



NATIONAL DIPLOMA

**Labour Relations Practice: Dispute Resolution:
Legislation and Human Resource Support NQF Level 5**

1. PURPOSE

This diploma will be useful to people that would like to underpin a career in the Labour Relations arena within South Africa.

A large number of the competencies developed in the qualification are rooted in actual South African workplace practice and should lead to greater productivity resulting from the improved performance by the learner through the integration of knowledge and workplace practices as presented within the scope of this qualification.

Specific purpose of this qualification includes:

- Equip learners who might be panellists/commissioners to identify and conciliate disputes in the labour relations sector, using conciliation, arbitration and mediation processes relating to the underlying principles of Labour Relations legislation and associated Human Resource Development legislation.
- Provide career paths through associated learnerships at various levels in areas of the Labour Relations environment.
- Provide for mobility of learning into associated areas such as Human Resource Practice, Arbitration, Consulting, Public service etc.
- Equip learners to become effective employees, employers and/or self-employed members of society.
- Develop a richer learning environment in the field of Labour Relations through high-quality lifelong learning.
- Improve the Labour Relations skills of employees in the sector.
- Enable the learner to assist within his/her community and thereby contribute towards social and economic transformation.
- Ensure the development of competence in the Labour Relations field, which is an important arena for social and economic transformation in the country.

Competent learners will acquire a range of fundamentals, core and elective competencies in the following areas of:

- Labour Relations Practice
- Specialised functions
- Standard processes
- Legislation
- Communication
- Facilitation
- Management skills

Holders of the qualification will be able to career path themselves to the following, but not limited to:

- HR practitioners.
- Senior managers in the Bargaining Councils.
- Department of Labour officers.
- Labour brokers.
- Arbitration facilitators.
- Union officials.
- (CCMA) Panellists and Commissioners.
- Public and/or private agents providing labour law advice.
- Industrial Relations consultants.
- Dispute Resolution managers.

2. RATIONALE FOR THE QUALIFICATION

The National Diploma in Labour Relations Practice: Dispute Resolution is part of a learning pathway in Labour Relations.

With the advent of democratic government in South Africa in 1994 an entirely new approach to Labour Relations Practice (LRP) in South Africa has emerged. There has been the establishment of new statutory structures with implications for every level of labour relations in the country.

The Qualification is designed to meet the needs of the learners who are already employed and involved in the fields of Labour Relations and/or Labour Law. Additionally, it will also meet the needs and aspirations of the unemployed who wish to pursue a career in Labour Relations and associated fields.

The qualification addresses the needs of adult learners who want to enter the sector or develop their careers in one or more of the related sub-fields. This qualification would also be relevant to many Human Resources (HR) practitioners. Since the Diploma is part of a learning pathway, it will allow mobility to persons operating at any level in this field.

The qualification provides learners with specific learning and skills related to disputes and breaches as regulated by Labour Law. It will deepen their understanding of the South African Labour Relations field and will underpin their ability to use this learning in various organisational environments.

The development of competence in this field will lead to better service delivery, institutional longevity, the promotion of wealth and job creation. Application of the learning achieved in completing this qualification will also assist affected employed and unemployed persons to enforce their labour rights, while at the same time enabling them to become aware of their obligations as active participants in society and the economy.

This Diploma is designed to enable individuals to develop theoretical competencies and practical skills to operate effectively in the field because knowledge of the application of labour legislation is a business imperative and necessary for the strategic and operational success of any organisation.

Practitioners and/or organisations in the following fields would have an interest in the qualification:

- The Commission for Conciliation, Mediation and Arbitration (CCMA).
- The Department of Labour.
- Labour law, labour courts (including appeal courts) and labour consultants.
- Bargaining and statutory councils.
- Private labour agents.
- Public and private labour advice offices.
- Law firms, particularly labour lawyers.
- Commercial organisations.

The impact of the qualification on society and the economy is reflected in the multiple job roles and careers that can stem from the qualification, including self-employment opportunities, job creation opportunities and the development of learners who are employed within the private or public sector. It can further stimulate and support skills development in the SMME sector.

The Diploma is structured to support the ability of public and other agencies to enforce the rights and obligations of both employers and employees.

3. LEARNER ACCESS

It is assumed that learners have communication and mathematical competence at one level below that required for the fundamental components of the qualification.

- Communication at NQF Level 4
- Mathematical Literacy at NQF Level 4

4. QUALIFICATION RULES

This qualification is made up of Fundamental, Core and Elective unit standards and a minimum of 249 credits is required to complete the qualification.

Fundamental Component:

- All unit standards totalling 40 credits are compulsory.

Core Component:

- All unit standards totalling 171 credits are compulsory.

Elective Component:

- Learners are required to select unit standards totalling a minimum of 30 credits.

Ikhwezi Management and Training Institute (PTY) LTD qualification is made up of an elective component of 31 credits.

5. DESCRIPTION OF THE MODULES AND LEARNING OBJECTIVES

The learning delivery method within this qualification is via blended facilitation through distance learning and learner support through information technology and other learner support structures e.g. Call Centre Support.

Each Learning unit learning material is supplemented with specific prescribed textbooks and where necessary supportive learner support CD's.

Labour Relations Practice: Dispute Resolution

SAQA ID CODE	93994, LP 94079
NQF LEVEL	5
Minimum Credits as per SAQA document	241
Credits as per Provider Learning Programme	242

FIRST YEAR		SECOND YEAR	
Credits for Year 1	121	Credits for Year 2	121
Notional Hours for Year 1	1 210	Notional Hours for Year 2	1 210
Maximum Duration for Distance Learner	2 420	Maximum Duration for Distance Learner	2 420
Maximum Duration for Distance Learner (Months)	24 Months	Maximum Duration for Distance Learner (Months)	24 Months

MODULE 1 - Communication and interpersonal management (ELO1 & ELO2)

US Code	Unit Standard Title	NQF Level	Credits
115792 F	Access, process, adapt and use data from a wide range of texts	5	5
12433 F	Use Communication techniques effectively	5	8
10591F	Conduct Interpersonal management	6	6
15234 E	Apply efficient time management to the work of a department/division/section	5	4
Year 1 - Module 1 Credits			23
Notional Hours			230
Distance learning maximum notional hours			460

MODULE 2 - South Africa Legal Framework (ELO2 & ELO5)

US Code	Unit Standard Title	NQF Level	Credits
119938 F	Demonstrate an understanding of the South African legal framework	5	5
119931 C	Describe and apply an understanding of the Interpretation Act, 33 of 1957 (Interpretation of Statutes Act)	6	6
117120 C	Analyse the Pension Funds Act as it applies to the administration of retirement funds	4	3
119942 C	Apply the provisions of the Extension of Security of Tenure Act, 62 of 1997 (ESTA)	5	5
Year 1 - Module 2 Credits			19
Notional Hours			190
Distance learning maximum notional hours			380

MODULE 3 - Labour Relations Statutes (ELO5 & ELO6)

US Code	Unit Standard Title	NQF Level	Credits
114273 C	Demonstrate and apply an understanding of the labour Relations Act with respect to Collective Agreements and Bargaining Councils	5	6
119924 C	Interpret and apply provisions of the Labour Relations Act relating to organisational rights	5	4
119955 C	Interpret and apply the codes of good practice and guidelines in the Labour Relations Act and Sectoral Determination	5	8
114274 C	Demonstrate and apply an understanding of the Basic Conditions of Employment Act (Act 75 of 1997)	5	8
119943 C	Interpret and apply employment equity legislation to industry charters	5	6
11907 E	Draft an employment contract	5	3
Year 1 - Module 3 Credits			35
Notional Hours			350
Distance learning maximum notional hours			700

MODULE 4 – Labour Dispute Forums (ELO5 & ELO6)

US Code	Unit Standard Title	NQF Level	Credits
119950 C	Describe the functions of mediating bodies in labour relations	4	10
114224 C	Demonstrate and apply an understanding of the CCMA Rules	5	3
114228 E	Demonstrate and apply an understanding of bargaining council rules	5	3
Year 1 - Module 4 Credits			16
Notional Hours			160
Distance learning maximum notional hours			320

MODULE 5 – Statutory considerations within Labour Disputes (ELO6)

US Code	Unit Standard Title	NQF Level	Credits
119935 C	Apply the Arbitration Act in dispute resolution	5	4
119936 C	Apply case law and judicial precedents to labour related issues	5	6
119927 E	Apply the Public Service Act in mediation	5	6
119928 E	Apply the Promotion of Access to Information Act in mediation	5	3
119948 E	Apply the Protected Disclosure Act in mediation	5	3
119926 E	Apply the Occupational Health and Safety Act and the Mine Health and Safety Act in mediation	5	3
119951 E	Apply the Compensation for Occupational Injury and Disease Act in mediation	5	3
Year 1 - Module 5 Credits			28
Notional Hours			280
Distance learning maximum notional hours			560

MODULE 6 – Fundamentals of Litigation (ELO2 & ELO5 & ELO6)

US Code	Unit Standard Title	NQF Level	Credits
119953 F	Apply principles of dispute management in labour relations	5	10
119940 C	Interpret unfair labour practice legislation in dispute resolution	5	6
119944 C	Analyse and interpret unfair dismissal in dispute resolution	6	10
119937 E	Describe the Promotion of Administration of Justice Act and the principles of Administration	5	3
119939 F	Conduct negotiations in labour mediation	5	6
115326 C	Identify and apply principles of law of evidence	5	6
119952 C	Establish basic principles of evidence in mediation	5	6
Year 2 - Module 6 Credits			47
Notional Hours			470
Distance learning maximum notional hours			940

MODULE 7 – Conciliations & Arbitrations (ELO3, ELO4 & ELO5)

US Code	Unit Standard Title	NQF Level	Credits
10985 C	Conduct a disciplinary hearing	6	5
119929 C	Manage and conduct an in limine hearing	6	6
114229 C	Conduct a pre-conciliation by telephone in terms of the CCMA Rules	5	8
119946 C	Conduct a labour conciliation process	5	12
119930 C	Conduct referrals in labour conciliation	5	6
119941 C	Manage and conduct an arbitration process	5	12
Year 2 - Module 7 Credits			49
Notional Hours			490
Distance learning maximum notional hours			980

MODULE 8 – Awards and internal CCMA processes (ELO4)

US Code	Unit Standard Title	NQF Level	Credits
119925 C	Consider Advisory awards in labour disputes	6	6
119933 C	Write arbitration awards	5	8
119945 C	Consider rescission and variation applications	6	6
Year 2 - Module 8 Credits			25
Notional Hours			250
Distance learning maximum notional hours			500

Total Credits for Programme (Module 1,2,3,4,5,6,7,8)	242
Total Notional Hours for Programme (Module 1,2,3,4,5,6,7,8)	2 420
Duration of Training (in Months)	24 Months
Maximum Distance Learning Duration	48 Months