

**Conflict in the Workplace – Ordinary Level**

*Industrial Relations sometimes break down in business.* (35m)(LCOL 2005 – Q1 (b) & (c))  
The above information provides the context for the questions.

(i) Explain the terms 'Picketing' and 'Secret Ballot'. (20m)

**Answer: 'Picketing':** 2 points required at 5 marks each = 10 marks

E.g.: 'Workers involved in a dispute gather outside the workplace carrying placards which draw attention to the dispute. Must be peaceful.'

**'Secret Ballot':** 2 points required at 5 marks each = 10 marks

E.g.: 'Voting secretly (by for example, marking X on a voting paper).  
A trade union must do this before taking industrial action.'

(ii) Describe the role of the Labour Court. (15m)

2 points required: 1 at 10 marks and 1 at 5 marks = 15 marks

E.g.: Any 2 of the points below:

**Answer:** The Labour Court:

- is the 'Court of last resort' in industrial disputes
- hears cases
  - which the LRC cannot resolve
  - of appeals against Rights Commissioners decisions
  - of appeals against Director of Equality Investigations decisions
  - if requested by the Minister for Enterprise and Employment
- establishes Joint Labour Committees
- registers employment agreements

## Conflict in the Workplace – Higher Level

*Evaluate the role of the Director of Equality Investigations in solving conflicts in business.*

(20m) (LCHL 2004 – Q 1(b))

### **Guidelines for answer:**

To 'evaluate' requires you to examine what is good or bad about something and to make some judgment as regards its significance, but you must first set out the facts (in bullet points). Three points required, marked 7 marks + 7 marks + 6 marks.

Each point earns 4 marks for stating it, plus another 3(or 2) for elaborating on it.

There are very many possible valid points to be made, for example:

### **The Facts:**

- The Director of Equality Investigations (DEI) investigates allegations of discrimination in the workplace, under the Employment Equality Act 1998.
- Discrimination is outlawed on nine grounds (gender, marital status, family status, sexual orientation, religion, race, membership of the travelling community, age and disability).
- The DEI decisions are binding, but may be appealed to the Labour Court.

DEI may order:

- equal pay (and arrears) for up to 3 years.
- equal treatment plus compensation up to 2 years' pay.

### **Evaluation:**

Discrimination in the workplace has great potential for conflict. The role of the DEI in providing a clear mechanism for investigating allegations of discrimination, and adequate redress, if proved, offers a way of solving such conflicts in business.