

KIBABII UNIVERSITY



UNIVERSITY EXAMINATIONS

**2020/2021 ACADEMIC YEAR
SECOND YEAR FIRST SEMESTER
MAIN EXAMINATION**

**FOR THE DEGREE OF MASTER OF SCIENCE HUMAN
RESOURCES MANAGEMENT**

COURSE CODE: HRM 806

COURSE TITLE: EMPLOYMENT PRACTICES

DATE: 19/02/2021

TIME: 2.00PM-5.00PM

INSTRUCTION TO CANDIDATES

- 1) The paper contains **FIVE** questions
- 2) Attempt **THREE** questions
- 3) Question **ONE** is Compulsory

TIME: 3 Hours

KIBU observes **ZERO** tolerance to examination cheating

QUESTION ONE

Read the case study below and answer questions that follow

CASE: RUSHMILL ACADEMY

Lizzie is the head teacher of Rushmill Academy. Matt is a teacher who has worked at the academy for two years. On Saturday night, Matt went out to celebrate his birthday with some friends. On Monday morning, Lizzie received a phone call from one of the parents of a child in Matt's class. The parent complained that Matt had posted, on a social media site, inappropriate photos of himself and his friends, partying and drinking. Lizzie went straight to Matt's class and told him to leave and not to come back. Matt was shocked and said that he had done nothing wrong. Lizzie informed him that it was inappropriate to post pictures of himself drinking, as he is responsible for children. Three days later, Matt received a letter in the post saying he had been dismissed for gross misconduct and that the decision was final. Pierre is employed by the academy to do the washing up after the children have eaten their school dinners. Pierre has developed a permanent skin condition on his hands, caused by the washing-up liquid he is required to use in his job. Pierre asked Lizzie if the academy could provide him with a different brand of washing-up liquid or latex gloves. Lizzie told Pierre that the academy could not afford to change suppliers, and if he wanted a different brand of washing-up liquid or latex gloves, he would have to buy them himself.

- a) Explain the eligibility requirements to bring a claim for unfair dismissal (5 marks)
- b) Explain whether Matt would be successful in a claim for unfair dismissal against Rushmill Academy (10 marks)
- c) Explain the procedural steps that Lizzie should have taken when disciplining Matt. (10 marks)
- d) Explain whether Pierre would be eligible to make a claim for disability discrimination under the Equality Act 2010. (10 marks)
- e) Explain whether Rushmill Academy has a duty to make reasonable adjustments in relation to Pierre. (5 marks)

QUESTION TWO

- a) Describe the term redundancy. Identify and explain situations where a redundancy situation may arise in an organization (10 marks).

(b) Identify and explain the grounds on which a wrongful dismissal claim can be brought (10 marks).

QUESTION THREE

- a) Identify and describe statutory rights that employees have in an organizations like Kibabii University (10 marks)
- b) Discuss ways in which an employment contract may be terminated (10 marks)

QUESTION FOUR

- (a) Explain the remedies available for a claim of unfair dismissal (10 marks)
- (b) Management principles are statements of fundamental truth. These principles serve as guidelines for decisions and actions of managers. They are derived through observation and analysis of events which managers have to face in practice. Briefly explain any FIVE Principles of Management described by Henri Fayol (10 marks).

QUESTION FIVE

- a) Explain the duty of good faith/fidelity (5 marks)
- b) Explain the following nature of environment available for the employees to use: (15 marks)
 - a) Flexible Working Times
 - b) Compressed work weeks
 - c) Telecommuting
 - d) Generational Mindset