



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE LABOUR RELATIONS N5

11 JUNE 2019

This marking guideline consists of 8 pages.

SECTION A**QUESTION 1**

1.1	1.1.1	B		
	1.1.2	C		
	1.1.3	H		
	1.1.4	J		
	1.1.5	F		
	1.1.6	A		
	1.1.7	G		
	1.1.8	E		
	1.1.9	K		
	1.1.10	D		
			(10 × 1)	(10)
1.2	1.2.1	False		
	1.2.2	True		
	1.2.3	False		
	1.2.4	False		
	1.2.5	False		
	1.2.6	True		
	1.2.7	True		
	1.2.8	False		
	1.2.9	True		
	1.2.10	True		
			(10 × 1)	(10)
1.3	1.3.1	D		
	1.3.2	C		
	1.3.3	C		
	1.3.4	C		
	1.3.5	C		
	1.3.6	A		
	1.3.7	B		
	1.3.8	B		
	1.3.9	D		
	1.3.10	B		
			(10 × 2)	(20)
				[40]

TOTAL SECTION A: 40

SECTION B**QUESTION 2**

2.1	2.1.1	<ul style="list-style-type: none"> • Sick leave • Annual leave • Family responsibility leave • Protection of employee before and after child birth 	(4 × 2)	(8)
	2.1.2	<ul style="list-style-type: none"> • Legislation • Conciliator • Regulator • Advisor • Judiciary • Police 	(6 × 2)	(12)
	2.1.3	<ul style="list-style-type: none"> • Shift in demand • Shift in supply • Oversupply of unskilled workers • Undersupply of skilled workers in engineering fields • Requirement of experience for entry-level positions • Mobility of employees • Demographics of employees • Reputation for low productivity • Lack of entrepreneurial skills • Crime and strikes • Uncertainty regarding casual labour 	(Any relevant answer) (5 × 2)	(10)
	2.1.4	<ul style="list-style-type: none"> • Strikes • Courts • Media • Collective bargaining 	(Any 2 × 1)	(2)
2.2	2.2.1	An entrepreneur who takes the risk of creating a business in order to make profit or management as representative of the owner to reach the goals set by the owner or shareholders		
	2.2.2	A person who assists the employer to achieve the purpose of the organisation for some form of compensation		
	2.2.3	An employee elected by colleagues who trust him/her to represent their interests in the union		
	2.2.4	A third party that fulfils the role of a policy maker which describes minimum acceptable standards of behaviour and treatment		
			(4 × 2)	(8)
				[40]

QUESTION 3

- 3.1
- Good working relationships ensure membership in the community
 - Trust and empathy grow between managers, subordinates and co-workers
 - Within a healthy working environment positive change can take place
 - Positive labour relations
 - Ensure continuity of production
 - Friendships and support networks
 - Healthier and stress free individuals
 - Less absenteeism and lower labour turnover
 - Reduction in industrial disputes
 - Minimum wastage of resources
- (Any 8 × 1) (8)
- 3.2
- Helps the employee achieve training goals and performance objectives
 - Helps the employee to develop the skills needed to perform the job
 - Confirms that the best qualified person was chosen for the position
 - Fosters a mutual understanding of expectations, standards of performance and the evaluation process
 - Helps the employee to achieve regular status
- (Any 5 × 1) (5)
- 3.3
- 3.3.1 Yes, it is a problem if the ID document is a requirement
OR
No, if you have a driver's licence, it can be used instead of the identity document
- (1)
- 3.3.2
- Qualifications
 - Curriculum vitae
 - Reference
 - Disability
 - Contact details
 - Work experience
- (Any 4 × 1) (4)
- 3.4
- Employer's name and physical address of the company
 - Employee's name and job title
 - Address of the place where the employee will actually do the job
 - Hours of work
 - Wages to be paid
 - Overtime pay
 - When the employee is expected to be paid
 - Employee's leave
 - Deductions
 - Fringe benefits
- (Any 6 × 1) (6)

- 3.5
- Legislation
 - Constitution
 - Roman Dutch law
 - Customs and traditions
 - Precedent system
- (Any 4 × 2) (8)
- 3.6
- Kind of work
 - Remunerations
 - Employee information
 - Contract period
 - Name of the employer and other information of employer
- (Any 4 × 2) (8)
- [40]**

QUESTION 4

- 4.1
- Gives advice to employees and employers on their rights and obligations
 - Conducts inspections
 - Investigates complaints
 - Can issue compliance orders
 - Performs any other prescribed function
 - May not perform a function if there is a conflict of interest
- (Any 5 × 2) (10)
- 4.2
- Economic justice
 - Social justice
 - Labour peace
 - Democratic workplace
- (4 × 2) (8)
- 4.3
- Collective bargaining is:
- An economic process
 - A negotiation process
 - A communication process
 - A conflict control mechanism
 - A trade union activity
 - A management style or technique
- (Any 5 × 2) (10)

- 4.4
- | INDIVIDUALISM | COMMUNITY OF INTEREST |
|---|---|
| <ul style="list-style-type: none"> • Freedom of individuals to make own choices • Propagation of individual and protection • Support of a democratic majority government • Legislation protects all parties. • Conflict is unavoidable | <ul style="list-style-type: none"> • Legislation determines • Community possession or action • All parties have the same benefits • Government exercises control over the community • Individual interest are subordinate to the interest of society • Legislation protects society |
- (6 × 2) (12)
- [40]**

QUESTION 5

- 5.1
- Product market
 - Labour market
 - Capital productivity
 - Technological changes
- (4 × 2) (8)
- 5.2
- Union recognition
 - Dismissal
 - Grievances
 - Retrenchment
 - Disputes
 - Appeals
 - Health and safety committees
- (Any 6 × 1) (6)
- 5.3
- Takes place on industrial level
 - Is referred to as 'formal' bargaining
 - Takes place through a bargaining council
 - A collective agreement reached binds the whole industry
 - Only registered trade unions can bargain on a centralised level
- (5 × 2) (10)
- 5.4
- 5.4.1
- It is the process of terminating contracts of employment
 - due to economic, political or technological factors
 - which cause the company to be in a position where it is unable to afford those employees
- (3)
- 5.4.2
- It is a situation where a post is no longer needed.
- (1)
- 5.5
- 5.5.1 Commission conciliation mediation and arbitration
- 5.5.2 Basic Conditions of Employment Act
- 5.5.3 Congress of South African Trade Unions
- 5.5.4 National Economic Development and Labour Council
- (4 × 2) (8)
- 5.6
- A strike is an industrial action initiated by a trade union or employees.
 - A lockout is initiated by the employer to prevent employees from entering the plant during conflict or the negotiation period.
- (2 × 2) (4)
- [40]**

QUESTION 6

- 6.1
- Conduct of the employee
 - Capacity of the employee
 - Operational requirement
 - Physical assault of other employees
 - Gross insubordination
 - Participation in unlawful strike
- (6 × 2) (12)
- 6.2
- Conciliates workplace disputes
 - Arbitrates certain categories of disputes that remain unresolved after conciliation
 - Establishes picketing rules
 - Facilitates the establishment of workplace forums and statutory councils
 - Compiles and publishes information and statistics about its activities
 - Considers applications for accreditation and subsidy by bargaining councils and private agencies
 - Provides support for the Essential Services Committee
- (7 × 2) (14)
- 6.3
- To promote the interest of all employees
 - To increase efficiency in the workplace
 - To be consulted by the employer
 - To take part in joint decision making
- (4 × 2) (8)
- 6.4
- Right of affiliation with, and participation in the affairs of any international labour organisation
 - Holding elections for its office bearers, officials and representatives
 - Planning and organising its administration and lawful activities
 - Determining its own constitution and rules
 - Joining a federation of the employer's organisation
 - Participating in forming a federation of the employers' organisation
- (Any 3 × 2) (6)
- [40]**

QUESTION 7

- 7.1
- Work is continuous unless it is interrupted by an interval of at least 60 minutes.
 - An employer must give an employee who works continuously for more than five hours a meal interval of at least one continuous hour.
 - During a meal interval the employee may be required or permitted to perform only duties that cannot be left unattended and cannot be performed by other employees. (3 × 2) (6)
- 7.2
- NGO'S
 - National Intelligent Agency
 - South African Secret Service
 - National Defence Force (4)
- 7.3
- Sharing of profits
 - Personal values
 - Problems relating to decision making
 - Control and responsibilities
 - Employees wanting or demanding higher salaries
 - Working environment
 - Unfair labour practices, e.g. no leave days (7)
- 7.4
- State
 - Employee
 - Employer (3)
- 7.5
- Capitalism
- Private ownership
 - Free-market system
 - Accepts conflict in labour and provides mechanisms to resolve conflict (3 × 2) (6)
- Socialism
- Support the collective possession
 - Supports a centrally controlled market system
 - Does not make special provision to accommodate conflict (3 × 2) (6)
- 7.6
- Be fair
 - Be assertive
 - Be positive, motivated, enthusiastic and energetic
 - Be committed and hardworking (Any relevant answer) (4 × 2) (8)
- [40]**

TOTAL SECTION B: 160
GRAND TOTAL: 200