



## **KWAZULU-NATAL PROVINCE**

**EDUCATION**  
REPUBLIC OF SOUTH AFRICA

ILEMBE DISTRICT  
**BUSINESS STUDIES**

**TERM ONE**

2026 CASE STUDY

**GRADE 12**

**DURATION: 2 HOURS**

**DATE:**

**MARKS:50**

### **TOPICS ASSESSED:**

1. Legislation
2. Human Resources
3. Ethics and Professionalism
4. Creative thinking and problem solving

**INSTRUCTIONS:**

1. Learners must be allowed time to collect resources on the topics to be assessed. These resources should be used during the administration of the task.
2. The case study must be administered and completed within two hours under controlled conditions.
3. The task must be completed individually. **Group work is not allowed.**

Read the case study below and answer questions that follow.

**Backsports (Pty) Ltd**

Backsports (Pty) Ltd, a company in the internet communications and technology sector, which the majority shareholding is black ownership. Backsports (Pty) Ltd employed an employee as a senior stream lead for 10 months until his dismissal for misconduct .

The employee was the most suitable candidate for the vacancy. His employment contract contained a restraint of trade clause which, among other things, prohibited him from competing with Backsports or any of its subsidiaries, and from soliciting employees, for a period of 12 months from the termination date of his employment. Backsports (Pty Ltd) also after investigating the employee found out he was taking personal calls during work time.

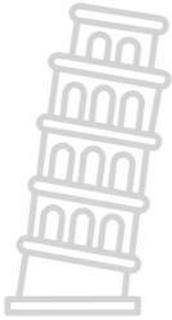
Following the employee's dismissal, he referred an unfair dismissal dispute to the Commission for Conciliation, Mediation and Arbitration

Due to concerns that the employee was breaching his restraint of trade undertakings, Backsports approached the Labour Court seeking an order to restrain the employee from soliciting its customers and employees, and from threatening and harassing its employees and directors, or sabotaging its assets.

Adapted from Bowmans

<https://www.polity.org.za/article/the-labour-appeal-court-confirms-that-dismissed-employees-are-still-required-to-comply-with-their-restraint-of-trade-obligations-202601-29>

- 1.1 Outline TWO Acts applied by Backsports (Pty) Ltd. Motivate your answer by quoting from the scenario. (6)



1.2 Explain the impact of ONE Act identified in QUESTION 1.1 on Backsports (Pty) Ltd. (6)

1.3.1 Identify the human resource activity applicable in the casestudy(2)

1.3.2 Differentiate between Job specification and Job description. (4)

1.4 Explain any TWO reasons for the termination of an employment contract. (4)

1.5 Discuss the legal requirements of the employment contract. (4)

1.6.1 Give practical example of an unprofessional business practice applicable in the above-mentioned case study (2)

1.6.2 Explain ways in which Backsports (Pty) Ltd, could deal with the type of unprofessional business practice, identified in Question 1.6.1. (6)

1.7 Suggest ways in which professional, responsible, ethical and effective business practice should be conducted by Backsports (Pty) Ltd. (4)

1.8 Name any TWO problem solving steps that Backsports (Pty) Ltd may follow to solve complex business problems. (2)

1.9 Explain to Backsports (Pty) Ltd the benefits of creative thinking in the workplace. (6)

1.10 Advise Backsports (Pty) Ltd on how they can apply Delphi technique to solve complex business problems. (4)

**TOTAL 50**

## Memorandum-Case Study Grade 12 2026

1.1

Act	Motivation
1. BBBEE√√	Backsports (Pty) Ltd, a company in the internet communications and <u>technology</u> sector, which is BBBEE compliant and employed an employee as a senior stream lead for 10 months until his dismissal for misconduct on 16 October 2024√
2. Labour Relations Act√√	Backsports approached the Labour Court seeking an order to restrain the employee from soliciting its customers and employees, and from threatening and harassing its employees and directors, or sabotaging its assets√
Max 4	Max 2

(6)

1.2 Discuss the impact of ONE Act identified in QUESTION 1.1 on Backsports (Pty) Ltd. (6) Impact of BBBEE

- Encourages businesses to address the demands for redress/equity directly.
- Provides a variety of business codes to improve employment equity.√√
- Provides for human resources development through training and development.
- A good BEE rating improves the image of the business.√√
- Fronting is discouraged, as it may lead to the disqualification of a business's entire scorecard/BBBEE status.√√
- Promotes enterprise development, by developing entrepreneurial skills of designated people to start their own businesses√√
- Businesses that comply with BBBEE regarding the pillars will be rated high on the BEE scorecard/may get government tenders/may attract other BBBEE business partners/-suppliers.√√
- Businesses will have a good overview on how it is performing in comparison to other businesses in the rest of the country.√√
- By focusing on BBBEE, the business will show commitment towards the social/education/economic developments in the community/country.√√
- Once rated, the business will understand how to develop BBBEE strategies that will increase its BBBEE ratings on an annual basis.√√
- Share prices of BBBEE compliant businesses are likely to increase as they attract more business.√√

- Businesses that support Small, Micro, Medium Enterprises (SMMEs), may increase their own BBBEE ratings.√√
- Complying with BBBEE requirements gives businesses experience/exposure to be able to provide better employment opportunities/staff development.√√

**AND/OR**

**Negative/Disadvantages**

- Businesses could experience large financial implications/penalties if they do not comply with BBBEE.√√
- Processes may lead to corruption/nepotism if not monitored properly.√√
- Processes and procedures may be costly for a business as there are many legal requirements for scoring enough points to be compliant.√√
- Investment/Ownership issues can cause unhappiness amongst existing shareholders/owners.√√
- Provides for preferential procurement, so certain businesses may be excluded from supplying goods/services.√√
- Businesses will have to spend money in areas covered by five BBBEE pillars to obtain a good BBBEE rating.√√
- Businesses that want to do business with the government must have their BEE status assessed annually.√√
- Businesses have to go through the process of having their BBBEE compliance measured/verified by an independent BEE verification agency.√√
- Many businesses have been disadvantaged due to BBBEE ratings as they may not be able to meet all the scoring.√√
- Any other relevant answer

Stanmorephysics.com (Max 6)

**Impact of the Labour Relations Act**

**Positives/Advantages**

- Promotes a healthy relationship√ between the employer and employees√
- Protects the rights of businesses√ in labour related issues.√
- Labour disputes are settled quicker√ and are less expensive.√
- Workplace forums can add value√ to businesses if it functions properly.√
- Protect employers who embark on lawful lock-outs√ when negotiations between parties fail.√
- LRA provides for the principles of collective bargaining√ and puts structures in place with which disputes in the workplace can be settled.√
- Provides specific guidelines for employers on correct√ and fair disciplinary procedures.√ • Employers and employees have guidelines regarding correct√ and fair dismissal procedures.√
- Provides mechanisms √such as statutory councils/collective bargaining/ CCMA.√
- Employers are entitled to compensation from the Labour Court√ if they suffered damages as a result of unprotected strikes.√ **AND/OR**

**Negatives/Disadvantages**

- Reduced global competitiveness √due to lower productivity√

- Productivity may decrease if employees are allowed to participate in the activities of trade unions during work time.
- Costs of labour increases because of legal strikes.
- Employers may not get a court interdict to stop a strike.
- Employers may have to disclose information about workplace issues to union representatives that could be the core of their competitive advantage.
- Employers may not dismiss employees at will, as procedures have to be followed.
- Many employees take advantage of the right to strike without acknowledging their responsibilities.
- Many employees and employers do not understand/respect the Labour Relations Act.
- Strike actions always result in loss of production for which employers may not claim.
- Some trade unions may not promote the mandate of their members but embark on industrial action, which is harmful to labour relations between employers and employees.
- Some businesses may feel that the LRA gives employees too much power as it creates lengthy procedures, e.g. consulting with workplace forums.
- Labour disputes and bargaining council processes become disruptive/ time consuming and can lead to a decrease in productivity in businesses.

(Max 6)

1.3.1 Identify the human resource activity applicable in the case study above. (2)

- Recruitment ✓✓

1.3.2 Differentiate between Job analysis and job description (4)

JOB DESCRIPTION	JOB SPECIFICATION
<ul style="list-style-type: none"> <li>• Describes duties/responsibilities of a specific job ✓✓</li> </ul>	<ul style="list-style-type: none"> <li>• Describes the minimum acceptable personal qualities/ skills/ qualifications needed for the job. ✓✓</li> </ul>
<ul style="list-style-type: none"> <li>• Written description of the job and its requirements/Summary of the nature/type of the job. ✓✓</li> </ul>	<ul style="list-style-type: none"> <li>• Written description of specific qualifications/ skills/ experience needed for the job. ✓✓</li> </ul>
<ul style="list-style-type: none"> <li>• Describes key performance areas/ tasks for a specific job, e.g. job title/working conditions/relationship of the job with other jobs in the business, etc. ✓✓</li> </ul>	<ul style="list-style-type: none"> <li>• Describes key requirements of the person who will fill the position, e.g. formal qualifications/willingness to travel/work unusual hours, etc. ✓✓</li> </ul>
Max 2	Max 2

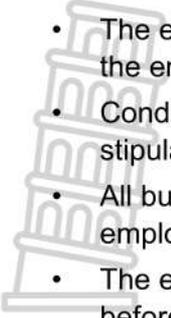
1.4 Explain to any TWO reasons for the termination of an employment contract. (4)

- The employer may dismiss an employee for valid reason ✓(s), e.g. unsatisfactory job performance, misconduct, etc. ✓
- Employer) may no longer have work for redundant employees/cannot ✓fulfil the contract/is restructuring. ✓
- The employer may retrench some employees ✓ due to insolvency/may not be able to pay the employees. ✓
- Employees decided to leave ✓ and resign voluntarily for better job opportunities. ✓
- An employee may have reached the pre-determined age ✓ for retirement. ✓
- Incapacity to work due ✓ to illness/injuries. ✓
- By mutual agreement ✓ between the employer and employee. ✓
- The duration of the employment ✓ contract expires/come to an end. ✓ • Any other relevant answer

Max (4)

1.5 Discuss the legalities of an employment contract. (4)

- The employer and employee ✓ must both sign the contract. ✓
- Employer and employee ✓ must agree to any changes to the contract. ✓
- No party may unilaterally change aspects ✓ of the employment contract. ✓
- The remuneration package/including benefits ✓ must be clearly indicated. ✓
- It may not contain any requirements ✓ that are in conflict with the BCEA. ✓
- The employment contract should include ✓ a code of conduct and code of ethics. ✓
- Aspects of the employment contract ✓ can be renegotiated during the course of employment. ✓

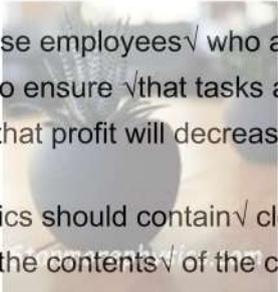
- 
- The employer must explain the terms and conditions ✓ of the employment contract to the employee ✓
  - Conditions of employment/duties/responsibilities ✓ of the employees must be stipulated clearly. ✓
  - All business policies, procedures and disciplinary codes/rules ✓ can form part of the employment contract ✓.
  - The employer must allow the employee ✓ to thoroughly read through the contract before it is signed. ✓
  - Any other relevant answer

(Max 4)

1.6.1 State the unprofessional business practice applicable in the case study (2) above.

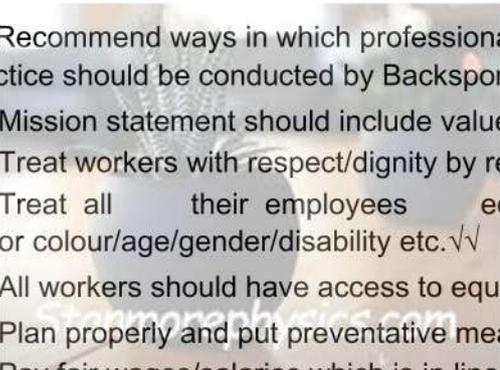
- Abuse of work time ✓✓

1.6.2 Explain ways in which Backsports(Pty Ltd), could have dealt with the type of unprofessional business practice, identified in Question 1.6.1.

- 
- Speak directly to those employees ✓ who abuse work time. ✓
  - Monitor employees to ensure ✓ that tasks are completed on time. ✓
  - Remind employees that profit will decrease ✓ resulting to less incentives/bonus payouts. ✓
  - Code of conduct/ethics should contain ✓ clear rules about abuse of work time. ✓
  - Conduct training on the contents ✓ of the code of conduct/ ethics. ✓
  - Code of conduct/ethics should be signed ✓ by all employees so that they are aware of its contents. ✓
  - Structure working hours in such a way ✓ that employees have free/flexible time for personal matters. ✓
  - Create a culture of responsibility/strengthen team spirit ✓ in order for all employees to feel responsible for what has to be achieved ✓

(Max 6)

1.7 Recommend ways in which professional, responsible, ethical and effective business practice should be conducted by Backsports (Pty) Ltd

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- Mission statement should include values of respect. ✓✓
  - Treat workers with respect/dignity by recognising work well done. ✓✓
  - Treat all their employees equally, regardless of their race or colour/age/gender/disability etc. ✓✓
  - All workers should have access to equal opportunities/positions/resources. ✓✓
  - Plan properly and put preventative measures in place. ✓✓
  - Pay fair wages/salaries which is in line with the minimum requirements of the BCEA/Remunerate employees for working overtime/during public holidays. ✓✓

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- Ensure that employees work in a work environment that is conducive to safety√√
  - Refrain from starting a venture using other businesses' ideas that are protected by law.√√
  - Regular /timeous payment of taxes.√√
  - Draw up a code of conduct/ethics.√√
  - On-going development and training for all employees.√√
  - Performance management systems/Appraisals should be in place.√√
  - Adequate internal controls/monitoring/evaluation√√
  - Any other relevant answer

(Max 4)

1.8 State any TWO problem solving steps that Backsports (Pty)Ltd may follow to solve complex business problems.(2) • Identify the problem.√√

- Define the problem.√√
- Identify possible solutions to the problem.√√
- Select the most appropriate alternative.√√
- Develop an action plan.√√
- Implement the suggested solution/action plan.√√
- Evaluate the implemented solution.√√ Any two bullet points in any order

1.9 Advise Backsports (Pty)Ltd on the benefits of creative thinking in the workplace(6)

- Better/Unique/Unconventional ideas/solutions are generated.√√
- Complex business problems may be solved.√√
- Improves motivation amongst staff members.√√
- Management/employees may keep up with fast changing technology.√√ • Creativity may lead to new inventions which improves the general standard of living.√√
- May give the business a competitive advantage if unusual/unique solutions/ideas/strategies are implemented.√√
- Productivity increases as management/employees may quickly generate multiple ideas which utilises time and money more effectively.√√
- Managers/Employees have more confidence as they can live up to their full potential.√√
- Managers will be better leaders as they will be able to handle/manage change(s) positively and creatively.√√
- Managers/Employees can develop a completely new outlook, which may be applied to any task(s) they may do.√√
- Leads to more positive attitudes as managers/employees feel that they have contributed towards problem solving.√√
- Managers/Employees have a feeling of great accomplishment and they will not resist/obstruct the process once they solved a problem/contributed towards the success of the business.√√

- Stimulates initiative from employees/managers, as they are continuously pushed out of their comfort zone. ✓✓
- Any three bullet points (Max 6)

1.10. Explain how Backsports (Pty) Ltd can apply the Delphi Technique to solve complex business problems (6)

- Businesses must invite a panel of experts ✓ to research the complaints from customers. ✓
- Experts do not have to be in one place ✓ and will be contacted individually. ✓ • Design a questionnaire consisting of questions ✓ on how to improve the quality of their products and distribute it to the panel members/experts. ✓
- Request the panel to individually respond ✓ to the questionnaire/suggest improvements to the products and return it to the business ✓
- Summarise the responses from the experts ✓ in a feedback report. ✓
- Send the feedback report and a second set of questions/questionnaire ✓ based on the feedback report to the panel members. ✓
- Request panel members to provide further input/ideas ✓ on how to improve the quality of products after they have studied the results/documentation. ✓
- Distribute a third questionnaire based ✓ on previous feedback from the second round. ✓
- Prepare a final summary/feedback report ✓ with all the methods to improve the quality of the business's products ✓

- The business should choose the best solution/proposal ✓ after reaching consensus ✓ •

Any three points (Max 4)