higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

LABOUR RELATIONS N6

20 NOVEMBER 2019

This marking guideline consists of 6 pages.

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SECTION A

QUESTION 1

1.1 True
1.2 True
1.3 True
1.4 True
1.5 False
1.6 True
1.7 True
1.8 False
1.9 False
1.10 False
1.11 True
1.12 True
1.13 False
1.14 True
1.15 False
1.16 True
1.17 True
1.18 False
1.19 True
1.20 False

(20 × 2) **[40]**

TOTAL SECTION A: 40

SECTION B

QUESTION 2

2.1 2.1.1 Dispute
2.1.2 Industrial action
2.1.3 Protected
2.1.4 An unprotected strike
2.1.5 Wages

(5 × 2) (10)

2.2 2.2.1
- Wages
- Working conditions
- Benefits
- Training schemes
- Retrenchments
- Unfair dismissals

(Any 5 × 2) (10)

2.2.2
- To encourage non-involved employees to join the protest
- To stop non–involved employees from crossing the picket line and entering the workplace
- To prevent supplies from being delivered or goods from being picked up
- To prevent customers or other organisations from engaging in business with the organisation
- To keep replacement labour from working
- To demonstrate peacefully in support of a legal strike or lockout

(6 × 2) (12)

2.2.3
- Employees will not lose wages as it is difficult to prove go-slow actions.
- 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)

[40]

QUESTION 3

3.1 3.1.1 It is the most common type of bargaining within a labour situation. Most issues are economic in nature.

3.1.2 It takes place when both parties want a successful outcome. Problems can be dealt with.

3.1.3 It is strictly speaking not a collective bargaining style, but a method to approach collective bargaining. Facilitation takes place before collective bargaining.

3.1.4 It is strictly speaking not a collective bargaining style but a pre-collective bargaining planning strategy. It is preplanning and identification of issues and problem areas and areas where concessions will be made.

(4 × 5) (20)

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3.2

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

(Any 2 × 5) (10)

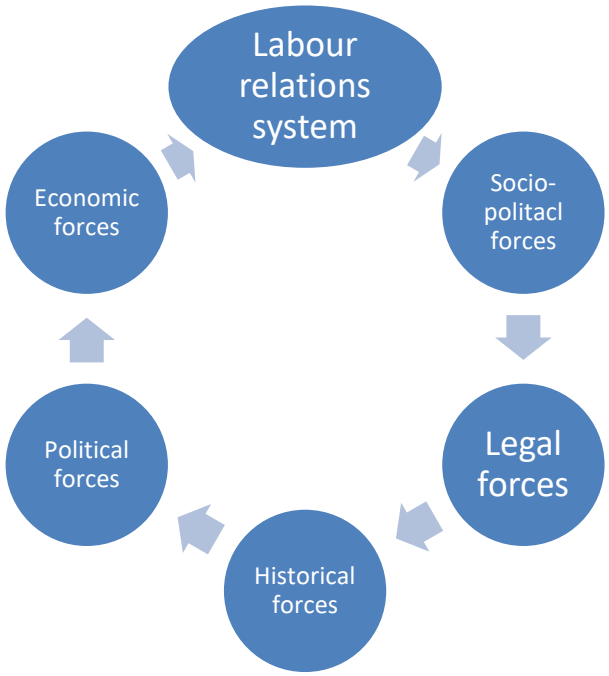
3..3

- Degree of incapacity
- Cause of incapacity
- Possibility of securing alternative employment
- Adapting duties
- Adapting work circumstances

(Any relevant 5 × 2) (10)
[40]

QUESTION 4

4.1



(6 × 2) (12)

4.2
- Disciplinary procedure
- Grievance procedure
- Retrenchment procedure
- Dispute settlement procedure
- Appeals procedure (5 × 2) (10)

4.3
- Briefing groups
- Workers' councils
- Workplace forums
- Health and safety committees
- Shop steward committees
- Social responsibility committees
- Consulting committees (8 × 2) (16)

4.4 Mildred Olifant (2)
[40]

QUESTION 5

5.1

	INDICATORS	ACTIVITY	PURPOSE	EXAMPLES
5.1.1	**Alienation**	Employee not working	Individual removes himself/herself from work environment	Absenteeism
5.1.2	**Product attacks**	A change in work patterns	Reduce or stop production	Go slow
5.1.3	**Information attacks**	Distortion or interruption of information flow	Confusion and disinformation	Rumours
5.1.4	**Deterioration of work relations**	Unacceptable and unproductive behaviour	Sowing discord, isolation of individual	Arguments

(Any 4 × 3) (12)

5.2
- To conclude collective agreements
- To enforce those collective agreements
- To prevent and resolve labour disputes
- To perform the dispute resolution functions
- To establish and administer a fund to be used for resolving disputes
- To establish and administer pension, provident, et cetera
- To develop proposals for submissions to NEDLAC
- To determine the matters by collective agreement
- To confer on workplace forums
- To provide industrial support services within the sector

(Any relevant 10 × 2) (20)

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5.3
- It does not arise as a result of negotiation.
- It is not subject to negotiation.
- A right is that which a party is entitled to by law.
- Disputes regarding rights are submitted to conciliation. (4 × 2) (8)

[40]

QUESTION 6

6.1
- Whether notice of procedure should be in writing
- Time limits for replying to allegations or claims
- Arrangements for initial meeting
- Time limits for actual negotiation
- Stipulation on other methods
- Whether the dispute is about a right or an interest
- Whether there will be a final step to legal action
- Whether a strike or a lockout will be allowed as a result of the dispute

(Any 6 × 2) (12)

6.2
- The organisation will be disadvantaged, because it will affect the profitability of the organisation.
- Not all unions are organised enough to undertake this action.
- The organisation might not be well-known or popular enough to target.
- Negative publicity could cause an organisation to lose its market position and it could even lead to retrenchment of staff, especially when undertaken during a downturn in the economy.
- Many successful libel cases have been concluded by an organisation where publicity has been overly negative. (Any relevant 5 × 2) (10)

6.3
- Collective bargaining
- Conciliation
- Mediation
- Arbitration
- Industrial action (Any 4 × 2) (8)

6.4
- Stop using contracting services
- To reduce
- To lay people off temporarily
- Work shorter hours
- Cancel working any overtime (5 × 2) (10)

[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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