

# **UNIVERSITY OF ESWATINI**

## **FACULTY OF COMMERCE**

### **DEPARTMENT OF BUSINESS ADMINISTRATION**

#### **MAIN EXAMINATION**

**ACADEMIC YEAR 2019/2020**

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**TITLE OF PAPER:** Industrial Relations System/Industrial Relations 1

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

**COURSE NUMBER:** BUS335/BA 308/IDE BA308/IDE BA 410

**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.

**Question 1**

**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)**
- a. 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 3** questions from this section) (60 Marks)

**Question 2**

Critically evaluate the different perspectives on industrial relations. Having analyzed the different perspectives, which one best fits Eswatini? (please provide justification for your answer) **(20 marks)**

**Question 3**

With the use of a diagram, illustrate and discuss the Industrial Relations System in Eswatini. **(20 marks)**

**Question 4**

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 5**

You have been hired as an IR consultant for a fast growing business in the service sector of Eswatini. You have been told that the Directors require a formal internal dispute resolution procedure to be established and you have been tasked with the job. In your draft, what will you consider in the plan to establish the dispute resolution procedure? **(20 marks)**

**Question 6**

Explain the tripartite relationship in labour relations, with specific reference to the role of each party to the tripartite relationship. **(20 marks)**