



RHODES UNIVERSITY
Where leaders learn

Collective Labour Law

2013

1 Introduction

1.1 Overview

Collective Labour Law is an elective course that counts as a credit in the LLB degree offered in the Faculty of Law.

This course is designed to reach the following goals:

- to familiarise students with the history of collective bargaining in South Africa;
- to consider, analyse and critique the legal framework within which collective bargaining takes place in South Africa.

1.2 Credit value

10 credits

1.3 Assumptions of prior learning

It is assumed that students:

- have a working knowledge of labour law contexts concepts;
- are capable of independent work;
- know how and where to access resources such as textbooks, legislation and law reports in the law library;
- are capable of extracting and integrating relevant principles from various sources;

- are capable of applying legal problem-solving techniques;
- are capable of applying legal referencing conventions.

2 Outcomes

2.1 Critical outcomes

This course will contribute to students attaining the following critical outcomes:

- 2.1.1 to organise and manage themselves;
- 2.1.2 to collect, analyse and evaluate information;
- 2.1.3 to recognise problem solving contexts;
- 2.1.4 to identify and solve problems;
- 2.1.5 to communicate effectively;
- 2.1.6 to participate as responsible citizens and
- 2.1.7 to be culturally sensitive.

2.2 Intended specific outcomes

At the end of this course the student must be able to

- 2.2.1 outline the history of collective bargaining in South Africa and interpret and analyse the impact of the legacy of the past on the current legal framework and its operation;
- 2.2.2 describe and analyse the sources of collective labour law;
- 2.2.3 describe and analyse the legal framework within which collective bargaining takes place in South Africa;
- 2.2.4 outline and analyse the organisational rights of trade unions in the workplace;
- 2.2.5 outline and analyse the collective bargaining structures provided for in South African law;
- 2.2.6 outline and describe the process by means of which collective agreements are concluded, their scope and interpretation and in particular to consider agency shop and closed shop agreements as forms of collective agreements;

- 2.2.7 outline and analyse legal provisions for worker participation in the workplace through workplace forums;
- 2.2.8 describe, analyse and critique the law regulating industrial action in South Africa.

3 Teaching method

This course is taught by way of two lectures per week. Students are expected to prepare for lectures by doing the prescribed readings beforehand and are encouraged to engage in lecture room discussions. All the prescribed material will not be addressed directly in lectures. Students are expected to take responsibility for their learning by independent study according to the guidance provided by the detailed course outline. Students are invited to discuss problems with the lecturer.

4 Resources

The reading material for the course is set out in the course outline and is available on short loan, online and in the library.

5 Assessment

The coursework component of this course comprises an assignment and a test that make up 30% of your final mark. At the end of the semester there is one summative assessment exercise in the form of a 2-hour exam. Students can expect theory and application type questions in this exam. The mark obtained in the exam counts 70% towards the final mark.

6 Evaluation

This course will be evaluated with the rest of your LLB courses during the semester.

R Krüger
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