defaulted on contractual payments for residential stands, insurance, and other obligations due to non-payment of their salaries.

There is also high level of victimization if workers ask for their salaries or anything related to their conditions of service, hence the resolve by their wives and the community to demonstrate on their behalf.”

But in the end, seeing that HCCL management was not being sincere, the representatives of the women demonstrators walked out before the end of the meeting. Meanwhile, the demonstration continued gaining momentum by the day.

2.5 The matter spills into courts

On February 7 the HCCL approached the High Court in Bulawayo seeking to be granted an order to bar the Hwange women from continuing to demonstrate on its premises. It was an act designed to further compel the police to evict the women, but the Bulawayo High Court threw out the case.

On 27 January 2018, HCCL took the matter to Harare High Court where it hoped to get a more favorable ruling and made an application under the Certificate of Urgency to have the demonstrators evicted. In this case the company cited Acting Commissioner General of police Edwin Matanga and Hwange Police Station Officer in Charge, Chief Inspector James Ngoma as respondents for their failure to disperse the demonstrators. In a decision that brought wild cheers from the women, CNRG and many members of the public that attended the court hearing in solidarity with the Hwange women, the judge Justice Makoni who presided over the matter, dismissed it on the grounds that it was a case that was very far from warranting urgency, also citing section 59 of the Constitution that affords people the right to protest.

2.6 Government’s inaction

At first, the government, who has a 37 percent controlling stake in HCCL, surprisingly remained mum on the situation. It was only when HCCL had failed to disperse the demonstrators that government resolved to send the Home Affairs minister Obert Mpofu to address the demonstrators. By sending Obert Mpofu, whose only relevance was that he hails from Matabeleland North province where HCCL is situated, the workers and the demonstrating women felt that government had trivialized and politicized the crisis.

It soon became apparent to the demonstrators that Mpofu had only been sent to use his political clout to persuade them to disperse,

and not to attend to their concerns. Infuriated, the women told Mpfu he was not the right person to address them and asked him not to come back to address them if he had no solution to their problems.

After the women had maintained their resolve, clearly unmoved by Minister Mpfu's plea for them to disperse, the government on March sent the Minister of Labour Petronella Kagonye. After being locked in marathon meetings with HCCL management that lasted for more than seven hours, Minister Kagonye finally called into the meeting the demonstrators' representatives, questioning them on why they were demonstrating when they were not employed by HCCL. The minister went on to tell the women the nonpayment matter was between the company and its workers and it was being attended to, telling the women they had no business being camped at the company's premises and ordering them to immediately disperse.

While the Labour minister's visit resulted in the announcement that going forward HCCL would pay its workers their full salaries as it works on fulfilling its pledges under the Scheme of Agreement, which would bring relief to many families if the promise is fulfilled, the women have resolved to remain camped at the company premises until the promised money starts reflecting in their bank accounts. This is a move that CNRG hails because the company is in the habit of backing out of its promises and has over the years proven it cannot be trusted to keep its word.

In its intervention measures, the government has shown more determination to stop the demonstrating women in order to bring back order to the company more than attending to the women's concerns.

Additionally, the situation in Hwange is continually attracting the attention of political players, some of who seem to see it as an opportunity to further their political interests. On March 6, the women demonstrators received a visit from Joice Mujuru, who expressed concern for their movement, encouraging them to continue. Ironically, Mujuru was the country's vice president when the company, in which the government is the major shareholder, started crumbling as a result of mismanagement. After she departed, the women were left convinced the visit had been nothing but an election campaign as she intends to run for president in the upcoming elections.

3. Conclusion

The demonstration by the women in Hwange is only but a tip of the iceberg, helping highlight the full cost of mining which is partly paid by women through their unpaid labor. The crisis at Hwange mirrors all mining communities throughout Zimbabwe where women sustain mining operations but their contributions are never counted. The refusal by the company to entertain the women, including the attempt to use force and deployment of politicians to intimidate the demonstrators, is also a reminder of the violent nature of mining.

In May 2017 wives of workers at New Dawn Mining company's Turk and Angelus Mine, located near the country's second biggest city Bulawayo, protested against the nonpayment of salaries to their husbands. The women blocked the entrance to the mine and demanded that their husbands be paid their dues in order for operations to resume. The company appealed to government for assistance, which deployed armed police who ruthlessly attacked the women with teargas canisters, baton sticks and dogs.

In response to the unfair treatment of women in mining areas, Centre for Natural Resource Governance is implementing a three-year movement building project for women affected by mining in Hwange, Mutoko, Penhalonga, Marange, Darwendale and Bikita. Supported by the Open Society Initiative for Southern Africa (OSISA), the project aims at strengthening the voice of women affected by extractive industries so they can defend their economic, social and cultural rights in the wake of extractivism. A critical mass of women is rising to challenge the model of extractivism prevailing in Zimbabwe, which values profits over people's welfare.

Centre for Natural Resource Governance

90 Fourth Street

Harare

0715387417, 0773812299