higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

LABOUR RELATIONS N5

11 JUNE 2019

This marking guideline consists of 8 pages.

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SECTION A

QUESTION 1

1.1	1.1.1	B
	1.1.2	C
	1.1.3	H
	1.1.4	J
	1.1.5	F
	1.1.6	A
	1.1.7	G
	1.1.8	E
	1.1.9	K
	1.1.10	D

(10 × 1) (10)

1.2	1.2.1	False
	1.2.2	True
	1.2.3	False
	1.2.4	False
	1.2.5	False
	1.2.6	True
	1.2.7	True
	1.2.8	False
	1.2.9	True
	1.2.10	True

(10 × 1) (10)

1.3	1.3.1	D
	1.3.2	C
	1.3.3	C
	1.3.4	C
	1.3.5	C
	1.3.6	A
	1.3.7	B
	1.3.8	B
	1.3.9	D
	1.3.10	B

(10 × 2) (20)
[40]

TOTAL SECTION A: 40

SECTION B

QUESTION 2

2.1 2.1.1
- Sick leave
- Annual leave
- Family responsibility leave
- Protection of employee before and after child birth (4 × 2) (8)

2.1.2
- Legislation
- Conciliator
- Regulator
- Advisor
- Judiciary
- Police (6 × 2) (12)

2.1.3
- Shift in demand
- Shift in supply
- Oversupply of unskilled workers
- Undersupply of skilled workers in engineering fields
- Requirement of experience for entry-level positions
- Mobility of employees
- Demographics of employees
- Reputation for low productivity
- Lack of entrepreneurial skills
- Crime and strikes
- Uncertainty regarding casual labour

(Any relevant answer) (5 × 2) (10)

2.1.4
- Strikes
- Courts
- Media
- Collective bargaining (Any 2 × 1) (2)

2.2 2.2.1 An entrepreneur who takes the risk of creating a business in order to make profit or management as representative of the owner to reach the goals set by the owner or shareholders

2.2.2 A person who assists the employer to achieve the purpose of the organisation for some form of compensation

2.2.3 An employee elected by colleagues who trust him/her to represent their interests in the union

2.2.4 A third party that fulfils the role of a policy maker which describes minimum acceptable standards of behaviour and treatment

(4 × 2) (8)
[40]

QUESTION 3

3.1
- Good working relationships ensure membership in the community
- Trust and empathy grow between managers, subordinates and co-workers
- Within a healthy working environment positive change can take place
- Positive labour relations
- Ensure continuity of production
- Friendships and support networks
- Healthier and stress free individuals
- Less absenteeism and lower labour turnover
- Reduction in industrial disputes
- Minimum wastage of resources (Any 8 × 1) (8)

3.2
- Helps the employee achieve training goals and performance objectives
- Helps the employee to develop the skills needed to perform the job
- Confirms that the best qualified person was chosen for the position
- Fosters a mutual understanding of expectations, standards of performance and the evaluation process
- Helps the employee to achieve regular status (Any 5 × 1) (5)

3.3 3.3.1 Yes, it is a problem if the ID document is a requirement

OR

No, if you have a driver's licence, it can be used instead of the identity document (1)

3.3.2
- Qualifications
- Curriculum vitae
- Reference
- Disability
- Contact details
- Work experience (Any 4 × 1) (4)

3.4
- Employer's name and physical address of the company
- Employee's name and job tittle
- Address of the place where the employee will actually do the job
- Hours of work
- Wages to be paid
- Overtime pay
- When the employee is expected to be paid
- Employee's leave
- Deductions
- Fringe benefits (Any 6 × 1) (6)

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3.5
- Legislation
- Constitution
- Roman Dutch law
- Customs and traditions
- Precedent system (Any 4 × 2) (8)

3.6
- Kind of work
- Remunerations
- Employee information
- Contract period
- Name of the employer and other information of employer (Any 4 × 2) (8)

[40]

QUESTION 4

4.1
- Gives advice to employees and employers on their rights and obligations
- Conducts inspections
- Investigates complaints
- Can issue compliance orders
- Performs any other prescribed function
- May not perform a function if there is a conflict of interest (Any 5 × 2) (10)

4.2
- Economic justice
- Social justice
- Labour peace
- Democratic workplace (4 × 2) (8)

4.3 Collective bargaining is:
- An economic process
- A negotiation process
- A communication process
- A conflict control mechanism
- A trade union activity
- A management style or technique (Any 5 × 2) (10)

4.4

INDIVIDUALISM	COMMUNITY OF INTEREST
• Freedom of individuals • to make own choices • Propagation of individual and protection • Support of a democratic majority government • Legislation protects all parties. • Conflict is unavoidable	• Legislation determines • Community possession or action • All parties have the same benefits • Government exercises control over the community • Individual interest are subordinate to the interest of society • Legislation protects society

(6 × 2) (12)

[40]

QUESTION 5

5.1
- Product market
- Labour market
- Capital productivity
- Technological changes (4 × 2) (8)

5.2
- Union recognition
- Dismissal
- Grievances
- Retrenchment
- Disputes
- Appeals
- Health and safety committees (Any 6 × 1) (6)

5.3
- Takes place on industrial level
- Is referred to as 'formal' bargaining
- Takes place through a bargaining council
- A collective agreement reached binds the whole industry
- Only registered trade unions can bargain on a centralised level (5 × 2) (10)

5.4 5.4.1
- It is the process of terminating contracts of employment
- due to economic, political or technological factors
- which cause the company to be in a position where it is unable to afford those employees (3)

5.4.2 It is a situation where a post is no longer needed. (1)

5.5 5.5.1 Commission conciliation mediation and arbitration
5.5.2 Basic Conditions of Employment Act
5.5.3 Congress of South African Trade Unions
5.5.4 National Economic Development and Labour Council
(4 × 2) (8)

5.6
- A strike is an industrial action initiated by a trade union or employees.
- A lockout is initiated by the employer to prevent employees from entering the plant during conflict or the negotiation period. (2 × 2) (4)

[40]

QUESTION 6

6.1
- Conduct of the employee
- Capacity of the employee
- Operational requirement
- Physical assault of other employees
- Gross insubordination
- Participation in unlawful strike (6 × 2) (12)

6.2
- Conciliates workplace disputes
- Arbitrates certain categories of disputes that remain unresolved after conciliation
- Establishes picketing rules
- Facilitates the establishment of workplace forums and statutory councils
- Compiles and publishes information and statistics about its activities
- Considers applications for accreditation and subsidy by bargaining councils and private agencies
- Provides support for the Essential Services Committee (7 × 2) (14)

6.3
- To promote the interest of all employees
- To increase efficiency in the workplace
- To be consulted by the employer
- To take part in joint decision making (4 × 2) (8)

6.4
- Right of affiliation with, and participation in the affairs of any international labour organisation
- Holding elections for its office bearers, officials and representatives
- Planning and organising its administration and lawful activities
- Determining its own constitution and rules
- Joining a federation of the employer's organisation
- Participating in forming a federation of the employers' organisation

(Any 3 × 2) (6)

[40]

QUESTION 7

7.1
- Work is continuous unless it is interrupted by an interval of at least 60 minutes.
- An employer must give an employee who works continuously for more than five hours a meal interval of at least one continuous hour.
- During a meal interval the employee may be required or permitted to perform only duties that cannot be left unattended and cannot be performed by other employees. (3 × 2) (6)

7.2
- NGO'S
- National Intelligent Agency
- South African Secret Service
- National Defence Force (4)

7.3
- Sharing of profits
- Personal values
- Problems relating to decision making
- Control and responsibilities
- Employees wanting or demanding higher salaries
- Working environment
- Unfair labour practices, e.g. no leave days (7)

7.4
- State
- Employee
- Employer (3)

7.5 Capitalism
- Private ownership
- Free-market system
- Accepts conflict in labour and provides mechanisms to resolve conflict (3 × 2) (6)

Socialism
- Support the collective possession
- Supports a centrally controlled market system
- Does not make special provision to accommodate conflict (3 × 2) (6)

7.6
- Be fair
- Be assertive
- Be positive, motivated, enthusiastic and energetic
- Be committed and hardworking (Any relevant answer) (4 × 2) (8)

[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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