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Caleb Mucheche Labour Law and Employment/Workplace Law in Zimbabwe updates about retirement age law: The Zimbabwean Labour Act [ Chapter 28:01] does not peg or prescribe any maximum or minimum retirement age limit for any employee or worker in Zimbabwe. This means that there is no one-size-fits-all or mathematical formula or straight metal jacket for pegging retirement age for any employee at any workplace in Zimbabwe in terms of the Labour Act. To get a solution or answer to the "ages old" question about retirement age, one must be guided by the applicable contract of employment or prevailing conditions of service or applicable pension rules signed by both the employer and the employee as was rightly, nicely and well-articulated by the Supreme Court of Zimbabwe in the locus classicus case of Mubvumbi v City of Harare SC 64-2018. An employer cannot sit on an ivory tower and just impose a retirement age on an employee typical of a stone engraving without the concerned employee's informed express or implied consent akin to Mosaic laws from God availed at Mount Sinai as depicted in Exodus 19:1-21 or biblical ten commandments in Exodus 20:1-17 cast in stone or on the tablets. Once an employee signs a contract of employment or some other legal instrument or conditions of service with a retirement age, that retirement age becomes legally binding between that employee and the applicable employer on the basis of trite legal principles like the signor beware (caveat subscriptor rule), freedom of contract, privity of contract and sanctity of contract. In practice, it is a progressive norm and best standard for an employer and employee to reduce a contract of employment and conditions of service in writing as legally mandated or obligated by section 12(1) & (2) of the Zimbabwean Labour Act to avoid speculation or guesswork and unnecessary disputes over botched termination of employment. A signed contract or legal document is easy to prove than an unsigned one owing to the application of the parole evidence rule. If there is no retirement age limit set in some legally binding contract of employment or conditions of service of legal instrument, that employee can stay put on the job unless he/she leaves by resignation/dismissal/death or other lawful termination. Barring other lawful methods of termination of employment or job, a strong and agile employee or worker may remain in a job even up to 120 years like biblical genius and faith super hero Moses who was strong ever and according to Deuteronomy 34:7 was "120 years old when he died: his eye was not dim, nor his natural force/vigour/vitality abated/diminished". Generally, it is a healthy practice for an employee or worker in any job in society to retire early and rest due to the negative effects or defects of old age on good job performance and also to give room to generational renewal and succession planning. As a general rule, employment conditions cannot be diminished but can be improved from time to time. It is interesting and noteworthy that traditionally since 1980 Judges in Zimbabwe were legally obliged by a mandatory constitutional requirement to retire at the age of 70 years until recently when that retirement age was increased up to 75 years by the Constitution of Zimbabwe (No.2) Act, 2021. God bless you reader.

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