



**NAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY**

Faculty of Commerce, Human Sciences and Education

Department of Social Sciences

**LABOUR LAW 1A
[LAL111S]**

**TEST 2
2023**

Marks: 50
Date: 15 April 2023
Time: 09H00 - 10H00

MEMORANDUM

QUESTION 1

2 marks each

- 1.1 (d)
- 1.2 (c)
- 1.3 (b)
- 1.4 (d)
- 1.5 (a)
- 1.6 (a)
- 1.7 (b)
- 1.8 (c)
- 1.9 (c)
- 1.10 (d)

[20]

QUESTION 2

- 2.1 unfair labour practice (1)
- 2.2 spread-over (1)
- 2.3 20h00-07h00 (1)
- 2.4 12 (1)
- 2.5 spouse (1)
- 2.6 payment in-kind (1)
- 2.7 36 (1)
- 2.8 5 (1)
- 2.9 fiduciary (1)
- 2.10 gross negligence (1)

[10]

QUESTION 3

- 3.1 9 (1)
- 3.2 Time worked more than the ordinary working hours (1)
- 3.3
- Overtime work done on a Sunday must be paid double the hourly basic wage and
 - On any other day it is 1½ times the hourly basic wage
 - Kaveti's weekly basic wage: Monthly basic wage ÷ 4.333: N\$ 20 000 ÷ 4.333 = N\$ 4 615.74
 - Kaveti's daily basic wage: Weekly basic wage ÷ 5: N\$ 4 615.74 ÷ 5 = N\$ 923.15
 - Kaveti's hourly basic: Daily basic wage ÷ 9: N\$ 923.15 ÷ 9 = N\$ 102.57
 - For work done on other days: N\$ 102.57 X 1½ X 8 = 1230.84
 - For work done on Sundays: N\$ 102.57 X 2 X 4 = N\$ 820.56
 - Total payment for overtime work: N\$ 1230.84 + N\$ 820.56 = N\$ 2051. 40 (8)

[10]

QUESTION 4

4.1

- An employee is entitled to at least four consecutive weeks' annual leave
- after a period of 12 consecutive months' employment
- with full remuneration
- the number of days depends on the number of days an employee work in an ordinary week ($\frac{1}{2}$) – in Yvonne's case it amounts to 20 working days ($\frac{1}{2}$) (4)

4.2

- An employee has the duty to promote the employer's business
- An employee is, however, allowed to do part time work of the same nature after hours
- Provided that it is not expressly prohibited in terms of the contract and
- The employee is not in direct competition with the employer
- Yvonne is thus allowed to do so, if it is not expressly prohibited in terms of her contract of employment (5)

4.3 She must receive 6% of her hourly basic wage extra for every hour worked. (1)

[10]

TOTAL: [50]

GOOD LUCK!!