

Statutory Instrument 147 of 2022.

[CAP. 28:01

Collective Bargaining Agreement: Tobacco (Manufacturing Sector)

IT is hereby notified that the Minister of Public Service, Labour and Social Welfare has, in terms of section 80 of the Labour Act [*Chapter 28:01*], published the Collective Bargaining Agreement set out in the Schedule, which further amends the agreement published in Statutory Instrument 121 of 2013.

The agreement was registered in terms of section 79 of the Labour Act [*Chapter 28:01*].

SCHEDULE

NATIONAL EMPLOYMENT COUNCIL FOR THE TOBACCO
INDUSTRY

COLLECTIVE BARGAINING AGREEMENT: CIGARETTE
AND TOBACCO MANUFACTURING INDUSTRY

PROHIBITION OF CHILD LABOUR AND SPECIFICATION OF
HAZARDOUS ACTIVITIES

This further agreement made and entered into in accordance with the provisions of the Labour Act [*Chapter 28:01*] between the Cigarette and Tobacco Manufacturing Employers' Association (hereinafter referred to as "the employers" or the "employers association"), of the one part, and the Zimbabwe Tobacco Industrial Workers' Union (hereinafter referred to as "the employees" or the "trade union"), of the other part, being parties to the National Employment Council for the Tobacco Industry.

This agreement shall be deemed to have come into effect on 1st May, 2022.

The Collective Bargaining Agreement (General Conditions of Employment) Cigarette and Tobacco Manufacturing Industry, published in Statutory Instrument 121 of 2013, (hereinafter referred to as "the principal agreement") is amended as follows—

- (a) section 3 is amended by the addition of the following definitions—

"child" means a person under 18 years of age;

"child labour" refers to work for which the child is

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either too young — work done below the required minimum age — or work which, because of its detrimental nature or conditions, is altogether considered unsuitable for children and is prohibited;

- (b) the principal agreement is amended by the repeal of section 33 and the substitution of —

“Prohibition of child labour and the employment of young persons

33. (1) —

- (a) no employer engaged in the cigarette and tobacco manufacturing industry shall employ children;
- (b) if an employer is found to be in violation of the provisions of paragraph (a) above, such an employer shall be guilty of an offence and liable to a fine not exceeding level 7 or to imprisonment not exceeding two years or to both such fine and such imprisonment in terms of section 11 of the Act.

(2) —

- (a) no employer shall offer any work to any child under any circumstances whatsoever to be engaged in any of the activities listed in the Third Schedule or to be engaged in any activities which could be defined as child labour whether or not such activities are for gain;
- (b) the provisions of subsection 1(b) shall apply in relation to any employer who violates the provisions of this subsection and in addition, the employment council shall order such an employer to cease operations until such time that

the employment council is sufficiently satisfied that the employer has put in place such measures as would ensure full compliance with the provisions of this section.

Declaration

The employers' association and the trade union, having arrived at the agreement set forth above, the undersigned hereby declare that the foregoing is the agreement arrived at and affix their signatures hereto.

Signed at Harare this 6th day of April, 2022.

S. CHINYAVADA,
Chairperson of the Employers Association.

E. MARIRO,
General Secretary ZTIWU.

T. G. ZIMONDI,
Chairman of the Council.

THIRD SCHEDULE (*Section 33*)

HAZARDOUS ACTIVITIES

Cigar Manufacturing

Section	Hazardous Activities/Tasks	Hazard
Input	Fumigation	Involves contact with hazardous chemicals
Processing	Leaf preparation and stripping	Involves contact with hazardous chemicals and dry tobacco leaves
	Rolling and Filling	Involves contact with semi dry tobacco leaves
	Wrapper rolling	Involves contact with semi-processed tobacco leaves.
	Freezing	Involves exposure to low temperatures

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Cigarette Manufacturing

Section		Hazardous Activities/ Tasks	Hazard
Primary Manufacturing	Receiving Silo (Storage) Warehouse	Fumigation	Involves contact with hazardous chemicals. Exposure to dust.
	Re-weight	Carton weight verification	Involves handling of tobacco.
	Specification Card	Handling of tobacco cartons and wrapping materials	Involves handling of tobacco.
	Conditioning	Steam and water treatment of tobacco	Exposure to high temperatures.
	Separator	Separation of lamina and dust	Exposure to dust. Involves the use of machinery - potential risk of injury.
	Cutter	Cutting tobacco into smaller particles as prescribed on the Handling and Packing Instruction	Involves the use of the machinery. Noise.
	Lamina Dryer	Moisture absorption	Exposure to high temperatures.
	Cooler	Extraction of excess heat	Exposure to high or low temperatures.
	Top flavour canister	Addition of top flavours to the tobacco as per the Handling and Packing Instruction.	E x p o s u r e t o chemicals.
	Infra Lab	Moisture, nicotine and sugar analysis	Exposure to infra-red rays.
	Refill	Filling lamina into boxes	High weight loads. Exposure to dust.
	Final Check Scale	Weighing the product	High weight loads. Exposure to dust.
	Laydown	L a y i n g d o w n components as per the customer's blend	Dust.
	Water Bath	Hot water treatment of tobacco.	High temperatures.
	Direct conditioning cylinder	Steam treatment of tobacco	Dust. High temperatures.

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Section		Hazardous Activities/ Tasks	Hazard
	Soaking Bin	Storage of conditioned stem and absorption of steam to the core	Exposure to chemicals.
	Stem Roller	Stem processing	Use of machinery.
	Stem Cutter	Cutting of conditioned stem as per the customer's requirement	Use of machinery.
	Enhancer	Use of additives.	Exposure to chemicals.
	Stem Dryer	Moisture absorption	High temperatures.
	Sieving	Separation of stem and dust from the product.	Dust.
	Classification	Separation of desired stem and heavy undesired stem	Exposure to dust. Involves the use of machinery - potential risk of injury.
	Infra-Lab	Moisture analysis	Involves exposure to infra-red rays.
	Check Scale	Final weight check	High weight loads. Exposure to dust.
Secondary Manufacturing	Cigarette Paper (Wrapping)	Material handling and loading on machine	Involves the use of heavy equipment. Potential for injury.
	Print	Material (food grade ink) handling and loading on machine	Exposure to chemicals.
	Glue	Material (food grade glue) handling and loading on the machine	Exposure to chemicals and use of machinery.
	Cigarette Rod Formed	Machine Operation	Use of machinery.
	Cigarette Rod cut to size	Machine Operation	Use of machinery.
	Filter Rod Making	Machine Operation	Use of machinery.
	Filter Rod cut to size	Machine Operation	Use of machinery.
	Cork Tipping	Machine Operation	Use of machinery.
	Analysis (Moisture and size)	Obtain samples from the machine	Use of machinery.

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Section		Hazardous Activities/ Tasks	Hazard
	Blank Packet	Material handling and loading on machine	Use of machinery. Involves handling and lifting of wrapping materials.
	Interlining (Foil)	Material handling and loading on machine	Use of machinery.
	Innerframe Cut-off	Machine Operation	Use of machinery.
	Packet Poly (Plastic Wrapping)	Machine Operation	Use of machinery.
	Packing into ten packets (carton)	Material handling and packaging	Use of machinery. Involves handling and lifting of cartons.

*Supplement to the Zimbabwean Government Gazette dated the 26th August, 2022.
Printed by the Government Printer, Harare.*