



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

LABOUR RELATIONS N5

03 June 2026

This marking guideline consists of 9 pages.

SECTION A (COMPULSORY)

QUESTION 1

- 1.1 C
- 1.2 A
- 1.3 C
- 1.4 D
- 1.5 D
- 1.6 C
- 1.7 D
- 1.8 E
- 1.9 A
- 1.10 C

(10 × 1) [10]

QUESTION 2

- 2.1 False
- 2.2 True
- 2.3 False
- 2.4 True
- 2.5 True
- 2.6 True
- 2.7 False
- 2.8 False
- 2.9 False
- 2.10 True

(10 × 1) [10]

QUESTION 3

- 3.1 I
- 3.2 C
- 3.3 B
- 3.4 H
- 3.5 G
- 3.6 J
- 3.7 A
- 3.8 E
- 3.9 F
- 3.10 K

(10 × 1) [10]

QUESTION 4

- 4.1 Is an employer who controls and supervises the employees
- 4.2 A person who puts his or her services at the disposal of the employer
- 4.3 An association consisting of more than one organisation
- 4.4 An ultimate source of all other laws and is regarded as the supreme law of the land.
- 4.5 A serious disagreement, incompatibility between opinions
- (5 × 2) [10]
- TOTAL SECTION A: 40**

SECTION B

Mark only FOUR questions from SECTION B.

QUESTION 5

- 5.1
- Right to control
 - Right to supervise
 - Right to discipline
 - Right to decision-making
 - Right of merging
 - Right to close a plant
 - Right to dismiss employees
 - Right to lock out
- (5 × 1) (5)
- 5.2
- Primary function is to represent the interest of members
 - Economic-regulation terms: to maximise wages and employment
 - Job-regulation terms – to establish a joint rule-making system
 - Social change terms – to express social cohesion
 - Self-fulfilment terms – to develop individuals outside the limits of their jobs
- (5 × 2) (10)
- 5.3 Picketing is a form of protest in which workers or union members stand outside a workplace, usually carrying signs, to persuade others not to enter or to draw public attention to their grievances.
- A strike is a temporary stoppage of work by employees to express dissatisfaction with working conditions, pay, or other employment terms, and to compel the employer to meet their demands.
- (2 × 2) (4)

- 5.4
- Negotiating collective agreements with labour unions
 - Assisting members in dispute resolution
 - Assisting members in industrial relations
 - Providing training for members
 - Giving legal aid and advice to companies
- (Any 2 × 1) (2)
- 5.5
- Substantive agreements
Wages, ✓ working conditions ✓ and fringe benefits ✓
Procedural agreements
- Union recognition, ✓ appeals ✓
 - Dismissal, ✓ disputes, ✓ health and safety committees ✓
 - Grievances, ✓ retrenchment ✓
- (3 × 2) (6)
- 5.6
- Severance pay is the compensation and/or benefits an employer provides to an employee after employment is terminated. (2)
- 5.7
- Group insurance (life/ disability cover)
 - Housing assistance
 - Car allowance scheme
 - Educational bursary
 - Paid maternity leave
 - Medical aid
 - Provident fund/pension fund
 - Employee discounts
 - Employee stock options
 - Cafeteria subsidies
 - Paid holidays
- (11)
[40]

QUESTION 6

- 6.1
- Technology / a weak economic infrastructure
 - Unemployment is high
 - Shortage of skilled workers
 - Retail sector growth
 - Low economic growth
 - Rich mineral wealth
 - High foreign debt
 - An unfavourable exchange rate
 - High inflation rate
 - Low productivity because of strikes
- (10)
- 6.2
- Good at conflict management
 - Educated in labour law and policy
 - Patient and honest
 - Good at multi-tasking
 - Able to balance many different views
 - Educated in company law, policy and procedures
 - A union member
 - An employee of the company
 - Has to be open-minded
 - Knowledgeable about company health and safety regulations
- (Any 8 × 1) (8)
- 6.3
- Sick leave
 - Maternity leave
 - Family responsibility leave
 - Annual leave
- (4)
- 6.4
- Reinstatement the employee in exactly the same job or in a very similar job
 - Re-employ the employee in the same or similar job
 - Pay compensation to the employee
 - Follow a fair procedure
- (4 × 2) (8)
- 6.5
- To promote, monitor and enforce labour laws
 - To advise employees and employers on their rights and obligations in terms of employment laws.
 - To conduct inspections
 - To investigate complaints
 - To secure compliance with employment law
 - To protect employees against discrimination
 - To inspect, copy and remove records
- (Any 5 × 2) (10)
- [40]**

QUESTION 7

- 7.1
- Reason for the proposed dismissals
 - Options explored trying to avoid the dismissals
 - Number of employees to be affected
 - Time period when the dismissals will happen
 - Severance pay
 - Employer help offered to employees
 - Potential for future re-employment
 - The overall number of employees employed by the employer
 - The number of employees that the employer has dismissed for reasons based on its operational requirements in the previous 12 months.
- (Any 6 × 2) (12)
- 7.2
- Collective bargaining can happen in bargaining councils or even in a single workplace
 - Centralised bargaining outputs: collective agreements
 - Decentralised bargaining outputs: substantive agreements
- (3 × 2) (6)
- 7.3
- Centralised bargaining refers to agreements made at the group level covering all the plants.
 - Occurs when employers in a sector get together and bargain with one or more unions representing the employees of those employers.
 - Can also occur at the level of a group of companies or at the national or regional level of a company.
 - Decentralised bargaining occurs where agreements apply to one plant and no other.
 - Decentralisation of collective bargaining, i.e. a movement from centralised collective bargaining to plant or local level collective bargaining.
 - Individualisation of employment relations at the expense of collective bargaining, i.e. a system where conditions of employment are determined.
- (Any 3 × 2) (6)
- 7.4
- To establish parameters for the conduct of the labour relationship.
 - Laws protect employees against unfair labour practices.
 - Laws set up collective bargaining and other forms of workplace negotiation.
 - Laws define who can be an employer, employee, trade union, and employer's organisation and so on.
 - Laws tell us what the minimum wage should be.
 - Laws ensure that workplaces remain safe and healthy.
 - Enforce freedom of association.
 - Provide a framework for the conduct of the collective relationship.
 - Provide dispute settlement procedures to ensure labour peace.
- (Any 5 × 2) (10)

7.5	<table border="1"> <thead> <tr> <th>Purpose</th><th>Objective</th></tr> </thead> <tbody> <tr> <td>• Economic development✓</td><td>• To give effect to constitutional labour rights✓</td></tr> <tr> <td>• Social justice✓</td><td>• To meet the requirements of the ILO✓</td></tr> <tr> <td>• Labour peace✓</td><td>• To create a framework for collective bargaining to take place✓</td></tr> <tr> <td>• Democratic workplace✓</td><td>• To create a framework where industrial policy can be worked out✓</td></tr> </tbody> </table>	Purpose	Objective	• Economic development✓	• To give effect to constitutional labour rights✓	• Social justice✓	• To meet the requirements of the ILO✓	• Labour peace✓	• To create a framework for collective bargaining to take place✓	• Democratic workplace✓	• To create a framework where industrial policy can be worked out✓
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(Any 3 × 2)

(6)
[40]

QUESTION 8

- 8.1
- The tasks that are linked to a specific job
 - The amount of respect given to a specific job
 - Who makes the decisions
 - Who is responsible for a specific task or mistake
 - An employee wants a flexible job, and an employer wants too much control
 - A worker wants more direction and an employer wants the worker to think independently
 - Personal beliefs clash with the organisational goals
 - Either the employer or the employee has too much power over the other.

(Any 6 × 1)

(6)

- 8.2
- The class system
 - Conditions of the working class
 - Divorce of workers from owners
 - Poor working conditions and wages
 - Mass production and division of labour
 - Independence of discipline
 - Economic insecurity and dependence

(7)

- 8.3
- The employer and the employee are interdependent. The employee requires a source of income while the employer requires productivity.
 - A willing cooperation between the parties towards the achievement of organisational goals ensures good labour relations.

(2 × 2)

(4)

- 8.4
- To represent and help employees during grievance and disciplinary procedures
 - To check whether the employer is acting according to the law and collective agreements
 - To be involved in local union branches
 - To collect dues
 - To recruit new members
 - To encourage fellow employees to participate in branch activities
 - To communicate the decisions and plans of management to employees
- (7)
- 8.5
- The employee feels that he belongs and fits in
 - He feels that he counts for something
 - Feels empowered
 - Develop employee self-confidence
 - Enjoys his work
 - Workplace morale improves
 - Develop people skills
 - Develop team working skills
 - He will come with innovative ideas
 - The employee will grow and mature in the job
 - Employee will develop critical and imaginative thinking
 - Employee will become more productive
 - Company will become more profitable
 - Employee will learn to work independently
- (Any 8 × 2) (16)
[40]

QUESTION 9

- 9.1
- To protect and further the interest and welfare of members
 - To strive for economic and social justice
 - To ensure job security and income
 - To improve physical working conditions and safety
 - To enforce legislation
 - To promote, support and unite trade unions
 - To fight racism and sexism in the workplace
 - To ensure democracy at the workplace
 - To provide legal assistance to members
 - To establish and maintain effective collective bargaining mechanisms
 - To bring employees' grievances to management's attention (Any 7 × 2) (14)
- 9.2
- An official or office bearer may enter the premises to recruit members, communicate with them and serve their interests.
 - The trade union may hold meetings on the premises with employees outside working hours.
 - A trade union may hold elections on the premises provided they safeguard lives, prevent disruption of work and use reasonable time and place.
 - The trade union must be well organised and communicate properly. (4 × 2) (8)
- 9.3
- Individualism – focus is on the individual; any person can own a business and other possessions.
Communism – focus is on all of society seen as one group, businesses and other possessions are jointly owned by everyone, or by the state, which represents 'everyone'. (2 × 2) (4)
- 9.4
- The state: tripartite alliance, mixed approach to involvement
 - The employer (employer's organisation) job creation, collective bargaining (industrial level), policy creation (BUSA at Nedlac)
 - The employee (trade unions): employees provide labour and have rights to shape the workplace, trade unions engage in collective bargaining (industrial level) and policy creation (COSATU, FEDUSA, NACTU at Nedlac). (3 × 2) (6)
- 9.5
- Economic, a successful economy provides jobs to workers
 - Political, state involvement can create laws to protect workers and policies to create jobs
 - Legal, labour laws protect workers and keep the peace in the labour system
 - Social, families and schools produce the workers that we need to keep the labour relations system running (4 × 2) (8)

[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200