



International  
Labour  
Organization



## ZIMBABWE- Extract SADC Labour Migration Stocktaking Report

**SADC Labour Migration Policies and Governance:** Brief summaries of key elements of Labour Migration Policies<sup>1</sup>; Specific provisions pertaining to the employment of foreign workers<sup>2</sup>; and, Applicable requirements and procedures for obtaining work permits<sup>3</sup>.

Zimbabwe	
Type of permit	<p>Temporary Employment Permit: available for the employees belonging to many categories including following:</p> <p>Journalists</p> <p>Professionals with specialized skills that are not common in Zimbabwe</p> <p>Foreign researchers with clearances from the Research Council of Zimbabwe</p> <p>Short-term employees on six-month contracts with local businesses</p>

<sup>1</sup>Available information indicates that only 5 SADC Member States (Eswatini, Lesotho, Namibia, Seychelles and Zimbabwe) have a National Labour Migration Policy, with Mauritius formulating a Migration and Development Policy and Malawi having reached the stage of publishing a Situational Analysis report in preparation for the drafting of its NLMP.

<sup>2</sup>The authors express their gratitude to Ms Zoe Isaacs for the permission to reproduce the information pertaining to the employment of foreign nationals found in the SADC Labour Law Guide that is maintained by the SADC Private Sector Forum (SPSF) and available at <https://www.sadclabourlawguide.spsf.org/bw/>

<sup>3</sup>Information regarding requirements and processes for obtaining work permits was primarily sourced from official government websites and from <https://www.globalization-partners.com/globalpedia/> No information was available for Comoros.

<p>Application requirements</p>	<p>To obtain a temporary employment permit, applicants will need to provide the following:</p> <p>Passport should have at least 6 months of validity</p> <p>Probably a proof of yellow fever vaccination</p> <p>A letter containing a job offer from a Zimbabwean company</p> <p>Proof of the applicant’s qualifications for the position, including prior work experience</p> <p>Two passport photos</p> <p>A birth certificate and marriage certificate, if applicable</p> <p>Payment of the application fee</p> <p>Employer need to apply for the work permit (Temporary Employment Permit) on behalf of the employee. General steps for submitting an application for TEP:</p> <p>The employee sends the necessary supporting documents to the employer.</p> <p>The employer submits the work permit application to the relevant officials in Zimbabwe.</p> <p>Upon approval, the employee can travel to Zimbabwe and begin working.</p>
<p>Duration of permit</p>	<p>N/A</p>
<p>Employment of Foreign Nationals</p>	<p>The Immigration Act provides detailed provisions on prohibited migrants, the prescribed procedures and parameters in which a work permit is issued. A temporary employment permit will be issued for a maximum period of 5 years. All employees including foreign nationals enjoy protection under the Labour Act. According to the Immigration Act 1990 and Immigration Regulation of 1998, no person may enter Zimbabwe without having a valid travel document or a permit. The Minister generally issues regulations which prescribe and provide detailed parameters under which permits may be issued and the procedures to be followed. The Chief Immigration officer may, on application of a person who wishes to engage in an occupation in Zimbabwe, issue a temporary employment permit. The temporary employment permit will authorize the person, in respect of whom it is issued, subject to the conditions specified to enter or remain in Zimbabwe for the period, not exceeding 5 years. A temporary permit may</p>

authorize the spouse and children of the person in respect of whom it is issued, to enter or remain in Zimbabwe for the same period. A temporary employment permit may be issued, with the consent of the Minister, to a person who is already in Zimbabwe. The Chief Immigration Officer may extend a temporary employment permit for any period which, together with the period or periods for which it has been in force, does not exceed 5 years. A person whose temporary employment permit expires must leave the country immediately.

The temporary employment permit is subject to the following conditions: the holder of the permit can only engage in the occupation specified in the permit and shall not engage in any other occupation; the holder of the permit must enter and remain in the service of that employer; the holder must leave the country on or before expiry of the permit; and the holder of the permit must surrender such permit to an immigration officer before leaving the country. The Chief Immigration Officer may, on a written application of the holder of the employment permit, authorize the holder to cease to engage in the occupation specified in the permit, to engage in a different occupation from that so specified, and to enter into the service of another employer.

The Chief Immigration Officer may, if so directed by the Minister, without prior notice to the person concerned, cancel a temporary employment permit if it was obtained on any information which is materially incorrect; or if the holder of the permit fails to comply with any conditions under which the permit was issued, or any condition imposed.

Visas are not required for qualifying countries on a list available at the Department of Immigration. Nationals of countries in the second category may obtain visas at the port of entry in Zimbabwe. In the latter category visas must be applied for and issued in advance of travel, from the respective Zimbabwe embassies or Trade Consulates.

Any foreign investors wishing to take up residence in the country need to acquire an investment license. Certified copies of investment license, indigenization compliance, proof of funds for investment and police clearance from the country of origin are the major requisites when applying for the investor residence permit.

Any foreigner seeking to take up residence in Zimbabwe is required to hold a valid work permit. Regulations are in place to allow local companies to employ

	<p>foreigners under temporary work permits. These work permits are issued by the Department of Immigration upon an application by the company which is considered by the Foreign Recruitment Committee. The guiding condition is that the company should provide proof that the required skill cannot be sourced within Zimbabwe. Foreign employees are subject to the minimum conditions laid down in the labour legislation. Any foreign employee seeking to work for an organisation or a company registered in Zimbabwe can apply for a temporary employment permits. However, the only people that can apply for a temporary employment are professionals offering scarce skills, which are not easily available in Zimbabwe; journalists on assignments; personnel on short contracts and researchers (who must first be cleared by the Research Council of Zimbabwe). Temporary employment permits are usually issued for a period of 12 months. Temporary employment permits application forms are submitted directly to the Department of immigration in Harare.</p>
<p>National Labour Migration Policy</p>	<p>With the support of the ILO and the IOM, Zimbabwe initiated a process of developing a NLAMP in 2011. Following the drafting of a Situational Analysis Report and a series of consultations with a variety of stakeholders, the NLMP was adopted in 2016. The following sets out the Vision, Mission and Strategic Objectives of the NLMP:</p> <p>Vision</p> <p>A well-managed and sustainable labour migration management system that promotes good governance on labour migration, effective regulation of labour migration, and protects the rights of labour migrants and their families and the various stakeholders involved.</p> <p>Mission</p> <p>Maximisation of benefits of both inward and outward labour migration through safe migration, provision of decent working conditions for labour migrants especially female labour migrants and protection of their fundamental human and labour rights and those of their families.</p> <p>Strategic Objectives</p> <p>1. To strengthen governance of labour migration and management of labour migration in line with international norms;</p>

	<p>2. To promote provision of decent working conditions for both male and female labour migrants and protection of their fundamental human and labour rights and those of their families;</p> <p>3. To develop mechanisms to inform labour migrants and potential labour migrants on migration options, risks of irregular migration and opportunities for regular migration;</p> <p>4. To enhance effective mechanisms for harnessing remittances for investment and development in line with the Migration and Development Strategy;</p> <p>5. To strengthen and engender the Labour Migration Information System ;</p> <p>6. To strengthen dialogue on labour migration at national level;</p> <p>7. To strengthen effective participation in regional and international dialogue on labour migration;</p> <p>8. To strengthen Migration Resource Centres (MRC) that will provide educative, informational material and awareness programmes to migrant workers; and,</p> <p>9. Harmonise existing efforts and initiatives that have been undertaken to harness the positive benefits from labour migration</p> <p>The NLMP identifies four broad policy areas and the action plan that accompanies the NLMP sets out the challenges that need to be addressed and actions to be undertaken. The four broad policy areas are:</p> <ol style="list-style-type: none"> <li>1. Governance of Labour Migration,</li> <li>2. Protection and Empowerment of Migrant Workers,</li> <li>3. Harnessing Labour Migration for Development,</li> <li>4. Migration data</li> </ol>
National Labour Market Institutions	<p>The Labour Court hears and determines any applications and appeals referred to it. The Minister may also refer matters to the labour court and a determination must be made. The labour court can appoint a labour officer, a designated agent or any other person to conciliate the disputes if it considers it expedient to do so. The Labour Court in the case of an appeal conducts a hearing into the matter or decides it on record. In the case of an appeal the labour court can vary, reverse and set aside any decision. In the case of an application made the labour court can remit the matter to the same or different labour officer with instructions directing that officer to attempt to resolve the matter.</p>

	<p>The Minister may appoint on recommendation or of his own volition an Advisory Council which will investigate and make recommendations in connection with wages, salaries and benefits. Their powers extend to declaring a service as an essential service.</p>
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