

Social security inadequacy posing threat to workers welfare. A case study of Mazowe district farms in Zimbabwe

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ABSTRACT

The study looked at the situation, magnitude and availability of Social security schemes and benefits in place of farm workers in Bindura district that are meant to improve their welfare, during their time of employment and after retirement. Issues of social security such as insurance, pension, health and safety were a fundamental right according to the International Labour Organization (ILO). Zimbabwe's land reform programme of 2000 had distorted the previous employment relations at commercial farmers, as those who took over, predominantly indigenous people seemed to defy labour legislation regarding the conditions of service of farm workers. Issues of social security for all workers in Zimbabwe are addressed by the legislative framework of the National Social Security Authority (NSSA). The study was premised on the interpretivism philosophy and used the qualitative approach. The participants were drawn largely from farm owners, farm workers and other key stakeholders, officials from NSSA, Ministry of Lands, Agriculture, Fisheries, Water, Climate and Rural Development and Ministry of Public Service, Labour and Social Welfare. Unstructured interviews and the group focus discussions were used to collect data. Some of the major findings were that; most farm workers were being employed as casuals without any binding employment contract and as a result, there was no consideration by the employer to provide meaningful social security such as pension, insurance cover and medical assistance. Safety at farms, was usually under threat and an area of great concern. Farm workers lived miserable lives once they were old and retired. They would not have anything to fall back on even after working for those farms since their childhood. Farm owners said that farming was no longer very lucrative and they were unable to provide social security to their workers as they were financially incapacitated. NSSA officials and Ministry of Public Service, Labour and Social Welfare, admitted that working conditions at farms were ignorant of statutory requirements such as social security provision as they were not registered with them. Constrained budgets, inadequate manpower coupled with resistance by influential political leaders who own most of the farms, were the major obstacles that faced NSSA and the Ministry of Public Service, Labour and Social Welfare to conduct inspections and surveillance operations. The study recommends that there is need to educate farm owners who were mostly indigenous after the land reform programme and also workers, so that social security should be a preserve of every worker even after retirement.

Key terms: health cover, insurance cover, pension, workers' welfare, social security,

1. BACKGROUND OF THE STUDY

Social security is the protection that a society provides to individuals and households to ensure access to health care and to guarantee income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner (International Labour Organisation (ILO), 2001). Social security schemes are designed to benefit those who are in employment and their dependents, by providing a degree of protection against the effects of loss of income or ill health. They are not social assistance programmes but programmes that provide contributions-based benefits, according to a pre-determined formula, to those who qualify for those benefits (Kaseke, 2015). Social security schemes exist in many countries the world over. The concept is similar in all of them, though such schemes frequently provide more social security in economically well-developed countries than they do in poorer countries (Dickson, 2016). In Zimbabwe social security is provided by the National Pension Scheme and Workers' Compensation Fund, both of which are administered by the National Social Security Authority (NSSA), and by private occupational pension funds and insurance policies (Kaseke, 2015). A degree of social security is also provided by families themselves and by an individual's savings or investments. While not everyone enjoys all these forms of protection, every person in formal employment, other than in domestic service, is entitled to the benefits prescribed in the National Pension Fund and Workers' Compensation Fund schemes, provided the stipulated contributions have been paid (Kaseke, 2017; Nhapi, 2021). Social security is most easily applicable in countries where large numbers of citizens depend on the formal economy for their livelihood, as it is in that context that contributions can most easily be assessed and collected. In countries where there is a widespread informal economy like Zimbabwe at the moment, formal social security arrangements are generally almost non-existent for the majority of the working population (Mtetwa, 2018).

The Code on social security in the Southern African Development Community (SADC) was approved by the Integrated Committee of Ministers in June 2007 in Windhoek Namibia (De Jure, 2011; SADC, 2008). This contribution critically examines how the Code attempts to develop sound social security systems in the SADC region. It pays special attention to the approach adopted by the Code in its quest to address pertinent issues such as the right to social security, social protection framework, and social risks, as well as, vulnerable groups and categories of persons protected (De Jure, 2011; SADC, 2008). It concludes by observing that the ratification record of SADC member states of the current conventions in the field of social security is unsatisfactory. Accordingly, member states must be encouraged to ratify these important instruments. Secondly, preventative and (re)integrative measures are a part of a social security system. Thus, the call by the Code for the introduction of these measures should be welcomed. Furthermore, social security coordination is an integral part of regional integration and the free movement of labour and persons. To this end, the provisions in the Code aimed at these matters are timely. Finally, the Code is not legally binding (De Jure, 2011; SADC, 2008). Nonetheless, its adoption is commendable for it is a right step towards the

improvement of social security systems in the SADC region, which are largely undeveloped, and, in some instances, underdeveloped.

Kaseke (2009) observes that the SADC is not a homogenous region and therefore, countries in the region offer different levels of social security to their citizens. Whilst countries such as Botswana, Mauritius and South Africa have made notable progress in setting up robust social security systems, the other majority of the countries only offer rudimentary social security (Masoebe, 2020). This notwithstanding, social security in the SADC region has made some contribution towards the reduction of poverty among certain categories of the population. The impact at national level, however, tends to be minimal owing to a number of factors. Some of the factors, include the use of a categorical approach to social assistance, limited availability of resources and extremely low coverage of social insurance schemes. Kaseke (2009) concludes with an observation that social security needs to give greater emphasis on strengthening the livelihoods of the poor. The development of social security in Zimbabwe is inextricably linked to the country's colonial history (Vitoria, Mudimu and Moyo, 2012). Racial discrimination in colonial Rhodesia led to the introduction of fragmented social security schemes for the non-African population such as old age, public, and occupational pensions for purposes of income maintenance in cases of involuntary loss of income (Dupper, 2014). The same protection was not extended to Africans because it was assumed that their needs were simple and easily met within the peasant economy. Although attainment of independence ended a lot of forms of racial discrimination that existed before, Zimbabwe still does not have a comprehensive social security system (Vitoria, Mudimu and Moyo, 2012).

2. STATEMENT OF THE PROBLEM

Farm workers in Zimbabwe particularly in Mazoe District were being neglected on issues of social security as evidenced by lack of policies and programs that are designed to reduce poverty and vulnerability by promoting efficient labour markets, diminishing people's exposure to risks, and enhancing their capacity to manage economic and social risks, such as unemployment, exclusion, sickness, workplace hazards, disability and old age.

3. RESEARCH QUESTIONS

- (i) What sort of insurance cover is in place to assist farm workers in the event of accidents?
- (ii) What is the level of health related assistance (schemes) given towards addressing farm workers' ill-health?
- (iii) How adequate are the pension benefits accorded to retirees by farmers?
- (iv) What are the challenges being faced by farms related to social security?
- (v) How can program suggested help improve social security among farm workers?

4. LITERATURE REVIEW

4.1 Theoretical Framework

A Positive Theory of Social Security

This theory developed by Tabellini (2000) advocates for a concentration of benefits among a few but diffusion of costs among many. This may explain why retired individuals successfully lobby to preserve the social security system so that they are the major beneficiaries, yet those large numbers contributing do not benefit until retirement. It seems unlikely that such programs would be politically viable without the support of a large number of working individuals (Mulligan and Sala-i-Martin, 2001). The theory postulates that this could be the reason why workers who pay taxes may favour social security. The explanation is based on the assumption that a worker would support social security, provided that his retirement age is sufficiently near (Tabellini, 2000). However, society cannot pre-commit its future decisions on social security legislation and in practice, such legislation has been changed repeatedly over time (Marmor and Mashaw, 2017).

4.2 Conventions related to social security

Social security is clearly defined by the International Labour Organisation (ILO) as a basic human right. The importance of Social security is even manifested in the creation by ILO of the following Conventions.

- The Social Security (Minimum Standards) Convention, 1952 (No. 102).
- The Equality of Treatment (Social Security) Convention, 1962 (No. 118).
- The Employment Injury Benefits Convention, 1964 (Schedule I amended in 1980) (No. 121).
- Invalidity, Old Age and Survivors' Benefits Convention, 1967 (No. 128).
- The Medical Care and Sickness Benefits Convention, 1969 (No. 130).
- The Maintenance of Social Security Rights Convention, 1982 (No. 157).

4.3 Key Statistics on Social Security

- In sub-Saharan Africa and South Asia, only an estimated 5% to 10% of the working population has some social security coverage.
- The HIV/AIDS pandemic threatens the financial viability of social security systems in many developing countries.
- Lack of social security coverage is largely concentrated in the informal economies of the developing world, which are generally a larger source of employment.

4.4 The Early Phases of Social Security in Independent Zimbabwe

During the colonial era and soon after independence, there was no Act of parliament governing the operation of public assistance in Zimbabwe (Midgley and Kaseke, 1996). The Department of Social Welfare ran a public assistance programme which provided financial assistance to destitute members of society (Kaseke, 2009; 2015). The destitute members of society were those who did not have an adequate and reliable income necessary for the meeting of basic

needs. The destitution could arise from such factors as old age, unemployment, sickness, disability, death or desertion of a breadwinner. Initially the relief of distress among Africans was a responsibility of the then Department of Native Affairs, until 1965 when the function was transferred to the Department of Social Welfare. Assistance was only granted to the aged, blind and the sick upon being satisfied that applicants had severed links with their rural folk. Those whose links were still intact were being repatriated to their rural areas (Victoria *et al.*, 2012).

Soon after attaining independence, public assistance in Zimbabwe was available to all destitute citizens. Assistance was non-contributory and was thus financed from taxation. In addition, public assistance was means-tested in the sense that assistance was only granted to persons who were unable to get assistance from their families and those who could prove that they did not have the income necessary to meet basic needs (Mtetwa, 2018). Public assistance was granted to persons who held Zimbabwean citizenship or those who had been resident in Zimbabwe for at least one year. Non-citizens were usually given temporary assistance pending repatriation to their countries of origin. A destitute individual could apply for public assistance at his District Social Welfare Office and the granting of assistance was usually dependent upon a home visit (Hampson, 1985). The home visit enabled the investigating officers to assess the degree of destitution. On the basis of the findings from the home visit, a decision would be made as to whether or not assistance was to be granted. If an applicant gave unemployment as the reason for destitution, he/she was often asked to produce evidence that he/she was actively looking for employment. The rationale behind this requirement was that it discouraged the development of a dependency syndrome among claimants. In the urban areas, those who were unlikely to secure employment because of lack of skills were encouraged to settle in the rural areas where they could engage in farming activities or they could be encouraged to participate in income-generating projects. The level of assistance was dependent upon individual and family needs (Hampson, 1985)..

With the advent of the Economic Structural Adjustment Programme (ESAP) in 1990, the labour market was deregulated. Labour laws were relaxed in order for them to be in line with the new economic order. The relaxation of the labour laws came about through the promulgation of the Labour Relations Amendment Act of 1992. In addition, Statutory Instruments 379 of 1990 and 404 of 1990 focusing on Employment Codes of Conduct and retrenchment matters respectively, were promulgated. The deregulation empowered Works Councils and enabled National employment Councils (NECs) to deal with issues pertaining to conditions of service, dismissals, wages/salaries and retrenchments in line with the new economic order and reduce Government's powers to that of a regulator and facilitator (Yeros, , 2013). In light of this, government went on to create frameworks and systems that could improve the health, welfare and safety at the workplace and even upon retirement. It is against this background that social security has become a topical issue in industrial relations not only in Zimbabwe but the world over.

4.5 The National Social Security Authority (NSSA)

In Zimbabwe the National Social Security Authority (NSSA), constituted and established in terms of the NSSA Act of 1989, Chapter 17: 04, is the statutory corporate body tasked by the Government to provide social security. The provision of social security can be defined as instituting public policy measures intended to protect an individual in life situations or conditions in which his/her livelihood and well-being may be threatened, such as those engendered by sickness, workplace injuries, unemployment, invalidity, old age, retirement and death (Kaseke, 2009). It is based on the principle of social solidarity and pooling of resources and risks, involving drawing of savings from periods of employment, earnings and good health to provide for periods of unemployment, old age, invalidity and death. This also falls under the ambit of Social security. NSSA administers two schemes: *Pension and Other Benefits Scheme and Accident Prevention and Workers' Compensation Scheme*. The Scheme was established, and is administered, in terms of statutory Instrument 68 of 1990.

Health, Insurance and Safety Laws in Zimbabwe

There are also sectoral occupational health and safety laws. The uptake of insurance services in the agricultural sector is generally low as compared to other sectors of the economy like manufacturing, mining and services sectors across the world, and Zimbabwe is no exception (Masiyandima, Chigumira and Bara, 2011). Farmers view insurance as an unnecessary expense rather than an investment to curtail future risk, especially given the small size of their holdings (Kaseke, 2009; 2015). Whether such a view is based on economic rationale or on mere opinions, is still a subject of debate in academia. However, agricultural insurance is usually considered as a risk-mitigating tool when land holdings increase and the level of income from agriculture becomes significant. At independence, Zimbabwe inherited a dual agricultural structure from the colonial era that was divided into large scale commercial farming (LSCF) dominated by the white minority and small scale commercial and subsistence farming for the indigenous population (Rukuni, 1994). The large-scale sector farmers were well resourced, having adequate access to machinery, extension and financial (credit and insurance) services and had title to their land, as opposed to their communal counterparts (Victoria *et al.*, 2012). These are laws specific to a particular sector whose objective is to supplement the general laws. These laws cover the mining, industry and agricultural sectors. There is no specific health and safety law for the agricultural sector. However, the Environmental Management Act (Chapter 20:27) provides that every worker has a right to work in an environment that does not endanger his or her safety. The Act and its regulations also control usage, storage, labelling and disposal of hazardous substances and articles. The collective bargaining agreement for the agriculture industry requires employers to provide their employees with appropriate protective clothing and such devices to protect them from harmful substances (Nhapi, 2021).

METHODOLOGY

Research design: A case study focusing on Mazoe district only.

Research paradigm: Qualitative

Target Population: Comprised farm owners, farm workers, NSSA officials, Ministry of Lands, Agriculture, Fisheries, Water, Climate and Rural Development and Ministry of Public Service, Labour and Social Welfare officials.

Sampling method: The quota sampling and data saturation techniques were used to determine number of participants.

Research Instruments: Unstructured Interviews and Focus group discussions were used.

Data Presentation and Analysis: Since the study was qualitative, **Content analysis** was used including narrative statements.

FINDINGS

The findings have been categorised into three groups comprising farm owners, farm workers and officials from Ministry of Lands, Agriculture, Fisheries, Water, Climate and Rural Development, Ministry of Public Service, Labour and Social Welfare officials and NSSA.

1. Findings from Farm Workers

• Insurance cover in the event of an accident

There was nothing that was provided by their employers regarding insuring them against workplace hazards such as accidents, which could result in loss of life or being physically handicapped. In few circumstances, insurance was done to assets or property such as tobacco banns and farm equipment only.

• Health assistance (medical aid)

This was provided when one got injured while on work by being accompanied by a tractor or improvised transport to local clinic but if for any other ailment or if health problems persist, in some cases, employment would be terminated or alternatively, no pay until one actually fully recuperates (recovers). At times, some new employees were forced to wear second hand protective clothing thus, exposing them to health and safety risks, diseases and illness. There was no benefit such as medical aid except for very few cases, such as senior people like farm managers

One worker at Farm D, Key Informant 3 said

“There are no protective clothes and in some instances we administer chemicals without any protective clothing”.

At farm A, Key informant 9, a middle aged women said

“At times, we are asked to work for extended hours, work over the weekends and holidays and even during the rain season, you are given targets such that you have to continue to work under unfavourable conditions. if you get ill, little is done to ensure that you get better treatment since local clinic does not have doctors or medication/drugs”.

An elderly man at farm E, Key Informant 2 had this to say

“we do not have many options to find alternative employment because of our inferior educational background, the harsh state of economy and the work environment is not very conducive and at times we work under dirty areas without protective clothing”.

- **Pension**

It was not clear if the employers were contributing to NSSA although they said so but there was no tangible evidence to prove that since no payslips were being issued or any other documentary evidence of how the wages were being computed (calculated). At Farm A, Key informant 7, a truck/lorry and tractor driver in his early 70s who still continued with his work as a contract worker after attaining the retirement age of 65 years, had been contributing pension but had this to say;

‘It costs me a lot to come to Harare given my meagre pension earnings, so I have decided to come every three months unless if I am lucky to get a cheap bus (ZUPCO) but not withstanding the long queues at the banks and the frustration you face at most times such as shortage of bond notes”

- **Other worker benefit schemes**

There was not much that was being done except workers to be given as incentives in the event of high production such as; 10kg maize, a bucket of tomatoes, beans and other crops after they have been harvested.

At farm B Key informant 10, a school dropout boy had this to say,

“we are not recognized or appreciated by the farm owner, and hence you cannot talk of benefits when you are even hardly paid even a small token at times.”.

- **Challenges being faced by farm workers related to social security**

There were a plethora of problems facing farm workers as they said their future was bleak especially when they were no longer active, that is, when they retired. They were not given any life pension, no medical cover, they lived under squalid conditions, not insured and in the event of death of the worker, the family could be asked to leave the farm.

- **Suggestions that should be done to improve social security at your farm**

- (i) **Insurance cover in the event of an accident**

There was not much provision for workers as the farm owners said that they were struggling to break even given the rising costs of inputs and trying to secure better equipment and infrastructure. They were even struggling to insure their farms and property (assets) which according to them was their priority ahead of workers

- (ii) **Health assistance (medical aid)**

Not much was being done in the event of a worker who was not feeling well due to ill health. At most, the workers could be driven to a nearby clinic and helped to get initial treatment. In the event that the illness was work related such as an accident at work, then the farm would try to take responsibility. There was no provision for medical aid support as majority of the workers were casuals.

Pension

This was almost totally ignored since even the majority of the farm owners themselves did not even contribute to NSSA or where contributions were once made, these had become so erratic that they were huge arrears for only a few workers who were registered with NSSA.

One male at Farm C, Key Informant 9 said

“there is no explanation on pension and if you persist asking and even other working conditions, you can be threatened with dismissal or being treated as trying to incite others to demonstrate against the employer”

Another female at Farm E, Key Informant 12 said

“Since we did not sign any contract with the employer we have no idea about what is entitled to us although through the national radio, we hear of NSSA and that everyone and his/her employer should contribute so as to benefit after retirement and old age, hence it becomes very difficult to plan for the future”.

2. Findings from farm owners

• Challenges faced in trying to improve Social security for their workers?

- (i) There were hardly any written or documented employment contracts for farm workers. Most contracts were by verbal agreements and very informal.
- (ii) The economic hardships facing the country at large was also not sparing the farming community.
- (iii) Given the meagre salaries/wages that farm workers get, it would be futile for them to contribute anything meaningful and yet NSSA pension payouts were also very little such that the whole monthly pension would be absorbed by transport costs if one wanted to be paid since it was a requirement that one should have a bank account.
- (iv) Most farm workers were of foreign origin, largely Malawians and Mozambicans who were inherited by the new farmers after the land reform programme and majority were old or if they were young and active, they were not keen to attain education as they would prefer to be used as child labour.
- (v) NSSA took time to process payments and were not flexible on personal identification documents yet some of the farm workers were failing to secure such documents especially foreigners, so there was need for government to harmonise some of the document requirements to allow a number of farm workers to obtain those documents.
- (vi) The government had maintained very low prices for selling agricultural products yet input costs were very high and at times charged using foreign currency. The Grain Marketing Board could even pay grain deliveries made after even two years, which rendered income insignificant taking cognizance of the inflationary pressures in Zimbabwe.

- **Suggestions to improve social security at farms in your district**

- (i) The government should also play a part in social security by contributing a certain percentage to each farm worker as part of a broader citizen welfare empowerment programme, thereby indicating its commitment to promote its citizens' livelihoods and also taken as something important.
- (ii) There was need for a paradigm shift in the farming community so that the key stakeholders are educated by NSSA in liaison with the Ministries of Lands, Agriculture, Fisheries, Water, Climate and Rural Development and; Public Service, Labour and Social Welfare on the importance of social security and why it should be mandatory.

3. Findings from Officials (NSSA, Ministries of Lands, Agriculture, Fisheries, Water, Climate and Rural Development and; Public Service, Labour and Social Welfare)

The following are synthesised findings from the questions posed to the target group

- **Organization's position or policy regarding the following aspects of Social security and protection?**

- (i) *Insurance cover in the event of an accident*

This should be mandatory as human life was important especially to safeguard against the risk of workplace hazards

- (ii) *Health assistance (medical aid, clinics)*

The farms should provide a health and safe working environment and where according to the Factories and Works Act and the Zimbabwe Occupational Health Safety Council, basic medical facilities like First aid box and medical aid assistance were encouraged even at farms

- (iii) *Pension*

The NSSA official elaborated

'Pensions systems in Zimbabwe include private contributions made to pension funds and the state contributory system (since 1994) administered by NSSA to which all employees are obliged to contribute''.

- (iv) *Other worker benefit schemes*

Apart from medical insurance, life insurance, disability insurance and pension, the best practice used by many organisations as other benefits are; profit sharing schemes, welfare fund to assist during time of bereavement or economic hardships, as well as, retirement plans.

- **Frequency of cases involving complaints raised by workers or farm owners on the above issues**

There were few cases that were brought to the attention of the officials and reasons given were that; probably workers feared to face reprisals from the employers (farm owners) if they were known to have reported them as they were told by employers that they were not supposed to do that or they would face the adverse consequences. An official from the Ministry of Agriculture said

‘Even in the event of fatalities due to workplace accidents, these were hardly reported. The situation was being compounded by the fact that very influential politicians owned most of the farms’

• **Challenges being faced at farms related to Social security for farm workers**

The salient issues raised were:

- (i) The fact that the majority of farm workers were treated as contract workers or casuals despite working for even the entire part of their lives was a major anomaly and formed the basis of circumventing the issue of regularisation with labour laws of the country such as compulsory contribution to NSSA.
- (ii) Lack of education on the fundamental rights of workers as enshrined in the major policy documents like the New Constitution of Zimbabwe of 2013, the Labour Amendment Act of 2015, the Factories and Works Act, was a major contributory factor.
- (iii) Some elderly people who were chased from farms if they fell out of favour with the owner or were deemed not fit for duty, became destitute and some ended up in old people's homes.
- (iv) Lack of awareness of the roles of various government bodies and agencies.

There was misconception or misunderstanding of the roles of NSSA and how it operates

A NSSA official had this to say

‘Many people need to understand that NSSA does not provide general welfare assistance; its schemes are employment-based, with pension payouts based on people's contributions while still at work’.

• **Suggestions to improve social security at farms?**

The officials talked about the need to reinforce labour laws and that government was not supposed to protect influential politicians but the land audits done under the State President's office should be used to also assist on issues of compliance.

CONCLUSIONS

The findings clearly revealed that there was nothing of substance being done at farms in Mazoe district on social security as evidenced by almost non-provision of insurance, health cover, pension through NSSA or other benefits largely due to lack of formal employment contracts. In addition, the casualisation of labour at farms in order to save costs, has led to farms not complying with the country's labour laws and other statutory requirements, resulting in the violation of farm workers' fundamental rights and entitlement to fair labour practices.

RECOMMENDATIONS

• **Amendment of the labour laws**

The Labour laws should not be silent on farm workers particularly the Labour Amendment Act [Chapter 28:01]. The Act must stipulate that anyone employed for a period of over 6 months in any undertaking should not be treated as casualised workers but permanent workers, so that farm workers are protected from abuse by employers.

- **Mandatory employment contracts**

The employer must come up with a contract, which is clear on the nature of work to be done, and the hours to be worked with remuneration modalities clearly stated and other mutually agreed conditions of service. Both parties must sign the contract.

- **Active campaigns by relevant trade union**

The National Employment Council (NEC) for Agriculture should conduct awareness campaigns among farm workers especially those working for farm owners who are beneficiaries of the agrarian reform programme since they were the worst culprits in terms of labour compliance issues. The union needs to vigorously educate its constituency so that the members have knowledge of labour issues and policies and where possible be able to enforce litigation.

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