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**ACTS**

Agricultural Labour Relations Act No 147 of 1993.

Basic Conditions of Employment Act No 75 of 1997.


Education Labour Relations Act No 146 of 1993.

Labour Relations Act No 28 of 1956

Labour Relations Act No 66 of 1995


Promotion of Access to Information Act No 2 of 2000.


Skills Development Act No 97 of 1999.

Works Constitution Act No 15 of 1952, Section 74, Germany.

Works Councils Act of 1979, Chapter 2 Article 2 section, The Netherlands.

CASES


ANNEXURE A

INDUSTRIAL DEMOCRACY SURVEY QUESTIONNAIRE

Dear Respondent

You have been selected to take part in a study of the democratisation of the workplace in South Africa. The South African society is well on its way of becoming a true political democracy. However democratisation of the workplace has only begun. The aim of this study is to establish what progress has been made in democratising the South African workplace.

Kindly complete the questionnaire as requested and return it to the person who gave it to you, as soon as possible. Thank you for your time investment.

GENERAL INFORMATION

Please tick the appropriate block.

1. Are you a representative of:

- Management-senior [ ]
- Trade union [ ]
- Middle [ ]
- Employees' representative [ ]

A. DISCLOSURE OF INFORMATION

1. Section 16 of the Labour Relations Act (LRA) of 1995 provides for the disclosure of information. How does your organisation/trade union view this provision?
2. Who should make requests for disclosure of information?

3. Should the trade union be limited to information concerning its members only? Please explain.

4. Has disclosure of information improved the collective bargaining and conflict resolution process in your organisation? If so how?

5. Has disclosure of information affected employee participation in decision-making in your organisation? Please explain.

6. What type of information is disclosed? Please explain.

7. At what stage/when will your organisation disclose information to a trade union?
Has your organisation had a dispute regarding the disclosure of information? Please explain the nature of the dispute?

How was this dispute resolved? Please indicate the process followed to resolve the dispute.

- Negotiation between employer and the trade union
- Conciliation at the CCMA
- Mediation at the CCMA
- Arbitration at the CCMA
- By the Labour Court
- Other: Please explain.
B. COLLECTIVE BARGAINING

1. What does your organisation/trade union understand under the term collective bargaining?

2. Does your organisation/trade union practice collective bargaining in the workplace? How often does this happen?

3. Indicate your organisation’s bargaining structure by marking the appropriate box

- Multi-employer (sectoral)
- Single-employer (centralised site)
- Single-employer (decentralised site)
- Two-tier (Minima at multi-employer level and actuals and bonuses at single employer level)
- Other. Please explain

4. Describe the bargaining relationship between your management and the trade union or worker representative structure?
C. WORKER PARTICIPATION, JOINT CONSULTATION AND DECISION-MAKING

1. What does your organisation/trade union understand under the term worker participation? Please explain.

2. Has worker participation increased in your organisation since the introduction of the LRA of 1995? Please give examples.

3. What does your organisation/trade union understand under the term consultation? Please explain.

4. List those matters on which consultation has taken place in your organisation.
5. Does your organisation have a consultative structure? What is it called and describe its functioning.

6. The LRA of 1995 provides for joint decision-making. What is your organisation's/trade union's understanding of the term? Please explain.

7. Indicate those matters on which joint decision-making have taken place.

D WORKPLACE FORUMS (WPFs)

D1 ORGANISATIONS THAT DO NOT HAVE WORKPLACE FORUMS (WPF's)

1. Why has a WPF not been established?

2. What steps are being taken to establish a WPF?
3. What difficulties do you foresee in the establishment of a WPF?

4. What effects will a WPF have on your organisation if established?

5. Does your organisation have any other worker involvement/participation structure? If yes, please give details.

6. Comment on the effectiveness of this structure?

D2 ORGANISATIONS THAT HAVE OR HAD WPFs

7. What was the reason(s) for the establishment of the WPF?

8. Describe the process followed during the drawing up the WPF's constitution?
9. What external help (if any) did you receive in drawing up the constitution?

10. How many members does your WPF have? (That is, the members of the Forum only)

11. Describe the election process of WPF members.

12. How often does your WPF meet?

13. What is discussed? Please give examples.

14. How often does your WPF meet with the employees in your organisation?
15. Has the WPF been given the opportunity to make representations and to advance alternative proposals? Please give details.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

16. Has the WPF ever made use of external experts? Describe their contribution.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

17. Has your WPF ever been dissolved? Please give details.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

18. Is there anything you would like to add regarding the democratization of your organisation? If yes, please give details.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

THANK YOU FOR YOUR PARTICIPATION.

If you would like to receive a copy of the survey results kindly indicate your full name, designation, company name, postal address, e-mail address, fax and telephone number.