



## **2011 proposed labour relations syllabus**

### **Objective**

The competent learner will apply the practical aspects of labour relations to give work situations.

learners will be expected to have a thorough knowledge of the labour relations.

The students will be able to apply labour relations principles and trends as described in a business environment or work situation.

Prescribed textbook

1. industrial relations in the new south Africa by s Bendix(4<sup>th</sup> edition)juta and C.Ltd.2001
- 2.the labour relations Act No 66 of 1995 as amended
- 3.The labour Act 28:01 as amemnded

### **Teaching and learning strategies**

Designed to be delivered in face to face, mixed or distance learning mode .it can be delivered as a centre based, or college based module. An active ,participative and experiential style of learning and teaching will be central.inorder to facilitate the broadening of horizons ,participants will be encouraged to share practice from within their current establishments and or visit establishments which model interesting and innovative practice

Examination

1. Students will write one three hour paper on the subject
2. The paper will comprise six questions of which the student must answer four questions with each question accounting 25 marks and giving a total of 100 marks
3. It will comprise of 75% recall questions and 25% situational type questions in which the students ability to apply labour relations is tested

### **1. THE LABOUR RELATIONSHIP**

Learning outcome 1: demonstrate an understanding of the interaction and processes within the labour relationship

Learning outcome 2: demonstrate an understanding of factors regulating the interaction of labour relationships

Learning outcome 3: demonstrate an understanding of external influences on the labour relationships

Learning outcome: demonstrate an understanding of different approaches to the labour relationship

#### **4. COLLECTIVE BARGAINING**

Learning outcome 9: Demonstrate an understanding of the general principles and practices of collective bargaining.

Range:

- Collective bargaining as central to the labour relationship
- Commonality, conflict and power in collective bargaining
- The establishment of a bargaining relationship
- The scope of content of collective bargaining
- Bargaining styles win win
- Bargaining structures
- The role of the state in collective bargaining

(The above topics can be found in Chapter Seven of the textbook, pages 231- 254)

#### **5. COLLECTIVE BARGAINING IN SOUTH AFRICA/ ZIMBABWE**

Learning Outcome 10: Demonstrate an understanding of the practice of collective bargaining in South Africa and Zimbabwe

Range:

- The right to free collective bargaining
- Freedom of association and freedom from victimization
- Organizational rights (in detail)
- Bargaining units
- Closed shops and agency shops
- Enforceability of agreements
- Centralised bargaining structures – bargaining council (in detail)
- Decentralised bargaining structures - The system of plant level recognition (In detail)
- Bargaining structures – the present dispensation
- The duty to bargain

(The above topics can be found in Chapter Eight of the textbook, pages 255 – 292)

#### **6. NEGOTIATION**

Learning outcome 11: Demonstrate an understanding of the principles and practice of negotiation

Range:

- Defining the concept
- The content in which negotiation occurs

- Effects of collective negotiations on the environment
- Variables influencing negotiation process ( in detail)
- Conflict and power in the negotiation process (in detail)
- Qualities of a good negotiator
- Negotiation conventions
- Preparing for negotiations (in detail)
- The conduct of negotiations (in detail)
- Negotiation maneuvers (in detail)
- Profile of a successful negotiator
- Collaborative negotiations
- The outcome of negotiations
- Implementation and monitoring of agreements

(The above topics can be found in Chapter Fifteen of the Text Book, pages 503-548)

## **POLICIES AND PROCEDURES**

Learning outcome 14: Demonstrate an outstanding of policies and procedures

Range:

Learners could be requested to draft policies and procedures on any of the following topics:

- An Affirmative Action policy and procedure linked to Employment Equity  
(See page 591-598 of the textbook – reference can also be made to the Employment Equity Statute)
- A Sexual Harassment Policy and Procedure  
(See the recent Code of Conduct / Good Practice as published for inclusion in the Labour Relations Act) – or other selected articles.)
- A Policy and procedure to deal with – Grievances and Discipline  
(See pages 626 – 640 of the textbook as Schedule 8 of the Labour Relations Act 1995 dealing with the Code of Good Practice. )
- A policy and procedure dealing with misconduct at work place as well as a policy and procedure dealing with incapacity for poor work performance and incapacity due to ill health or injury  
(Reference can be made to schedule 8 of the Code of Good practice in the Labour Relations Act 1995 as amended.)
- A policy and procedure on how to deal with absenteeism, late coming, abuse of sick leave, etc.  
(Learners will have to seek selected Articles on these issues – reference can however be made to the Basic Conditions or Employment Act for general information.)
- A policy and procedure for retrenchment

(Reference can be made to Sections 189-197 of the Labour Relations Act 1995 as amended) and other selected Articles – also refer to the code of good practice in Schedule 8 of the Labour Relations Act.

- A policy for an internal dispute procedure – reference to selected articles

## **7. INDUSTRIAL DEMOCRACY AND WORKER PARTICIPATION**

Learning outcome 15: Demonstrate an understanding of the principles and practices of industrial democracy

Range:

- The principles of Worker Participation
- Forms of Worker Participation ( in detail )
- Worker Participation in South Africa

(The above topics can be found in Chapter Fifteen of the textbook, pages 550 – 551 and 553 – 559 and 563 – 568)

## **7. DISPUTE RESOLUTION**

Learning outcome: Demonstrate an understanding of dispute resolution

Range:

- Learners should be tested on how to process a dispute via the Commission for Conciliation, Mediation and Arbitration or via a private agency, or via a Bargaining Council – Learners must study the flowcharts as contained in the Act and the textbook
- Learners could be tested on their general understanding of the role played by the Labour Court and Labour Appeal Court in settling disputes.

(The topic can be found in Chapter vii of the Labour Relations Act 1995 as amended and Chapter Fourteen of the textbook, pages 497 – 521)

## **DISPUTE SETTLEMENT**

Learning outcome 12: Demonstrate an understanding of the principles and practice of dispute settlement

Range:

- The nature and scope of a labour dispute
- Types of labour dispute viz. Disputes of right and disputes of interest
- Establishing a dispute settlement procedure
- Procedures established by legislation
- Method of dispute settlement
- Dispute settlement in terms of the Labour Relations Act of 1995 (as amended) and LA Chapter 28---- as amended.
- Dispute settling mechanism

- The use of sanctions of industrial relations
- Strike Action (in detail)
- Other forms of Industrial action ( other than strikes)
- Lock outs by the employer
- Assessment of industrial action
- Strikes and lock outs in South Africa / Zimbabwe
- Indemnity, liability and dismissal of strikers

(The above topic can be found in Chapter Sixteen and Seventeen of the textbook, pages 549-630 and pages 497 – 544)

## **STRIKES AND LOCKOUTS**

Learning outcome 13: Demonstrate an understanding of labour legislation relating to strikes and lockouts

Range:

- Learners could be asked to draft a Strike Contingency Plan for an employer's organisation / trade union advising on tactics and strategy based on certain given information.
- Learners could be requested to provide guidelines to a trade union on how to institute a legal picket .
- Learners could be requested to provide guidelines on how to handle a work stoppage inclusive of the relevant labour legislation in order to deal with such work stoppage.
- Learners could be requested to provide guidelines on how to implement a legal lockout inclusive of the relevant labour legislation which is applicable in such cases.

(The topic can be found in Chapter iv of the Labour Relations Act of 1995 as amended, also Chapter 17 of the textbook.)