

UNIVERSITY OF SWAZILAND
FACULTY OF COMMERCE
DEPARTMENT OF BUSINESS ADMINISTRATION
MAIN EXAMINATION
ACADEMIC YEAR 2012/2013

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 :(Compulsory) (40 MARKS)

(Read the case below and answer the questions that follow.)

CASE: 'SIMUNYE ANGRY RETRENCHED WORKERS'

Simunye - angry retrenched workers at the Sugar Estate company here have accused the Swaziland Agricultural and Plantations Workers Union (SAPWU) of neglecting them. In an interview with the Swazi Observer yesterday whilst they were protesting against the retrenchment, the workers accused the union's branch executive committee members (Vusie Dlamini the Secretary General, Nhlanhla Nxumalo the chairperson and Philemon Shabangu who is in the Board of Trustees) of paying little attention to their plight; rather they are so obsessed with national political issues. The angry workers who also claimed to be members of the union, said the committee never bothered to involve itself in the wrangle that has been going on between them and management.

"We struggled on our own with the management team until we were sacked for defying its order of harvesting sugar cane that had just been burnt, as we perceived that cutting it in that state would have been dangerous to our health," said Dumisani Fakudze, spokesperson for the retrenched workers.

"We (workers) are very angry with SAPWU for ignoring us through the whole process and I am sure that if they had intervened in this matter we would not have been retrenched today," said Muzi Sihlongonyane, another worker who was so distressed over this problem as he has 10 children to support.

"Management didn't give us a single cent on retrenchment and I am presently puzzled as to where I will get money to even board a bus to my home in Lavumisa," he lamented.

The retrenched employees vowed to shed blood, should their complaints not be addressed according to their wishes. However, they passed a vote of no confidence on SAPWU and said the organisation was no different from the company's management. "We are here to stay," said one worker.

However, SAPWU's General Secretary, Vusi Dlamini in an interview, said the allegations of neglect were not true. "The workers were supposed to come to us and report this matter so that we could help them. However, I do condemn management for *this* because they were not supposed to retrench the workers without contacting us," said Dlamini. "We are taking this matter to Court and we will appeal on their behalf." He expressed the view that workers who made these allegations were Possibly not union members.

Questions:

- a. From the case, one can tell that the workers have lost confidence in SAPWU's executive. What can be done by the union executive to regain their members' confidence, and how can they help them with the problem they are currently facing? (20 marks)
- b. Discuss the duties of the branch executive and how they have not fulfilled them in the above case? (20 marks)

Total

(40 marks)

SECTION B

(Answer any three (3) questions from this section)

QUESTION 2

The Retired Pensioners' Association needs to draft an Industrial Relations Policy. For the policy to be effective, what would you expect to find in it? (20 marks)

QUESTION 3

You have been elected to be a member of the union negotiation's team, what are the factors influencing effective negotiations? (20 marks)

QUESTION 4

Mr. Magagula at Dinner Times Shop has never been a member of the Employers Association because he thinks it is meant for large companies. How can you convince him to join? (20 marks)

QUESTION 5

- a. Describe briefly the meaning of unfair labour practice. (5 marks)

- b. What constitutes unfair labour practices according to the Industrial Court of Swaziland? (15 marks)

QUESTION 6

Thulile Dlamini has been appointed as a shop steward for a newly unionised company, Swaziland Bottling,

- a. What is a Shop Steward? (5 marks)
- b. What would you expect her to do for Swaziland Bottling employees? (15 marks)