higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

N930**(E)**(N30)H

NOVEMBER EXAMINATION

NATIONAL CERTIFICATE

LABOUR RELATIONS N5

(4110455)

30 November 2016 (X-Paper)
09:00–12:00

This question paper consists of 8 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. SECTION A is COMPULSORY.
2. Answer only FOUR questions from SECTION B.
3. Read ALL the questions carefully.
4. Number the answers according to the numbering system used in this question paper.
5. Use headings to distinguish between sections.
6. Write neatly and legibly.

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SECTION A (COMPULSORY)

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 The employer and employee are dependent on each other for the fulfillment of individual needs.

1.2 In the employer-employee relationship the employee gives his/her time, knowledge and skills.

1.3 Strikes are called by employer organisations.

1.4 The Skills Development Act 97 of 1998 provides for protection against unfair discrimination.

1.5 The BCEA does not apply to members of the National Defence Force.

1.6 Payment for overtime is 1,5 times the employee's normal wage (75/1997).

1.7 Any person determining whether a dismissal for poor work performance is unfair, should consider if the employee failed to meet a performance standard.

1.8 Role-players in the labour-relations system are surrounded by a distinct political, legal, social and economic system.

1.9 Fringe benefits are procedural issues.

1.10 Substantive agreements refer to *bread and butter* issues.

(10 × 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	COSATU	A	is regarded as the supreme law of the country
2.2	Conflict	B	a body established to resolve disputes relating to labour relations
2.3	Constitution	C	supports collective possession
2.4	Secondary strike	D	an umbrella body for trade unions
2.5	Capitalism	E	takes place on industry level
2.6	Formal bargaining	F	occurs when employers and employees do not have the same interests
2.7	CCMA	G	lays down the minimum conditions of employment
2.8	Socialism	H	a peaceful demonstration as a show of support for a strike
2.9	BCEA	I	supports private ownership
2.10	Picketing	J	occurs when employees go on a sympathy strike to support employees in another place of employment

(10 × 1) **[10]**

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 … is where the intervention of the state is at the extreme.

3.2 The … is the policy performer.

3.3 The … is formed to deal with matters relating to a specific sector (66/1995).

3.4 The state as … suggests innovations for all three parties.

3.5 Transport must be available for employees doing … (75/1997).

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3.6 A strike or lockout is … if it complies with the provisions of section 64 of Act 66,1995.

3.7 A fair reason is also referred to as … fairness.

3.8 In South Africa an increase in salaries is not in relation to an increase in ...

3.9 … can be seen as the link between the outputs of the industrial relations system and the inputs within which the system operates.

3.10 Collective bargaining is a … in the conversion component of the industrial relations system.

(10 × 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 A dismissal based on operational requirement of the company (66/1995)

4.2 Industrial action announced by the trade union (66/1995)

4.3 An agreement whereby the employer may deduct a fee from the wages of employees who are not members of a trade union (66/1995)

4.4 The kind of leave a pregnant woman is entitled to (75/1997)

4.5 The person who starts a business so as to make a profit

4.6 A contract signed between an employer and employee that is legally binding

4.7 They are called in to intervene when either party causes a public disturbance

4.8 An economic system where prices are determined by demand and supply

4.9 In this system individual interests are subordinate to the interests of society

4.10 In this philosophy every person takes responsibility for himself/herself

(10 × 1) **[10]**

TOTAL SECTION A: 40

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SECTION B

Answer only FOUR questions from this section.

QUESTION 5

5.1 It is to the advantage of the organisation and the employee for the employee to be involved in the activities of the organisation.

Discuss SIX advantages of employee involvement in the activities of the organisation. (6 × 2) (12)

5.2 Briefly discuss FOUR distinct functions of trade unions. (4 × 2) (8)

5.3 Briefly discuss management as a representative of the employer. (5 × 2) (10)

5.4 Name TEN types of information needed on the application form to conclude a contract of service. (10 × 1) (10)
[40]

QUESTION 6

6.1 Choose the correct item from those given in brackets. Write only the item next to the question number (6.1.1–6.1.11) in the ANSWER BOOK.

6.1.1 The maximum weekly ordinary hours of work are (45/48) hours, but the employee may not work more than (10/12) hours per day. (2)

6.1.2 Payment for overtime is (1,5 times/1,75 times) the normal pay. (1)

6.1.3 An employee must have a meal break of at least (60/30) minutes after (5/6) hours. (2)

6.1.4 Every employee must have a daily rest period of at least (15/12) hours and each week at least (24/36) hours. (2)

6.1.5 An employee who occasionally works on a Sunday must receive (1,5 times/double) pay and the employee who normally works on a Sunday, must receive (1,5 times/double) pay. (2)

6.1.6 Employees are entitled to (4/3) weeks full-paid leave after every (12/24) months continuous employment. (2)

6.1.7 An employee is entitled to (6/12) weeks paid sick leave for every (36/48) months continuous service. (2)

6.1.8 A pregnant women is entitled to (4/6) months maternity leave, and may return to work (6/8) weeks after the birth of the child. (2)

6.1.9 An employee is entitled to (3/6) days paid family responsibility leave in a (1/2) year cycle. (2)

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6.1.10 Children under (16/18) years may not be employed to do work inappropriate for their age and no person may employ a child under (15/16) years. (2)

6.1.11 Particulars of employment must be kept for (4/5) years after the end of the contract. (1)

6.2 Compare, in tabular form, the freedom of *association of the employee* with the freedom of *association of the employer* (66/1995). (2 × 6) (12)

6.3 Briefly discuss the general functions of workplace forums (66/1995). (4 × 2) (8)
[40]

QUESTION 7

7.1 Name the FOUR systems/forces of the external input component of the industrial relations system and list their elements beneath each ONE. (16 × 1) (16)

7.2 Discuss collective bargaining in South Africa. (7 × 2) (14)

7.3 Illustrate the internal input as a component of the industrial relations system. (10 × 1) (10)
[40]

QUESTION 8

8.1 Name the TEN methods used by trade unions to achieve their aims. (10 × 1) (10)

8.2 The human resources manager of the company Zapata Exploration wants to know more about the closed-shop agreement before signing the agreement with the trade union.

Explain the term *closed-shop agreement* to him. (10 × 2) (20)

8.3 Distinguish in tabular form, FIVE differences between *centralised* and *decentralised* bargaining. (2 × 5) (10)
[40]

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QUESTION 9

9.1 Briefly discuss the following methods used by the state to intervene in labour relationships:

9.1.1	The state as regulator	(2 × 1)	(2)
9.1.2	The state as advisor	(4 × 2)	(8)

9.2 Briefly discuss trade union access to the workplace (66/1995). (8 × 1) (8)

9.3 Briefly discuss the legal remedies for unfair dismissal (66/1995). (8 × 1) (8)

9.4 Discuss the term *severance pay* (66/1995). (2 × 2) (4)

9.5 Structures and processes are necessary to convert the needs of parties into satisfactory results or outputs, or for conflict resolution.

9.5.1	Name SIX structures.	(6 × 1)	(6)
9.5.2	Name FOUR processes.	(4 × 1)	(4)
			[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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