

INFORMATION/INSTRUCTIONS:

- This is a open-book assessment.
- There are 8 questions.
- Answer each question in a separate book.
- Read the questions carefully and answer only what is required.
- Number your answers clearly and correctly as per the question paper.
- Write neatly and legibly on both sides of the paper in the answer book, starting on the first page.

Read and answer **ALL the questions**

QUESTION 1 (10 marks)

Explain the functions of “ARBITRATION” as a method of dispute resolution.

[10]

QUESTION 2 (10 marks)

Explain why the formulation of a negotiation strategy is so important before embarking on negotiations

[10]

QUESTION 3 (10 marks)

3.1) Explain the term “BATNA”.

[5]

3.2) Is BATNA a strategy or a tactic? Whatever your answer, explain why.

[5]

QUESTION 4 (10 marks)

Explain the difference between integrative and distributive bargaining.

[10]

QUESTION 5 (10 marks)

Explain the fair reasons for dismissal in accordance with the Labour Relations Act.

(Note that the concept of “unfair dismissal” is not required here).

[10]

QUESTION 6 (15 marks)

Differentiate between ‘sufficient’ and ‘majority’ rights acquired in terms of trade union Recognition.

[15]

QUESTION 7 (15 marks)

7.1) Explain the limitations on the right to strike.

[5]

7.2) Explain the requirements for a protected strike in terms of the LRA.

[10]

QUESTION 8 (20 marks)

8.1) Explain what attributes are necessary for a successful arbitrator?

[15]

8.2) Name 5 functions of the CCMA.

[5]

Total Marks [100]