

**LRM2601**

May/June 2017

**LABOUR RELATIONS MANAGEMENT: MACRO**

Duration 2 Hours

75 Marks

**EXAMINERS**

FIRST

MS M UYS

SECOND

DR AJ DE BRUYN

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**Closed book examination**

**This examination question paper remains the property of the University of South Africa and may not be removed from the examination venue**

This examination paper consists of five (5) pages

**INSTRUCTIONS**

- 1 Answer **any three (3)** of the five (5) questions. Some of the questions have sub-questions
- 2 If you answer more than three questions, only the first three questions will be marked
- 3 Write legibly
- 4 Number the questions that you choose to answer clearly in the examination answer book
- 5 Write the numbers of the questions you chose to answer in the allocated column on the cover of your examination answer book
- 6 There is no need to cite references when answering examination questions
- 7 You are not expected to write an introduction or conclusion. Simply answer the questions asked

**Please ensure that your answers apply to the specific scenario where relevant. Merely providing theoretical answers to these questions will not be sufficient.**

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**[TURN OVER]**

**QUESTION 1**

**1.1 Read scenario 1.1.1 to 1.1.5. Identify which Act will be most appropriate to address the matter. Also discuss the purpose of the identified Act.**

- 1 1 1 *Phillip Oosthuizen applied for an employment position at ABC Logistics. He met all the criteria as advertised and had a good reference letter from his previous employer. He had a successful interview. The organisation is experiencing some challenges in meeting its equity targets and decides not to employ Phillip. Phillip does not know what to do. If Phillip wants to understand what equity standards are, which Act will be relevant?* (5)
- 1 1 2 *You recently joined a new organisation and notice that the vacation leave stipulated in your contract of employment is 30 days per calendar year. This is an example of terms of employment more favourable than stipulated in which Act?* (5)
- 1 1 3 *Edward Ndhlovu worked in a chemical research laboratory for 32 years. In the last four years of his employment at the research centre he regularly booked off sick with a chest complaint. Edward recently passed away and the autopsy indicated that the cause of death was continuous exposure to hazardous chemicals. Is there recourse for Edward's relatives? If so, under which Act would you advise Edward's widow to pursue the matter?* (5)
- 1 1 4 *Piet de Beer was working for ABC Enterprises. In January, Piet was notified that the organisation will close its doors after 25 years in business because of financial hardship. Piet is worried and he is trying hard to find alternative employment, but had no luck so far. He still needs money to provide for his family. Under which Act can Piet claim financial support as an intermediate solution?* (5)
- 1 1 5 *Ben Selokela and Adam Mashego are very proud and successful entrepreneurs. They are the business owners and founders of the transport company, S & M Logistics. S & M Logistics was the first 100% black-owned transport company in South Africa, established in 2004. Which Act made the establishment of this company possible?* (5)

[25]

**QUESTION 2**

**2.1 Different theoretical perspectives or frames of references exist for understanding labour relations. Identify and explain the two perspectives [5 marks each] as demonstrated in the scenario. In your answer, you should focus on the following aspects to explain the two theoretical perspectives:**

- Economic system
- Goals and values of employers and employees
- Perspective on conflict
- Trade unions
- Collective bargaining and strikes

- 2 1 1 *Francois and his wife, Melanie, own a family business. Recently they had a huge argument about the management of the organisation. Francois' argument was that he is*

[TURN OVER]

*the owner of the organisation and he believes that all employees are team members and that they should all work together to make the organisation a success. Order, peace and harmony are essential in making the organisation succeed, and attempts by outsiders to disrupt the peace should not be tolerated. His wife, Melanie, was furious and said she cannot believe his point of view. Melanie's argument is that she can understand that any organisation has a number of core groups and within each group, natural leaders exist. She believes that she and Francois should not undermine these accepted leaders or groups, but rather attempt to accommodate these organic group structures. Melanie acknowledges that conflict can be expected between the different groups, and suitable mechanisms should be in place to deal with these issues* (10)

**2.2 A number of different perspectives of what collective bargaining entail and the role it fulfils in labour relations exist. Discuss the following three perspectives to collective bargaining.**

- 2.2.1 Collective bargaining as a negotiation process (5)
- 2.2.2 Collective bargaining as a conflict-management mechanism (5)
- 2.2.3 Collective bargaining as a trade union activity (5)

**[25]**

**QUESTION 3**

- 3.1 Discuss the role of NEDLAC in South African employment relations and identify the four [4] major stakeholders represented in NEDLAC (7)
- 3.2 No organisations function in isolation, but is influenced by many external and internal aspects. Identify and briefly discuss three [3] macro-external factors as well as three [3] organisation level factors which impact the organisation and the business environment. Pay special attention to its effect on labour relations (18)

**[25]**

**QUESTION 4**

- 4.1 Both the employer and the employee have common law duties within the individual contract of employment. List four [4] common law duties of the employer and three [3] common law duties of the employee (7)
- 4.2 Justice concerns or perceptions are the way in which people make evaluations about fairness. These perceptions are sometime also referred to as justice judgements. Identify and discuss three [3] different kinds of justice perceptions [6 marks each] evident in labour relations (18)

**[25]**

**[TURN OVER]**

**QUESTION 5**

**5.1 Briefly discuss the nature, role and functions of the following dispute resolution bodies:**

5 1 1 The CCMA (8)

5 1 2 The Labour Court (6)

5 1 3 The Labour Appeal Court (4)

**5.2 Trade unions are awarded certain organisational rights depending on their level of representation in the workplace. One of these is that trade unions can enjoy majority support or representation in the workplace.**

5 2 1 Identify the others levels of representation which trade unions can enjoy (3)

5 2 2 If you are represented by the majority trade union, to which organisational rights will your trade union be entitled to? (4)

[25]

**TOTAL: 75**

**[TURN OVER]**

| CHECKLIST   | ✓ |
|---|---|
| Have you filled in all your personal particulars on the cover of the examination answer book?           |   |
| Have you answered <b>THREE (3) of the FIVE (5)</b> questions in the paper?                              |   |
| Have you written the numbers of the questions you answered on the cover of the examination answer book? |   |