



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

LABOUR RELATIONS N6

25 November 2025

This marking guideline consists of 10 pages.

SECTION A

QUESTION 1

1.1	1.1.1	True✓✓
	1.1.2	True✓✓
	1.1.3	True✓✓
	1.1.4	True✓✓
	1.1.5	True✓✓
	1.1.6	True✓✓
	1.1.7	True✓✓
	1.1.8	True✓✓
	1.1.9	True✓✓
	1.1.10	True✓✓

(10 × 2)

1.2	1.2.1	E✓✓
	1.2.2	D✓✓
	1.2.3	C✓✓
	1.2.4	B✓✓
	1.2.5	A✓✓
	1.2.6	H✓✓
	1.2.7	I✓✓
	1.2.8	F✓✓
	1.2.9	J✓✓
	1.2.10	G✓✓

(10 × 2)

(20)
[40]

TOTAL SECTION A: 40

SECTION B

Mark only FOUR questions in SECTION B.

QUESTION 2

2.1 PICKETING

- 2.1.1
- It is a peaceful method to publicise strikers' action✓✓
 - It encourages others to join the strike action✓✓
 - Pickets occupy positions in front or at the entrance to the place of work✓✓
 - A picket may occur in any place the public has access to but must be outside the premises of the employer✓✓
 - It can be on the premises if the employer has granted permission.✓✓

(5 × 2)

(10)

- 2.1.2
- To persuade other workers not to cross the picket line✓✓
 - To persuade suppliers and customers not to enter the premises (to discourage them from dealing with the employer)✓✓
 - To inform the public and other unions that a labour dispute is in progress✓✓
 - To block the facility so that the plant cannot operate during dispute✓✓
- (4 × 2) (8)
- 2.2
- It is a complaint other than demands from trade unions✓
 - It is formulated by a collective body✓
 - It is related to the employee's treatment or position within his daily working routine✓
 - It warrants (justifies) formal attention of management because it may result in a dispute✓
 - It could be indicated by high absence rate, high labour turnover, strikes etc.✓
- (5 × 1) (5)
- 2.3
- Acts as a mouthpiece for general complaints✓✓
 - Deals with day-to-day issues✓✓
 - Ensures that arrangements between management and the unions are implemented and followed. ✓✓
 - Provides upward communication on matters like training and safety✓✓
 - Provides downward communication by informing employees about important decisions and instructions✓✓
- (Any 2 × 2) (4)
- 2.4
- Distributive bargaining✓
 - Integrative (Cooperative) bargaining✓
 - Intra-organisational bargaining✓
 - Attitudinal structuring✓
- (4 × 1) (4)
- 2.5
- Rights & duties✓
 - Wages✓
 - Allowances✓
 - Bonuses✓
 - Working conditions✓
 - Hours of work✓
 - Holidays✓
 - Productivity✓
 - Housing✓
- (Any 5 × 1) (5)
- 2.6
- CCMA✓
 - An accredited bargaining council✓
 - The labour court✓
 - Labour Appeal court✓
 - IMSSA (Independent Mediation Service of South Africa)✓
 - Private Agencies✓
- (Any 4 × 1) (4)

1401

QUESTION 3

- 3.1 Conflict:
- Is a condition✓
 - between two or more people✓
 - when there is a disagreement over an issue✓
- (3 × 1) (3)
- 3.2
- Alienation✓✓
 - Production attacks✓✓
 - Deterioration of work relations✓✓
 - Distortion of information✓✓
- (Any 4 × 2) (8)
- 3.3
- The Employer✓
 - The employee✓
 - The State✓
- THE EMPLOYER (PRIMARY PARTY):
- POWER: To appoint and dismiss✓
 - OBJECTIVE: To make profit✓
 - VALUE: Employees to work overtime✓
- EMPLOYEES (PRIMARY PARTY)
- POWER: To strike✓
 - OBJECTIVE: To earn good salary✓
 - VALUE: To spend time with family✓
- (9 × 1) (9)

3.4

CENTRALISED BARGAINING	DECENTRALISED BARGAINING
• It takes place at centralised level✓ • It happens at industry level✓ • It is formal bargaining✓ • It takes place through bargaining councils and between the employer and trade union representatives✓ • Relationship is regulated by a recognition agreement known as collective agreement✓ • Recognition agreement spells out the rules and regulations for the bargaining process✓ • The aim is to bargain for substantive agreements✓ • Minimum standards are set for all employers in the industry✓	• It takes place at decentralised level✓ • It happens at shop floor level✓ • It is informal bargaining✓ • It takes place directly between the specific employer and the employer organisation or trade union✓ • Relationship is regulated by a recognition agreement known as collective agreement✓ • Recognition agreement spells out the rules and regulations for the bargaining process✓ • The aim is to bargain for procedural agreements✓ • Minimum standards are set for an employer✓

(Any 3 × 2)

(6)

3.5

- Stop sub-contracts✓
- Reduce number of shifts✓
- Temporary layoffs (temporary suspension without pay)✓
- Forcing employees to take all accumulated leave✓
- Temporarily closing certain sections of the enterprise✓
- Refraining from making use of temporary workers✓
- Retaining workers to fill gaps in the workforce✓
- Cutting costs by working short time, cutting overtime, work sharing & transfer of workers✓
- Requesting older workers to take an early retirement✓
- Freezing recruitment of new workers✓

(Any 4 × 1)

(4)

3.6

Informal verbal warning/reprimand✓

This is to prevent certain action or behaviour from becoming a transgression and it is not formal, but it takes place during an informal conversation.✓

Formal verbal warning✓

This is to rectify a slight transgression, and it is recorded and valid for six months.✓

Written warning✓

It is given for more serious transgressions. It could be given a first, second or even third time. It is also valid for six months. ✓

Final written warning✓

It is given after a second written warning or in case of a serious transgression that does not justify a preceded warning in the first place. Similar transgression may lead to dismissal. This may be valid for a longer period (one year).✓

Demotion in seniority✓

This is used as an alternative for dismissal for serious misconduct from a trusted and effective employee with a long service record. If the employee does not accept, immediate dismissal follows. ✓

Suspension with compensation✓

It is applicable if the aim is to prevent the employee from trespassing on property during an investigation or hearing. The maximum days must be stipulated in the service contract or disciplinary code.✓

Suspension without compensation✓

It can be seen as partial violation of the agreement, and it can be considered as part of service contract or disciplinary code. It is sometimes advisable due to its flexibility, and it can violate the contract of service. The employee may be suspended for a limited period of thirty (30) days.✓

Termination of service✓

This is to stop the employer/employee relationship. This is the severest punishment of all, and it indicates that no other disciplinary action could have been used or applied. This is because the transgression is of a very serious nature.✓

OTHER EMPLOYEE ACTIONS (NOT PART OF DISCIPLINARY ACTIONS)

Transfer✓

This is to apply an employee's services elsewhere because of personality clashes. A bigger problem can arise if the problem is not sorted out with this action.✓

Penalties✓

No penalties can be given or money deducted from the employee's salary for a transgression or unacceptable behaviour. The employer must always get an employee's approval when a deduction of his compensation is considered.✓

(Any 4 × 2)

(8)

3.7

The achievements of the party's objectives depend on whether the other party can be persuaded or not. This could depend on collective bargaining and negotiation. Once an interest has been negotiated and agreed upon, refusal to abide to that will create a dispute of right. ✓✓

(2)

[40]

QUESTION 4

- 4.1 4.1.1 CAUSES OF TERMINATION
RETRENCHMENT
- Market loss✓✓
 - Economic factors✓✓ (Any 1 × 2) (2)
- REDUNDANCY
- Restructuring✓✓
 - Technological introduction✓✓ (Any 1 × 2) (2)
- LAY-OFF
- No jobs are available✓✓
 - For a certain period✓✓ (Any 1 × 2) (2)
- 4.1.2 AIM OF TERMINATION
- RETRENCHMENT
- To cut labour costs so as to save/protect the organisation.✓✓ (2)
- REDUNDANCY
- To save labour cost✓✓ (2)
- LAY-OFFS
- To cut labour cost✓✓ (2)
- 4.2
- Matter must be referred to CCMA in writing✓✓
 - CCMA must settle the matter within 30 days✓✓
 - If that fails, CCMA must issue a certificate of the unresolved matter✓✓
 - The employer must be given 48 hours' notice✓✓
 - If the employer is the State, 7 days' notice must be given ✓✓ (5 × 2) (10)
- 4.3
- Mediator plays an active part in the process✓✓
 - Attempts to bring about settlement✓✓
 - Advises both sides✓✓
 - Acts as an intermediary✓✓
 - Suggests possible solutions✓✓ (Any 4 × 2) (8)
- 4.4
- It is an organisation✓
 - It facilitates the negotiation process✓
 - between unified employees (typical unions) and employers✓
 - on matters such as working conditions and wages.✓ (4 × 1) (4)
- 4.5
- To ensure productivity✓✓
 - To avoid negative emotions✓✓
 - To avoid a hostile environment✓✓
 - To avoid people looking for another job (avoid high turnover)✓✓
 - To avoid disruption of sales✓✓

- To avoid losing business✓✓
 - To keep communication channels open✓✓
 - To avoid the grape vine or rumours✓✓
 - To enhance group performance✓✓
 - To ensure high morale✓✓
 - It builds co-operation among people✓✓
 - It helps people develop understanding and skills✓✓
 - It helps people learn how to recognise and benefit from differences✓✓
 - It helps raise and solve problems✓✓
- (Any relevant 3 × 2) (6)
[40]

QUESTION 5

- 5.1
- For misconduct✓✓
 - For incapacity✓✓
 - For operational reasons✓✓
- (3 × 2) (6)
- 5.2
- Verbal warning✓
 - Written warning✓
 - Second written warning✓
 - Final written warning✓
- (4)
- 5.3
- It is a means/way of withholding labour✓
 - It affects the production without stopping the operation of the company✓
 - It brings the dissatisfaction of the work force to the attention of management✓
 - It has the same effect as a strike✓
- (4)
- 5.4
- Establishment of rules in the workplace✓✓
 - Determining the form of compensation✓✓
 - Establishment of standard compensation✓✓
 - Determining priorities on each side✓✓
 - Restructuring the arrangement of bargaining✓✓
- (5 × 2) (10)
- 5.5
- Strike:
- It is a temporary, collective withholding of labour✓
 - Refusal to work which is partial or complete✓
 - The aim is to stop or delay the continuation of business✓
 - Forcing the employer to take note of the demand of the employee✓
- (4 × 1) (4)
- 5.6
- Economic considerations✓✓
 - Factors beyond control✓✓
 - Relocation of the enterprise✓✓
 - Technological development and mechanisation✓✓
 - Mergers and take overs✓✓
- (5 × 2) (10)

- 5.7
- Industrial Councils✓✓
 - Conciliation Boards✓✓
 - S.S Committees✓✓
 - Work Councils✓✓
 - Safety Committees✓✓
- (Any 1 × 2) (2)
- [40]

QUESTION 6

- 6.1 Collective bargaining
- employee and employer/s✓
 - negotiating with each other✓
 - about terms and conditions of employment✓
 - to reach a collective agreement✓
 - two-way process✓
 - necessitated by conflict of needs, interests, goals, values, perception and ideologies✓
 - resting on a basic interdependency and commonality of interests✓
 - through which management representatives and trade union representatives make collective agreements. ✓
- (Any 4 × 1) (4)
- 6.2 Dispute
- Is a continuous disagreement ✓
 - between an employer and employees with their unions✓
 - regarding a matter of common interest✓
 - which is work related✓
 - that affects their relationship✓
- (Any 4 × 1) (4)
- 6.3 PRIVATE COSTS/LOSSES DUE TO STRIKE
- Employees:✓
- Loss of wages✓
 - Loss of goodwill✓
 - Low morale✓
 - Low productivity✓
 - Resist to change✓
- (Any 1) (2)
- UNION:✓
- Drain financial losses✓
 - Lose members✓
 - Public image suffers✓
- (Any 1) (2)
- Employer:✓
- Lose profits in short term✓
 - Damage to plant and equipment due to standstill/sabotage✓
 - Lose market position in larger/longer term✓
- (Any 1) (2)

Negotiators:✓

- Lose credibility with top management✓ (2)

- 6.4
- Time✓✓
 - Date✓✓
 - Venue of hearing✓✓
 - Details of the charge against the employee✓✓
 - Rights entitled to an employee✓✓ (5 × 2) (10)

- 6.5
- Poor communication✓✓
 - Lack of openness✓✓
 - Lack of trust between people✓✓
 - Conflicting resources (competition for resources)✓✓
 - Personality or style differences✓✓
 - Conflicting perceptions or opinions✓✓
 - Different personal values, goals and ideologies✓✓
 - Non-compliance with rules and policies✓✓
 - Misunderstandings/poor understanding✓✓
 - Competition (e.g between firms or between workers)✓✓
 - Poor leadership/managers failing to be open to their employees✓✓
 - Authority issues✓✓
 - Distribution of profits✓✓
 - Decision-making powers✓✓
 - Status✓✓
 - Accountability structures✓✓ (Any relevant answers 5 × 2) (10)

- 6.6
- Disciplinary interview:
This is a formal discussion between at least one manager or supervisor and an employee who may be accompanied by a colleague or a trade union to investigate and deal with an employee's conduct in a fair manner.✓✓

Disciplinary hearing:

This is a meeting between senior people at a company and a worker who has done something wrong to judge the case and decide on a sanction.✓✓

(4)
[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200