higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

GENERAL STUDIES

N930**(E)**(J15)H
JUNE EXAMINATION

NATIONAL CERTIFICATE

LABOUR RELATIONS N5

(4110455)

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09:00–12:00

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DEPARTMENT OF HIGHER EDUCATION AND TRAINING
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE
LABOUR RELATIONS N5
TIME: 3 HOURS
MARKS: 100

NOTE: If you answer more than the required number of questions, only the required number of questions will be marked. All work you do not want to be marked must be clearly crossed out.

INSTRUCTIONS AND INFORMATION

1. This question paper consists of TWO sections:

   SECTION A : 40 marks
   SECTION B : 160 marks
   GRAND TOTAL : 200 marks

2. SECTION A is COMPULSORY and must be answered by ALL candidates.

3. Answer any FOUR of the other five questions in SECTION B.

4. Read ALL the questions carefully.

5. Number the answers according to the numbering system used in this question paper.

6. Write neatly and legibly.

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SECTION A

QUESTION 1

Indicate whether the following statements are TRUE or FALSE. Choose the answer and write only 'true' or 'false' next to the question number (1.1–1.10) in the ANSWER BOOK.

1.1 Conflict in the workplace could lead to unrest or strikes.

1.2 Labour relations can be described as a tripartite relationship.

1.3 The application form is an instrument to gather information about the training, experience and personal particulars of the applicant.

1.4 Labour legislation is introduced to maintain order in the workplace.

1.5 All trade unions need to be registered (Act 66/1995).

1.6 The Basic Conditions of Employment Act (BCEA) also applies to senior managerial employees.

1.7 Picketing is a form of demonstration in support of a protected strike (Act 66/1995).

1.8 A country's labour relations system can be described as the set of rules, regulations, structures and processes established and used by the parties involved.

1.9 Freedom of association was never a part of labour relations in South Africa.

1.10 Collective bargaining is a dynamic process between two or more parties.

(10 x 1) **[10]**

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QUESTION 2

Choose a description from COLUMN B that matches a/an word/item in COLUMN A. Write only the letter (A–J) next to the question number (2.1–2.10) in the ANSWER BOOK.

COLUMN A		COLUMN B	
2.1	The state	A	an agreement whereby the employer may deduct a fee from the wages of employees who are not members of a trade union
2.2	Socialism	B	to belong to a trade union of your choice
2.3	Retrenchment	C	is the policy maker
2.4	Agency-shop agreement	D	can be seen as the link between outputs of the industrial relations system and the inputs within which the system operates
2.5	Freedom of association	E	where a post is no longer needed in the undertaking
2.6	Closed-shop agreement	F	the state plans the whole economy
2.7	Feedback	G	a dismissal based on operational requirements
2.8	The government	H	where prices are determined by demand and supply
2.9	Free-market system	I	is the policy performer
2.10	Redundancy	J	an agreement that requires all employees covered by the agreement to be members of that specific trade union

(10 x 1) **[10]**

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QUESTION 3

Complete the following sentences by filling in the missing word(s). Write only the word(s) next to the question number (3.1–3.10) in the ANSWER BOOK.

3.1 The … has a democratic right to work.

3.2 It is the common law duty of the … to receive the employee into service.

3.3 A … is an organised group of workers in a particular enterprise or industry seeking to establish a relationship with management.

3.4 … supports collective possession.

3.5 The … is the secondary role player in a country's labour relations.

3.6 Working conditions is a … agreement.

3.7 … aim to resolve issues and to promote the interests of all the employees and not only those belonging to a trade union (Act 66/1995).

3.8 … means that the employer refuses to allow the employee to resume work after maternity leave (Act 66/1995).

3.9 … is money paid to an employee as result of retrenchment (Act 66/1995).

3.10 Rudeness, disobedience, and gross negligence, are examples of … (Act 66/1995).

(10 x 1) **[10]**

QUESTION 4

Give ONE word/term for each of the following descriptions. Write only the word/term next to the question number (4.1–4.10) in the ANSWER BOOK.

4.1 The person who puts his or her services at the disposal of the employer.

4.2 The time period for this type of contract is specific.

4.3 Seen as the most important happening in labour relations and economic history.

4.4 This type of bargaining takes place at shop floor (workplace) level.

4.5 In this system individual interests are subordinate to the interests of society.

4.6 This type of bargaining is union initiated.

4.7 This is defined as work done between 18:00 and 06:00 (BCEA).

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4.8 This strike occurs when employees go on a sympathy strike to support employees in another place of employment (Act 66/1995).

4.9 This Act lays down the minimum conditions of employment.

4.10 According to this type of leave employees are entitled to 5 days' paid leave when their child is sick (BCEA).

(10 x 1) **[10]**

TOTAL SECTION A: 40

SECTION B

1. Answer any FOUR of the five questions (QUESTION 5–9).
2. Use headings to distinguish between sections.
3. Avoid repetition of facts.
4. Use clear, full sentences and show the examiner that you understand the question and its contents.

QUESTION 5

5.1 Discuss the dualistic role of the shop steward in the functioning of trade unions in the workplace. (4 x 2) (8)

5.2 Briefly discuss the following methods used by the state to intervene in the labour relationship:

5.2.1 The state as legislator

5.2.2 The state as conciliator

5.2.3 The role of the police

(3 x 6) (18)

5.3 Name the THREE partners to the tripartite relationship and indicate which of them is a primary partner or a secondary partner to the relationship. (3 x 2) (6)

5.4 List EIGHT rights of management. (8 x 1) (8)

[40]

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QUESTION 6

6.1 Name the THREE grounds for dismissal (Act 66/1995). (3 x 1) (3)

6.2 Discuss SEVEN main functions of the CCMA (Act 66/1995). (7 x 2) (14)

6.3 List and briefly discuss the *notice periods* for the termination of employment according to the BCEA. (9 x 1) (9)

6.4 You are the human resources manager and one of your pregnant employees, Martha Maluleke, asks you about maternity leave.

Explain maternity leave according to the BCEA to her. (14)
[40]

QUESTION 7

7.1 Briefly discuss FIVE differences between *individualism* and *community of interest* (collectivism) in tabular form. (10 x 1) (10)

7.2 Discuss the political nature of trade union decision-making. (7 x 2) (14)

7.3 List the contents of the conversion process in the labour relations system. (16 x 1) (16)
[40]

QUESTION 8

8.1 Draw a diagram to illustrate the basic organisation and management of trade unions. (5 x 1) (5)

8.2 List FIVE ways in which the contract of service can be terminated. (5 x 1) (5)

8.3 Answer the following in connection with the Labour Relations Act, No 66 of 1995 (as amended):

8.3.1 State the FOUR items of the purpose of the act. (4 x 1) (4)

8.3.2 Briefly discuss the primary objectives of the act. (5 x 2) (10)

8.4 When may a person take part in a secondary strike? (3 x 2) (6)

8.5 Discuss *freedom of association* as an aspect of the South African labour relations system. (5 x 2) (10)
[40]

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QUESTION 9

9.1 Briefly discuss FIVE *functions* of employers' organisations. (5 x 2) (10)

9.2 Discuss a *fair procedure* to follow prior to a dismissal (Act 66/1995). (8 x 2) (16)

9.3 Name FOUR factors to be taken into account in considering alternatives to dismissal arising from ill health or injury (Act 66/1995). (4 x 1) (4)

9.4 Name FIVE substantive agreements. (5 x 1) (5)

9.5 The following descriptions match either CAPITALISM or SOCIALISM. Write only 'capitalism' or 'socialism' next to the question number (9.5.1–9.5.5) in the ANSWER BOOK.

9.5.1 Based on a free market system.

9.5.2 Supports a centrally controlled market system.

9.5.3 No special provision made to accommodate conflict.

9.5.4 State provides employment and benefits.

9.5.5 Private ownership is respected.

(5 x 1) (5)
[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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