higher education & training

Department:
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REPUBLIC OF SOUTH AFRICA

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NATIONAL CERTIFICATE

LABOUR RELATIONS N6

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This question paper consists of 11 pages.

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DEPARTMENT OF HIGHER EDUCATION AND TRAINING
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE
LABOUR RELATIONS N6
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. This question paper consists of TWO sections:

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

2. SECTION A, QUESTION 1 to 4 is COMPULSORY and must be answered by ALL candidates in the ANSWER BOOK.

3. Answer any FOUR of the other five questions (5–9) in SECTION B.

4. Read ALL the questions carefully.

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

6. Start each question on a NEW page.

7. 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 number (1.1–1.10) in the ANSWER BOOK.

1.1 Company procedures are needed to convert special needs into satisfactory outputs.

1.2 Procedural agreements can include, amongst others, the working conditions of the employees.

1.3 Conflict is a normal and natural part of our workplace and personal lives which assist in bringing change.

1.4 Any change in working patterns could indicate conflict which could be directed against the employee.

1.5 Collective bargaining is vital in ever-changing economic, social and political conditions.

1.6 The recognition agreement stipulates the parameters within which it will be conducted.

1.7 A dispute of right is more dynamic than a dispute of interest.

1.8 An arbitrator imposes the settlement that becomes binding on both parties concerned.

1.9 Labour court may order the payment of just and reasonable compensation for analysis attributable to strike.

1.10 A picket may occur in any place the public has access to but must be outside the premises of the employer.

(10 × 1) **[10]**

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QUESTION 2

Various options are given as possible answer to the following question. Choose the answer and write only the letter (A–D) next to the question number (2.1–2.10) in the ANSWER BOOK.

2.1 Accommodating means to be …

A unassertive.
B cooperative.
C neglects own concerns.
D attempts to fully satisfy both parties.

2.2 Choose the INCORRECT ONE.

Rights are ensured by …

A customary practices.
B contract of employment.
C common law.
D Labour Relations Act 66/1995.

2.3 The aim is to resolve internal conflicts through:

A Distributive bargaining
B Cooperative bargaining.
C Intra-organisational bargaining
D Attitudinal structuring

2.4 Cutting costs include …

A working short time.
B cutting overtime.
C work sharing.
D severance pay.

2.5 It specifies a more serious transgression:

A Informal verbal warning.
B Formal verbal warning.
C Written warning.
D Final written warning.

2.6 Which ONE is part of the notice of a disciplinary hearing:

A Union representative
B Interpreter
C Witness
D Chairperson

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2.7 This type of industrial action is aimed at consumers:

A Picketing
B Go-slow
C Product boycott
D Lock-out

2.8 He listens and investigates the demands and counter-demands on both sides:

A Negotiator
B Mediator
C Arbitrator
D Conciliator

2.9 It is a type of strike that is triggered by an incident on the shop floor.

A Wildcat strike
B Expected strike
C Recognition strike
D Solidarity strike

2.10 It is an official set of standards and rules of an organisation to which employees must adhere:

A Disciplinary code
B Disciplinary procedure
C Disciplinary process
D Discipline

(10 × 1) **[10]**

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QUESTION 3

Choose an item/word from COLUMN A to match a description in COLUMN B. Write only the letter (A–J) next to the question number (3.1–3.10) in the ANSWER BOOK.

COLUMN A		COLUMN B	
3.1	Personal conflict	A	it includes joint decision making and a culture of good communication
3.2	Alienation		
3.3	Competing	B	is done by an employee when he/she feels that there was an error in the facts and sanctions
3.4	Distributive bargaining		
3.5	Negotiator	C	this happens when an employee distances himself/herself and it is also indicated by high labour turnover
3.6	Democratic organisational structure		
3.7	Shop steward	D	recording is essential and acts as proof in future cases
3.8	Discipline		
3.9	Appeal	E	this is the most often from mutual hatred
3.10	Disciplinary process	F	behaviour that threatens to disrupt the functioning of the system
		G	establish a forum and attempt to settle parties' differences.
		H	management and unions are in opposing positions where items are seen as issues.
		I	it levels the power balance.
		J	is the conflict method that is done through empowerment

(10 × 1) **[10]**

QUESTION 4

Give ONE word/term for each of the following descriptions by choosing a word/term from the list below. Write only the word/term next to the question number (2.1–2.10) in the ANSWER BOOK.

economic; conciliation boards; legal system; internal environmental subsystem; social system; dismissals; political system; processes; output; economic system

4.1 Its examples are product market and labour market.

4.2 The State may take certain actions to protect the community.

4.3 It affects the inputs and outputs of the industrial relation system by common law.

4.4 This is a continual interaction between the social relationship and labour relationship.

4.5 This may be an outcome if an agreement has not been reached during the output phase.

4.6 It can shape the succeeding goals of the parties.

4.7 It is the main focus of the bargaining relationship.

4.8 It can be used to reach an agreement.

4.9 This could be the output flow through the feedback loop.

4.10 It is one of the structures that can be used.

(10 × 1) **[10]**

TOTAL SECTION A: 40

SECTION B

QUESTION 5

Read the following case study and answer the questions.

The trade union had a collective bargaining relationship with the employer and its members embarked on an unprotected strike. The trade union became aware of the strike; but failed to intervene with just cause. The trade union was held liable and had to compensate the employer who suffered losses due to the illegal strike. This judgement made it clear to the union and its members that unprotected strikes will not be tolerated and probably means that the funds of other members of the trade union will be used to pay the settlement amount to the employer.

5.1	Define *collective bargaining*.	(4 × 2)	(8)
5.2	'Union members embarked on an unprotected strike'.		
	List EIGHT requirements of a protected strike.	(8 × 2)	(16)
5.3	Describe THREE benefits of a briefing group.	(3 × 2)	(6)
5.4	Name FIVE functions of collective bargaining.	(5 × 2)	(10)
			[40]

QUESTION 6

Study the following case study and then answer the questions.

Prosper Enterprise introduced a new policy whereby the tea lady no longer serves the staff with tea in their offices. All the staff members were informed about this. Not everybody was happy about this policy. Siyamthanda; the receptionist; was the first one to complain. She complained because she is the only one at reception so she could not leave the office and go to the kitchen to enjoy tea since nobody will do her work whilst she would be in the kitchen. She tried to explain her viewpoint to the supervisor but the supervisor did not assist her. Siyamthanda had a serious argument with her supervisor which was left unresolved. She then decided to lodge a complaint. After lodging a complaint; she decided to embark on a go-slow so that her complaint can be resolved quickly.

6.1	Differentiate between an individual grievance and a collective grievance.	(2 × 2)	(4)
6.2	List THREE possible causes of conflict.		(3)
6.3	According to the labour relations system; feedback is very important.		
	Briefly discuss the importance of feedback.	(3 × 1)	(3)

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6.4 Syamthanda decided to embark on a go-slow.

Discuss this type of industrial action under the following headings:

6.4.1 Definition of a *go-slow*. (3)

6.4.2 Name THREE advantages of a go-slow. (3 × 2) (6)

6.5 Name FOUR aims of dispute resolution. (4 × 2) (8)

6.6 Define *bargaining council*. (3)

6.7 Briefly discuss the FIVE steps of a grievance procedure. (5 × 2) (10)

[40]

QUESTION 7

Study the following case study and then answer the questions.

It is not all employers who follow the right approach of trying to tabulate and describe every possible offence and the corresponding penalty; and then observe whether such codes are flexible; positive or troublesome. They prefer a simple statement in a positive manner which details the behaviour expected by the employer from an employee. So rather than having seven descriptions of dishonest and fraudulent behaviour and penalty; their code will simply state: 'Employees are at all times expected to behave with the utmost integrity and honestly' and just leave it at that. This reflects a slightly different approach from the whole question of how employment relationships can be regulated best.

[Sources; Labour Relations in South Africa; Venter and Levy; 5th edition; 2014.]

7.1 List FOUR aims of a disciplinary procedure. (4 × 2) (8)

7.2 Briefly differentiate the following types of sanctions:

7.2.1 Termination of service

7.2.2 Transfer

7.2.3 Demotion

7.2.4 Suspension with compensation

(4 × 3) (12)

7.3 List FOUR levels of disciplinary procedures and state when that level can be used. (4 × 2) (8)

7.4 Differentiate between *centralised bargaining* and *decentralised bargaining*. (2 × 3) (6)

7.5 Name THREE methods of dispute resolution. (3 × 2) (6)

[40]

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QUESTION 8

Study the following case study and then answer the questions.

Ruth was employed as a travel consultant at Adonai Flight Centre. She was appointed on a one-year contract and the following year she was appointed permanently. Two months later she reported that she was pregnant. When she was due for the maternity leave her employer said she had to take one month of maternity leave instead of three months. She gave birth to triplets which were a bit sickly. A week before she was supposed to return to work she phoned her employer to ask for an extension of her leave with at least a month. The employer refused saying that the leave can only be extended with two weeks. Ruth refused the take this offer. Her employment was terminated two weeks after without any disciplinary hearing whatsoever.

8.1 Define the following terms:

8.1.1 Dispute

8.1.2 Strike

(3 × 2) (6)

8.2 There are two kinds of dispute.

What kind of dispute did Ruth experience? Motivate your answer. (2 × 2) (4)

8.3 List THREE advantages of a democratic organisational structure. (3)

8.4 Cost of strike can be either public or private.

List FOUR parties that could be directly involved with a strike and give ONE loss to each party due to a strike. (4 × 2) (8)

8.5 Differentiate between *protected strike* and *unprotected strike*. (3 × 2) (6)

8.6 Name FIVE circumstances that may lead to retrenchment. (5 × 2) (10)

8.7 Before retrenching an employee the employer should first investigate all other possible means.

List THREE alternatives to retrenchment. (3)

[40]

QUESTION 9

Read the following case study and then answer the questions.

A Richard's Bay based business in the logistics sector with 15 000 employees is experiencing increasing quantities of and ever-more complex grievances raised by employees through their workplace forums regarding their working conditions. One of the problems raised is that there is a salary difference among genders; race and age. The Human Resources department was incapable of resolving these issues due to the quantity and complexity of the grievances. The top management was also not trained to deal with such complex cases.

9.1 Define the following terms:

9.1.1 Grievance (3)

9.1.2 Workplace conflict (2)

9.2 The main purpose of the trade union is to bargain for the better working conditions of employees.

With reference to the above statement:

9.2.1 List THREE substantive agreements. (3)

9.2.2 List TWO procedural agreements. (2)

9.3 Describe FOUR conflict indicators. (4 × 2) (8)

9.4 List FOUR institutions for dispute resolution. (4)

9.5 Briefly discuss FOUR functions of workplace forums. (4 × 2) (8)

9.6 Discuss FIVE roles of the shop steward committee. (5 × 2) (10)
[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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