

**UNIVERSITY OF SWAZILAND**  
**FACULTY OF COMMERCE**  
**DEPARTMENT OF BUSINESS ADMINISTRATION**  
**MAIN EXAMINATION**  
**ACADEMIC YEAR 2013/2014**

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**TITLE OF PAPER:** Industrial Relations System

**DEGREE AND YEAR:** Bachelor of Commerce III

**COURSE NUMBER:** BA 308

**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: 'The Amalgamated Teachers Union (ATU) Vs. the National Association of Teachers (NAT), who wins the race? '**

The government of Swaziland, Ministry of Education (MoE) granted rights for representation to the newly established teachers association (Amalgamated Teachers Union (ATU) on June 3 2012, shutting the rival National Association of Teachers (NAT) out of collective bargaining, Swazi Observer newspaper reported the following day.

The Principal Secretary of Education, Mr Lusiko Dlamini told the media that the company agreed during negotiations held between the Ministry and teachers that it would grant absolute rights to ATU to be the sole representative organisation for teachers as it had more representation of teachers than NAT. Rights for a majority union stand at 50 percent: A trade union would need to achieve these levels of representation in the workforce for it to enjoy the specified rights.

According to the Swazi Observer, ATU represents 70 percent of teachers. This means that NAT cannot have organisational rights over teachers. The schools have become a battleground between ATU and NAT, whose members now make up only 20 percent of the workforce (Times of Swaziland).

- 1.1 What rights if any do ATU qualify for in terms of the Industrial Relations Act, 2000? (10 marks)
- 1.2 What are the steps that NAT should follow to regain organisational rights? (10 marks)
- 1.3 If ATU have the rights of representation, what objectives should the organisation pursue for fair representation of its members? (20 marks)

**Total**

**(40 marks)**

**Section B**

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

**Question Two**

"Unitarists, do not believe in the prevalence of conflict rather if any is perceived to be a result of poor management". As an expert in Industrial Relations, explain to them the significance of dealing with conflict and cooperation in labour relations. In

your explanation refer to the relevant industrial relations' theories. (20 marks)

**Question Three**

Discuss the purpose and briefly describe the general content of the Basic Conditions of Employment Act, 1980, with particular emphasis on the issues of greater relevance in Industrial Relations. (20 marks)

**Question Four**

Discuss the underlying principles that should govern the employment relationship. In your discussion, explain Swaziland's position in relation to the principles. (20 marks)

**Question Five**

Governments of most countries in Africa are perceived to be corrupt and construed to be favouring employers most of the time. Thus, the argument that there is no rationale for involving them in labour relations issues. Critically evaluate this statement. In your evaluation you are to provide a basis for your arguments for and against government. (20 marks)

