



PAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY

FACULTY OF COMMERCE, HUMAN SCIENCES AND EDUCATION
DEPARTMENT OF GOVERNANCE AND MANAGEMENT SCIENCES

QUALIFICATION: BACHELOR OF EMPLOYMENT AND LABOUR RELATIONS HONOURS	
QUALIFICATION CODE: 08BILR	LEVEL: 8
COURSE CODE: LRT811S	COURSE NAME: LABOUR RELATIONS THEORY
SESSION: JUNE /JULY 2024	PAPER: THEORY
DURATION: 3 HOURS	MARKS: 100

FIRST OPPORTUNITY EXAMINATION QUESTION PAPER	
EXAMINER(S)	Mr Elias Kandjinga
MODERATOR:	Ms Penehafo Johannes

INSTRUCTIONS
<ol style="list-style-type: none">1. Answer ALL the questions.2. You are expected to apply your subject knowledge to the questions.3. Write clearly and neatly.4. Number your answers clearly.

PERMISSIBLE MATERIALS

1. Pen
2. Ruler

THIS QUESTION PAPER CONSISTS OF 5 PAGES (Including this front page)

Section A (Answer all the questions)

[65 marks]

Question 1

Read the following case study and answer all the following questions.

Labour Minister Call For Better Contracts To Mitigate Mine Closures

Paragraph one

The Minister of Labour, Industrial Relations and Employment Creation has called on the mining industry to come up with contracts that can lessen the impact of mine closures given the volatility of mineral commodities. Utoni Nujoma said this as he delivered the keynote address at the 12th Congress of the Mineworkers Union Of Namibia last week. Nujoma said that since the adoption of the Labor Act 2007, his Ministry has encouraged the Chamber of Mines and Industry and industrial relations practitioners to seek industry-wide agreements on certain issues or to harmonise contractual areas in key areas where this is possible. However, “to date, employers have not shown interest in such an approach”he revealed. He said that given the volatile nature of the international market for certain minerals and the concerns of workers over job security, it will be ideal to have better contracts that take care of workers. “I would however encourage your industry to negotiate contractual provisions that can mitigate the impact of retrenchments or mine closures before such are on the horizon,”Nujoma suggested.

Paragraph two

One of the country’s biggest mines is closing down while eight others are under care. According to Nujoma, trade unions can be a strong voice in advocating legislative and policy reforms on a wide variety of fronts that can improve the lives of the vast majority of our people. He said if trade unions are to grow, they need to be part of the struggles of the people on many fronts. Nujoma stated that the interests of workers, the poor and marginalised people should be understood to be inseparable, thus trade

unions need to work together to revive and refashion a trade union movement that can represent not only formal sector workers, but informal workers and the unemployed.

He said unions need to create platforms that will promote alliances, unity and transformation in the struggle against poverty and inequality. Nujoma availed himself for consultations on any relevant matter and technical assistance, where needed, but said he will involve himself directly in the arena of collective bargaining except to the extent permitted by law in disputes of national interest. Nujoma attacked other organisations that are standing up for employees without his Ministry's blessing, saying they are politicking labour issues. "I observe that a number of politicians are trying to capitalise on the struggles of Namibian workers and to derail their trade unions" Nujoma stated. He said the self-styled leaders of workers have not tried to organise workers into trade unions, "but prefer to put on colourful costumes and stage media events for their own interests".

Paragraph three

According to his ministry, these organisations have never expressed an interest in representing the majority of workers of any employer, in handling their daily grievances or in engaging in collective bargaining. "What then, is their motive?", Nujoma asked. According to his Ministry, the politicians and self-styled workers' leaders have seized upon various labour disputes, including lawful strikes, as a means to bring attention to themselves for political reasons. They are using workers only for the purpose of advancing their political careers and canvassing for future votes. Nujoma said the status quo calls for the need to strengthen unions, to expand union representation and to utilise or strengthen the procedures afforded by law that protect workers and support their rights.

Source: Local Press (2023)

- 1.1. **Develop** a theoretical understanding of the nature of labour and employment relations in the mining industry, as described in the **third paragraph** of the case study, and then incorporate them to produce a coherent representation of Namibia's ideological position, which the minister supports. **(20)**

- 1.2. In **paragraph two**, the minister said, 'trade unions can be a strong voice in advocating legislative and policy reforms on a wide variety of fronts that can improve the lives of the vast majority of our people'. **Discuss** this statement in practice and **how** trade unions are relevant in Namibia. **(15)**

- 1.3. The Minister mentioned that "a number of politicians are trying to capitalise on the struggles of Namibian workers and to derail their trade unions" in **paragraphs two and three**. **Should** trade unions get involved in matters that have a direct or indirect bearing on national politics? Justify your response with reference to Namibia. **(15)**

- 1.4. Considering the predicament of Namibian workers and the pursuit of standards for employment that are meaningful, safe, dignified, and in line with the best qualities of the human spirit (Blustein et al., 2016). **Do you support or oppose** workers' associations with organisations that defend them without approval from the Ministry of Labour, Industrial Relations, and Employment Relations? Justify your response. **(15)**

Section B (Answer all the questions)

[35 marks]

Question 1

- 1.1. **Explain** what is meant by collective bargaining and **discuss** the nature, formation, and termination of a collective agreement. **[10]**
- 1.2. **Describe** a grievance and **clarify** if Namibia's labour law includes the grievance process and disciplinary policy. Explain your response. **(10)**
- 1.3. In a nutshell, **how** did Labour Relations Theory as a course affect your comprehension of the working relationship in employing organisations? **How** do you envision using the knowledge you have gained thus far? *You must explain what you understand in your own words in this section; do not list concepts or subjects that are covered in the required course materials. Please take note that there are two parts to this question, the second of which asks you to connect theory to practice.* **(15)**

End of Paper!

Good Luck!