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The Labour Amendment Act No. 11 Of 2023

High-Level View Of The Amendment



Background

The Labour Amendment Act No. 11 of 2023 is very relevant for investment in Zimbabwe through the promotion of a conducive labour market environment (decent work), fair labour standards, labour productivity and efficient employment placement services. It also aims to reduce labour costs through efficient dispute resolution mechanisms.

Below are some of the key highlights of the Labour Amendment Act No. 11 of 2023:

- Termination of employment by parties
- Maternity leave
- Violence and harassment in the workplace

1. Termination Of An Employment Contract On Notice Is No Longer Acceptable.

- The new section provides for termination of employment at the instance of an employee only on retirement or resignation.
- Termination of employment at the instance of the employer shall only occur where the employee has breached an express or implied term of the contract of employment.
- The breach of the terms of the contract should be followed by a disciplinary process in terms of a code of conduct or in such other manner that may have been agreed to by the employer and the employee prior to the breach.

2. Maternity Leave

- Female employees now have the right to fully-paid maternity leave for a period of three (3) months without having to have served for a period of one year.
- Furthermore, the amendment removes the maximum number of times for maternity leave from three times to indefinite for any employee and the 24 months interval for maternity leave has been removed.

NB. There may be a need for clarity by the legislature on the treatment of the three months' probation in respect of employees who proceed on maternity leave upon being engaged.

3. Violence And Harassment At The Workplace

- Gender-based violence is defined as harassment against a person because of their sex or gender and it includes sexual harassment.
- Violence and harassment refer to unacceptable behaviours that lead to physical, psychological, sexual or economic harm.

Some examples of these behaviours take place during work-related trips, workplace-organised social activities, when commuting to and from work, lunch breaks or in washing and changing facilities and through work-related communications including those enabled by information and communication technologies.

Conclusion

The above sections are just a few of the many other amendments that were done to the Labour Act Chapter 28:01

ZIDA, through their One Stop Investment Services Centre is readily available to investors for further detailed discussions on the Labour Amendment Act No. 11 of 2023, training on: disciplinary procedures, workers committees and works councils, as well the many other issues relating to labour.

The Labour Amendment Act No. 11 Of 2023



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