

UNIVERSITY OF SWAZILAND
FACULTY OF COMMERCE
DEPARTMENT OF BUSINESS ADMINISTRATION
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TITLE OF PAPER: Industrial Relations

DEGREE AND YEAR: Bachelor of Commerce 1V

COURSE NUMBER: BA 414 /IDE BA 414

TIME ALLOWED: Three (3) hours

INSTRUCTIONS

1. THIS PAPER CONSISTS OF SECTION (A) AND (B)
2. THE CASE STUDY SECTION (A) IS COMPULSORY
3. ANSWER ANY THREE QUESTIONS FROM SECTION B

NOTE: You are reminded that in assessing your work, account will be given of the accuracy of language and the general quality of expression, together with the layout and presentation of your final answer.

THIS PAPER MUST NOT BE OPENED UNTIL THE INVIGILATOR HAS GRANTED PERMISSION.

GOOD LUCK!!!

SECTION A CASE: COMPULSORY

Read the case below and answer the questions that follow.

CASE: MATOLA CEMENT WORKERS BITTER OVER MALTREATMENT

Matola Cement, a newly established cement company in Swaziland produces more than 1000 tonnes of cement a day, with plans to expand to 3, 000 tonnes in the next few years in preparation for the 2010 construction projects. Thanks to the construction boom that has been brought about by this development; the demand for cement has been on a continual increase.

Matola cement is the cheapest cement on the market, often undercutting its competitors Alfa and others by as much as E9 per bag.

On May 2, Mr. Musa Ndaba was working in the compressor room of the Matola Cement factory when there was a problem with one of the motors. He tied a neutral wire to the surface of its frame, and then there was a huge spark. Mr. Ndaba's left hand was instantly burnt. The skin gathers in thick folds around the fingers, swelling around the wrist and charred to the pale baby pick of exposed flesh in the scattered places from his fingertips to his elbow.

He wasn't wearing safety ware because Matola Cement did not provide it. Personal Director Linda Nhlabatsi denied that there was a shortage of safety ware. "We have some workers who don't put on their safety ware despite the number of times you tell them," he said. "Workers are provided special safety uniforms, each gets two pairs".

However, when Mr. Nhlabatsi produced an order form as evidence, there were only 137 pairs of safety ware on order-despite the fact that Matola Cement employs over 900 people-and the paper was entitled "Management Order Form".

"We started with this bunch, and we are in the process of making other arrangements." He could not produce additional order forms, including any from the previous years, to show more orders of safety ware.

But the question remains, at what cost? The cost of Mr. Ndaba has thus far reached about E15, 000 in medical bills, non of which Matola Cement has paid. " He did not ask for assistance", said Mr Nhlabatsi in an interview, upon first discussion of Mr Ndaba's Situation.

" It can be an isolated case." Mr Nhlabatsi promised that Matola Cement would rectify the situation. During the interview, he even called Mr Ndaba and verbally promised that if he brings the receipts to the office, he would be re-imbursed.

Considering that casual labourers at Matola cement make only E40/day, the amount of bills is way too high for Mr. Ndaba. Since the initial conversation between Mr Ndaba and Mr. Nhlabatsi, the medical bills have mounted and no expenses have been paid.

" We paid the bills," Mr. Nhlabatsi insisted during another investigation. "All the workers in the company are our main priority and responsibility. We always reimburse them in case of accidents. We have paid his medical bills." Mr Ndaba had presented all the receipts to the labour office and to Mr. Nhlabatsi but had not received any re-imbusement despite previous promises.

"The Occupational Safety and Health Act (OSHA) requires that employers carter for accidental expenses in case of accidents happening during working hours and the work place. As a legal requirement, all companies have to abide by it", confirmed Ms. Dlodlu, the labour Commissioner, telling the Swazi Times in an interview. However, she said she had not received such case recently. " When workers have such problems they certainly appeal to us for assistance. If unable to mediate in the issue, we seek recourse from the industrial court", she added.

Additionally, Ms Rose Seyama, The executive director of the Federation of Swaziland Employers (FSE), said that her organisation runs workshops during which they sensitise employers of their responsibilities towards employees.

"Matola Cement personnel manager always attends our workshops. They are aware of the laws in place," she said. Other employees had nerve - breaking stories about their work conditions.

" Some People are dying from electrical shocks, cement burning, cement inhaling coughs , and generally they do not get compensated", exclaimed one of the workers who refused to disclose his name for fear of loosing his job. "if you express something about your work conditions be it promotion or any other issue, nothing gets done about it," he added. However, Mr. Nhlabatsi said if anyone had a problem, should report it to the labour office.

The electrical technician said: "If regional labour officials, tell us that they are also protecting their jobs, then there is nothing that can be done about our problems". We are told if we complain too much we chase the investors from Swaziland. This is very serious.

Required

- a. Discuss the industrial welfare issues in this organisation. (20 marks).
- b. Assume that you were the Human Resource Director of this organisation, how can you improve the workers' situation? (20 marks)

Total

40 marks

SECTION B

Answer **three (3) Questions** from this section

QUESTION 2

“Discuss all the relevant aspect on termination of contract of employment as contained in the Employment Act 1980.that industrial relations practitioners should be conversant with.

QUESTION 3

“I don't see why we should recognise unions when we have human resource managers to deal with our concerns”, expressed Lindelwa who is employed by Conco Ltd.

- a. What perspective of IR do you think lindelwa believes in? Support your answer. (10 marks)
- b. Is this view common in Swaziland? Support your answer? (15 marks)

QUESTION 4

Discuss workers participation programmes and their role in Industrial Relations.
(20 marks)

QUESTION 5

What is industrial relations policy and discuss its major role in Swaziland?
(20 marks)

QUESTION 6

According to the industrial Relations Act (2000), management has a major obligation to communicate and consult with employees or their representatives on numerous issues. Discuss these obligatory issues by presenting common management practice in Swaziland.
(20 marks)