



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

JUNE EXAMINATION

LABOUR RELATIONS N6

4 JUNE 2013

This marking guideline consists of 7 pages.

SECTION A**QUESTION 1**

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

(20 × 1) [20]

QUESTION 2

- 2.1 J
- 2.2 H
- 2.3 A
- 2.4 F
- 2.5 B
- 2.6 D
- 2.7 G
- 2.8 I
- 2.9 C
- 2.10 E

(10 × 2) [20]

TOTAL SECTION A: 40

SECTION B**QUESTION 3**

- 3.1
- Industrial action management
 - Retrenchment/Redundancy
 - Dispute resolution
 - Employee grievances
 - Monitoring of agreements
 - Discipline
 - Freedom of association
 - Relationship with employer organisations
 - Industrial relations training
 - View regarding collective bargaining
 - Relations with unions
 - Consultative committees
 - Downward communication
- (Any 9 × 2) (18)
- 3.2 When a party:
- Is not in a position to bargain
 - Does not have the power or authority to impose his views
 - Does not have time to prepare effectively
 - Is too weak or inexperienced to deal with the other party
 - Negotiations may damage the party's long-term objectives
- (5 × 2) (10)
- 3.3 3.3.1 Communication process:
- During collective bargaining groups will inform each other of their objectives, needs and attitudes
 - Parties transfer information to one another
- (2 × 2) (4)
- 3.3.2 Negotiation process:
- It is seen as a method of negotiation for economic aspects of individuals
 - It is a counterpart of individual bargaining
 - Negotiation must be recognised
 - A contractual element must be admitted
- (4 × 2) (8)
- [40]**

QUESTION 4

- | | | | | |
|-----|-------|--|-------------|-------------|
| 4.1 | 4.1.1 | <ul style="list-style-type: none"> • Briefing groups • Works council • Shop steward committee • Workplace forums • Health and Safety committees • Productivity committee • Technology committee • Social responsibility committee • Industrial councils • Conciliation boards | (Any 8 × 1) | (8) |
| | 4.1.2 | <ul style="list-style-type: none"> • Grievances • Disciplinary • Retrenchment • Dispute • Appeal | (5 × 1) | (5) |
| 4.2 | | <ul style="list-style-type: none"> • It creates an opportunity for upward communication for employees • It prevents grievances to develop in other more serious actions • It ensures that complaints are effectively dealt with by management • It is an effective method/communication channel to voice a complaint or grievance/to bring a complaint or grievance to the attention of management • It develops a culture to solve problems internally | (5 × 2) | (10) |
| 4.3 | | <ul style="list-style-type: none"> • Informal verbal warning/reprimand • Formal verbal warning • Written warning • Final written warning • Demotion in seniority • Suspension • Termination of service • Transfer • Penalties | (9 × 1) | (9) |
| 4.4 | | <ul style="list-style-type: none"> • Proper consultation should take place to reach consensus • It should take place before retrenchments • The employer should make information available to employees | (4 × 2) | (8) |
| | | | | [40] |

QUESTION 5

- 5.1
- It provides people with tools to manage conflict
 - It educates them in labour relations, interpersonal skills and attitudes
 - The person learns to accept certain limitations in expressing his needs and desires
 - He learns which norms, values and behaviour are acceptable to society
 - People are being trained and equipped with the correct knowledge, skills and attitudes
- (5 × 2) (10)
- 5.2
- Must have a proven record of success
 - Creates trust, acceptance and co-operation
 - Has qualities of intelligence, discernment and practicality
 - Be able to identify problems
 - Be able to offer solutions
 - Has knowledge of organisational structures, strategies and attitudes of parties
 - Has up-to-date knowledge of labour legislation and collective agreements
 - Has knowledge of the latest developments in the economic, social political and technological spheres
 - Must be tactful, sensitive, persuasive, etc
- (Any 7 × 2) (14)
- 5.3
- Wages
 - Working conditions
 - Benefits
 - Training schemes
 - Retrenchments
 - Unfair treatment
 - Lack of safety precautions
 - Refusal by employer to recognise a union
 - Lack of participative management
- (Any 8 × 1) (8)
- 5.4
- The arbitrator himself/herself
 - Complexity of the issue
 - Desires of the party
 - Personal preferences of the parties
- (4 × 2) (8)
- [40]**

QUESTION 6

- 6.1
- They are appointed by members
 - The collective agreement specifies the number of shop stewards
 - They are appointed in proportion to the number of employees
 - Usually ONE shop steward is appointed for every FIFTY members
 - Management can decide if they want to appoint supervising shop stewards or senior shop stewards
 - Shop stewards have certain privileges e.g. time off for training
 - Privileges must be included in the agreement
- (7 × 2) (14)
- 6.2
- Hours of work
 - Maximum working hours per week
 - Payment for work done
 - Payment for overtime
 - Payment for work on Sundays
 - Payment for work on Public holidays
- (6 × 1) (6)
- 6.3
- Preparation stage – Party establishes basis for position
 - Introductory stage – Parties give opening remarks
 - Structuring/Restructuring – Parties respond to opening remarks
 - Movement stage – Parties moving closer to one another/agreement
 - Closing stage – Critical stage – Parties make offers
 - Settlement stage – Parties make a deal and summarise
- (Any 5 × 2) (10)
- 6.4
- Union representation
 - Union organisation and policy
 - Union strategy
 - Scope of union registration or recognition
 - Interunion competition
 - Member preference
 - Management organisation and policy
 - Economic factors
 - Type of bargaining issue or problem
 - Government policy and legislation
 - Employer organisation and policy
- (Any 10 × 1) (10)
[40]

QUESTION 7

- 7.1
- They create consistency
 - Employees have the right to fairness through formal channels
 - Employees can express their grievances and can challenge retrenchments
 - It prevents industrial action and quick fixes
 - It ensures equal and fair treatment
 - It gives employees the right to state their view
- (6 × 2) (12)
- 7.2
- 7.2.1
- Is an independent body
 - State funded
 - Is controlled by a governing body
 - Has three representatives, one each from government, business and labour
 - Plus an independent chairperson
 - Has an office in each province
 - Has a national office in Johannesburg
 - It has part-time and full-time commissioners for conciliation and arbitration
- (Any 7 × 2) (14)
- 7.2.2
- Tries to resolve disputes through conciliation or if it fails, through arbitration
 - Assists with the establishment of the workplace forums
 - Gives advice on dispute resolution and collective bargaining structures
 - Assists and trains
 - Accredits councils and private agencies
- (Any 4 × 2) (8)
- 7.3
- To explain the necessity to retrench
 - To consider alternatives
 - To discuss application of the agreed selection criteria
- (3 × 2) (6)
- [40]**

TOTAL SECTION B: 160
GRAND TOTAL: 200