

KIBABII UNIVERSITY



UNIVERSITY EXAMINATIONS 2021/2022 ACADEMIC YEAR FIRST YEAR SECOND SEMESTER

MAIN EXAMINATION FOR THE DEGREE OF MASTER OF SCIENCE IN HUMAN RESOURCE MANAGEMENT

COURSE CODE: HRM 809

**COURSE TITLE: LEGAL AND ETHICAL
ENVIRONMENT OF HUMAN RESOURCE**

DATE: 07/10/2022 TIME: 9.00AM – 12.00 PM

INSTRUCTION TO CANDIDATES

- Answer question **ONE** (compulsory) and any other **THREE** questions
- Question **ONE** attracts **40 marks**
- Time allowed is **THREE** hours
- All other questions attract equal marks (**20 marks**)

KIBU observes **ZERO** tolerance to examination cheating

QUESTION ONE

- (a) Subject to the provisions of the employment Act, an employer may dismiss an employee summarily when the employee has by his conduct indicated that he has fundamentally breached his obligations arising under the contract of service. Highlight **THREE** exceptions to this provision **(6 marks)**
- (b) Sexual harassment remains among the most prominent civil rights issues in the workplace. Explain the various forms of sexual harassment **(6 marks)**
- (c) A whistle blower enjoys protection as per the whistle blower protection Act 2021. Enlist the protection entitled to a whistle blower as well as the circumstances under which this protection can be revoked **(8 marks)**
- (d) Section 45 of the Employment Act stipulates conditions that constitute unfair termination of an employee. Explain these conditions **(12 marks)**
- (e) Describe the Pros and Cons of Employers Using Video Surveillance **(8 marks)**

QUESTION TWO

- (a) The human resource management professionals' code of conduct and professional ethics stipulate the key professional and ethical standards that govern the conduct of a member of HR profession when providing professional services. Expound **(15 marks)**
- (b) Personal data shall not be communicated to a third party without employee's explicit consent. In relation to employee privacy, highlight the exception to this provision **(5 marks)**

QUESTION THREE

- (a) Explain the concept of affirmative action on the basis of:
- (i) Principle of justice **(5 marks)**
 - (ii) Utilitarian principle **(5 marks)**
 - (iii) Rights principle **(5 marks)**
- (b) Bring out the arguments that have been offered to explain affirmative action as it applies to hiring, promotions, and terminations **(5 marks)**

QUESTION FOUR

- (a) The ideal relationship between employer and employees is one based on mutual respect and trust. Based on this statement, expound on the concept of moral foundation of employees rights **(10 marks)**
- (b) Discuss the main ethical issues regarding social media use and employers **(10 marks)**

QUESTION FIVE

- (a) Understanding employee rights is both legal and ethical because these rights must be viewed and interpreted within corporate policy, procedures, and particular circumstances. Examine **SEVEN** types of employee rights in the work place **(10 marks)**
- (b) In relation to employee rights to leave, give **FIVE** classifications of leave citing the number of days for each **(10mks)**