



ZIMBABWE EZEKIEL GUTI UNIVERSITY  
**COLLEGE FOR LIFELONG LEARNING.**

*Faculty of Law, Business Intelligence and Economics.*

**EXAMINATION PAPER**

**COURSE CODE** : DLL 121  
**COURSE TITLE** : Strategic Collective Bargaining  
**SPECIAL REQUIREMENTS** : Constitution of Zimbabwe. The Labour Act, SI 15/2006, S1 11/2023

**DURATION** : 3 Hours  
**LEVEL** : 1.1  
**DATE** :

29 JUL 2024

**INSTRUCTIONS TO CANDIDATES:**

1. No cell phones are allowed in the examination venue.
2. Question 1 (Section A) is compulsory. In Section B, choose and answer any Three (3) questions.
3. The number of marks for each question or part question is shown in brackets [ ]
4. Begin each answer on a new page.
5. **DO NOT OPEN THIS PAPER UNTIL THE INVIGILATOR INSTRUCTS YOU.**

## SECTION A. COMPULSORY QUESTION

### QUESTION 1.

You are the Human Resources Manager of Freda Rebecca Mine. The collective agreement between Freda Rebecca Mine and the Labour Union is about to expire, and negotiations for a new agreement are underway. Both parties have conflicting interests, with the Labour Union demanding higher wages and improved safety measures, while Freda Rebecca Mine aims to maintain cost-effectiveness.

- a) Analyse the potential issues and challenges that may arise during the collective bargaining process in this scenario. **(10 Marks)**.
- b) Discuss the strategies and techniques that can be used to facilitate productive negotiations and reach a fair and sustainable agreement. **(10 Marks)**.
- c) What recommendations would you suggest for maintaining a positive labour relation throughout the bargaining process? **(5 Marks)**.

## SECTION B

### QUESTION 2.

- a) Assess the role of Trade Unions in addressing workplace disputes and conflicts in Zimbabwe. **(5 Marks)**
- b) Discuss the strategies employed by Trade Unions to resolve conflicts, including strikes, negotiations, and alternative dispute resolution methods. **(10 Marks)**
- c) Evaluate the impact of these actions on workers, employers, and overall labour relations. **(10 Marks)**

### QUESTION 3

- a) Evaluate the provisions of the New Amendment Act 11 of 2023 regarding Termination of Employment on Notice. **(5 Marks)**.
- b) Discuss the rights of employees in cases of unfair dismissal, redundancy, and retrenchment. **(10 Marks)**.
- c) Analyse the procedures for disciplinary action and the right to appeal. **(5 Marks)**.

- d) What are the remedies available to employees in cases of unlawful termination?  
(5 Marks)

#### QUESTION 4

- a) What is the role of the National Employment Councils (NECs) in protecting employee rights in Zimbabwe? (5 Marks).
- b) Analyse the responsibilities of NECs in setting industry-specific employment standards, including wages, working hours, and benefits. (10 Marks).
- c) Evaluate the effectiveness of NECs in enforcing these standards and promoting fair employment practices. (10 Marks).

#### QUESTION 5

Sexual harassment and striking has been amplified and the consequences imposed will see many paying with their nose or imprisoned. In light of the new Amendment Act Number 11 of 2023,

Comment on the effect of criminalisation of the labour matters in Zimbabwe. (25 Marks).

#### QUESTION 6

The Labour Act Chapter 28:01, Section 2A (Purpose of Act) provides that:-(1) The purpose of this Act is to advance social justice and democracy in the workplace by-  
*(e) the promotion of the participation by employees in decisions affecting their interests in the work place;*

Comment on whether Strike is Prohibitive or Restrictive in Zimbabwe in terms of the New Amendment Act Number 11 of 2023 section (25 Marks)