higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

LABOUR RELATIONS N6

19 NOVEMBER 2018

This marking guideline consists of 6 pages.

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QUESTION 1

1.1
1.1.1 distributive bargaining
1.1.2 conflict
1.1.3 technology
1.1.4 integrative bargaining
1.1.5 centralised
1.1.6 dispute
1.1.7 conciliation
1.1.8 negotiator
1.1.9 arbitrator
1.1.10 industrial court

(10 × 2) (20)

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

(10 × 2) (20)
[40]

TOTAL SECTION A: 40

SECTION B

QUESTION 2

2.1
2.1.1 Conflict is the meeting of opposing forces or persons.

2.1.2 Collective bargaining is a process made necessary by conflict between two parties which are dependent on one another and have a common interest.

2.1.3 Technological development is the systematic application of scientifically advanced machinery and equipment in an area where human resource labour was previously used.

2.1.4 A bargaining council will come into existence when more than one employer or more than one union wishes to enter into negotiations collectively with one another.

2.1.5 A dispute is continuous disagreement between the employer on the one hand and the employees and their trade unions on the other hand on a matter of common interest which is work related.

(5 × 2) (10)

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2.2 2.2.1
- Scarce or limited resources within an organisation
- Needs (aspirations), goals, attitudes and interests of the employer and employees differ
- Employer and employees' attitudes to work differ
- Diverse individual styles
- Diverse leadership styles
- Diverse individual values and perceptions
- Role conflict between employer and employee (Any 6 × 2) (12)

2.2.2
- Distributive bargaining
- Integrative bargaining
- Attitudinal bargaining
- Intra-organisational bargaining
- Collective bargaining (Any 4 × 2) (8)

2.2.3
- Minimum wages
- Grading system
- Piecework rates
- Payment of council levies
- Payment of money in lieu of notice
- Hours of work (Any 5 × 2) (10)

[40]

QUESTION 3

3.1
- Failure of one party to abide by contract of employment
- Failure to implement legally determined conditions and procedures
- Transgression of a legal determination
- Transgression of common law
- Codified unfair dismissal
- Unfair labour practices (Any 5 × 2) (10)

3.2
- Employees will not lose wages as it is difficult to prove go-slow.
- Employees cannot be replaced with temporary workers.
- It brings the unhappiness of employees to the attention of the employer.
- It is the least disruptive type of industrial action. (4 × 2) (8)

3.3
- To resolve a dispute in respect of a matter of mutual interest between the employer and employees
- To put pressure on management to compromise
- Show disapproval and disagreement with management
- To persuade management to comply with demands
- To force management to take note of demands
- To demonstrate collective strength
- To display solidarity with other employees (Any 5 × 2) (10)

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3.4 3.4.1
- Employees are not protected by law.
- Employees may be dismissed.
- Employees may have criminal and civil sanctions imposed on them.

3.4.2
- Employees are protected by law.
- Employees may not be dismissed.
- Employees may not have criminal or civil sanctions imposed on them.

(6 × 2) (12)
[40]

QUESTION 4

4.1
- All interaction in the organisation takes place by means of communication.
- Effective and peaceful labour relations are the result of communication.
- Positive human relationships are a result of communication.
- Barriers in interaction can be identified through healthy communication and eliminated allowing free-flowing message ideas.
- Communication assists in solving problems and finding solutions to difficult situations.
- Communication is the key to managing change in an organisation.

(Any 5 × 2) (10)

4.2
- Upward communication
- Positive communication
- Proper attention to employee unhappiness
- Understanding employees' problems and interpretation of situations
- Prevents dispute from developing into serious industrial action
- Emphasizes management's concern for the wellbeing of employees

(Any 5 × 2) (10)

4.3
- It is internationally accepted and prescribed by the ILO.
- Long-serving employees are not in jeopardy.
- It is a logical, objective and unemotional criterion.
- Union membership is not punished.
- Democratic principles are upheld. (5 × 2) (10)

4.4
- To clearly identify and describe the difference between unacceptable behaviour and to prevent anybody from doing something unacceptable
- To correct and adjust unacceptable behaviour.
- To train and show an individual the correct and acceptable type of behaviour
- To prevent any type of loss
- To apply disciplinary action or sanctions uniformly (5 × 2) (10)

[40]

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QUESTION 5

5.1
- Always ask open–ended question.
- Concentrate on facts and not individual opinions.
- Avoid emotional tones to prevent an outburst.
- Ask the employee for his/her suggestion to solutions and alternatives.
- Further the self-image of the employee by concentrating on the positive.
- The proceedings must be procedurally fair. This refers to the fact that all requirements must be met according to the stated procedure.
- The proceedings must be substantively fair. (Any 6 × 2) (12)

5.2
- Conflict behaviour can have many negative results and it is therefore important to solve conflict in the work place.
- Time and energy is diverted from the main issue, namely work.
- Decisions may be delayed while engaging in conflict.
- Deadlocks are created during decision-making when conflict is present.
- Violence takes place during conflict.
- Litigation follows conflict.
- Termination of relations is the result if conflict. (Any 6 × 2) (12)

5.3
- Product market – if the product or service of the organisation is popular and doing well, the organisation will be earning large profits.
- Capital productivity – property, machinery, buildings and investments are components of the organisation's capital.
- Labour market – if there is a surplus of possible employees to work within an organisation within society, employees can be replaced easily.
- Money market – must be stable and healthy for the system to be viable.

(4 × 2) (8)

5.4
- The economy
- Politics
- Technological innovations
- Social influences
- Legal environment (Any 4 × 2) (8)

[40]

QUESTION 6

6.1

CENTRALISED	DE-CENTRALISED
Recognition agreement must be in place.	Recognition agreement is not a requirement but is strongly advised.
Collective bargaining takes place, meaning that unions will bargain on behalf of groups of individuals.	Collective bargaining normally takes place, but individual bargaining is not excluded.
Collective bargaining is with top management of one or more organisations.	Union members have more input and are more personally involved.
Collective bargaining must be recorded.	It is advised that collective bargaining always be recorded but it may also include verbal agreements.
Collective bargaining is formal.	Collective bargaining may be formal or informal.

(2 × 5) (10)

6.2
- Try to resolve dispute through conciliation.
- Help to form workplace forums.
- Publish information on its activities and guidelines for dispute resolutions.
- Advise on getting legal advice.
- Determine dispute resolution fees if applicable.
- Make rules to regulate the meeting procedure of its committees.
- Publish these rules on the Government Gazette. (Any 6 × 2) (12)

6.3
- Recognition strike
- Process of sympathy strike
- Procedural strike
- Strategic strike (4 × 2) (8)

6.4
- High absenteeism
- Labour turnover
- Lack of team spirit
- Increasing accidents
- Shrinkage
- Rumours of industrial action (Any 5 × 2) (10)

[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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