higher education & training

Department:
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REPUBLIC OF SOUTH AFRICA

N950**(E)**(J19)H

NATIONAL CERTIFICATE

LABOUR RELATIONS N5

(4110455)

19 June 2018 (X-Paper)
09:00–12:00

This question paper consists of 7 pages.

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DEPARTMENT OF HIGHER EDUCATION AND TRAINING
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE
LABOUR RELATIONS N5
TIME: 3 HOURS
MARKS: 200

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. Answer ALL the questions in SECTION A.
2. Answer any FOUR questions in SECTION B.
3. Read ALL the questions carefully.
4. Number the answers according to the numbering system used in this question paper.
5. Start each question on a NEW page.
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 Employees and employers have the same objectives or goals.

1.2 Previously South Africa believed only in a free-market system.

1.3 The role of parties is determined by the political and economic ideology of a country.

1.4 Political and economic factors are referred to as internal factors.

1.5 An employee must be under the supervision and control of an employer to be regarded an employee.

1.6 Statutory is something that is required by the state by way of rules and regulations.

1.7 Legislation is the weakest source of law.

1.8 Labour relations are regulated by various sources of law.

1.9 In a socialist system the private sector provides employment.

1.10 During an economic recession organisations will increase employment.

(10 × 2) **[20]**

QUESTION 2

Choose a description from COLUMN B that matches a term 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	Collective bargaining	A	enables employees to be part of decision making
2.2	Protest action	B	situation where a post is no longer needed
2.3	Socialist	C	means unresolved conflict between an employer and employee
2.4	Redundancy	D	method used by a trade union to improve the economic position of its members
2.5	Dispute	E	also known as mass action or stay-away (66/1995)
2.6	Conciliation	F	when necessary the state has to intervene more directly in labour relationships
2.7	Conflict	G	economic system in which the state plans the whole economy
2.8	Workplace forum	H	dissatisfaction on part of the employees
2.9	Grievance	I	process to facilitate better communication
2.10	Regulator	J	dynamic interaction that reflects emotions

(10 × 2) **[20]**

TOTAL SECTION A: 40

SECTION B

INFORMATION AND INSTRUCTIONS FOR QUESTIONS 3 TO 7

1. Answer any FOUR questions (QUESTION 3 to 7).
2. Use headings to distinguish between sections.
3. Avoid repeating of facts.
4. Use clear, full sentences to show the examiner that you understand the question and its contents.

QUESTION 3

3.1	Briefly explain the functions of trade unions.	(5 × 2)	(10)
3.2	List FIVE qualities of a shop steward.	(5 × 2)	(10)
3.3	Discuss the rights of management as determined by sources of law.	(10 × 2)	(20)
			[40]

QUESTION 4



NUMSA members at a picket outside the Eskom head office to demand a substantial wage hike.

[Source: Lameez Omarjee, *Fin24*]

4.1	Define *picketing*.	(6 × 2)	(12)
4.2	List FIVE powers and functions of bargaining councils.	(5 × 2)	(10)

4.3 List FOUR limitations on the right to lock-out. (4)

4.4 Eskom is regarded an essential service provider.

List FOUR other service providers who are not allowed to embark on a strike. (4)

4.5 Explain the procedure that NUMSA followed to ensure that the strike was a protected strike in terms of the Labour Relations Act. (5 × 2) (10)

[40]

QUESTION 5

Labour Court orders reinstatement of four axed SABC journos
26 July 2016 12:48 PM

The Labour Court has found that the SABC acted unlawfully when it dismissed four senior journalists for voicing their concern about the broadcaster's editorial ban on violent protest footage.

The court ruled that the SABC must reinstate the four journalists who want their jobs back, after the SABC agreed to reverse its broadcast ban.

Judge Andre van Niekerk ruled that Krivani Pillay, Foeta Krige, Suna Venter and Jacques Steenkamp be reinstated, effective immediately.

Van Niekerk says that there was no basis for such a dismissal, reports EWN's Masego Rahlaga.

He says that the SABC had no right to relieve them of their duties in the way that they did.

The judge has also ordered that SABC officials involved in the sacking of the journalists submit papers to the court explaining why they should not be held liable for the legal fees in the case.

[Source: *http://www.702.co.za/articles*]

5.1 State SEVEN main functions of the CCMA. (7 × 2) (14)

5.2 List SIX ways in which a contract can be terminated. (6)

5.3 Briefly differentiate between a *fixed-term contract* and an *indefinite-term contract*. (10 × 2) (20)

[40]

QUESTION 6

6.1 Define the term *contract of employment*. (5)

6.2 List the essential elements of a contract of employment. (4)

6.3 Briefly discuss the employer-employee relationship. (5 × 2) (10)

6.4 List the advantages of employee involvement in a business. (8 × 2) (16)

6.5 Define each of the following terms:

6.5.1 Labour (2)

6.5.2 Management (2)

6.5.3 State (1)

[40]

QUESTION 7

7.1 Write each of the following abbreviations out in full:

7.1.1 ILO

7.1.2 LRA

7.1.3 BCEA

(3 × 2) (6)

7.2 Discuss the general provision for arbitration proceedings at the CCMA.

(7 × 2) (14)

7.3 What are the characteristics of the South African economy that hinder Eskom to comply with the demand of its employees? (10 × 2) (20)

[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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