

KIBABII UNIVERSITY



UNIVERSITY EXAMINATIONS

**2021/2022 ACADEMIC YEAR
THIRD YEAR SECOND SEMESTER
SPECIAL/SUPPLEMENTARY EXAMINATION**

**FOR THE DEGREE OF BACHELOR OF COMMERCE
COURSE CODE: BCH 323
COURSE TITLE: LABOUR LAW**

DATE: 20/07/2022

TIME: 2.00PM – 4.00PM

INSTRUCTION TO CANDIDATES

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

TIME: 2 Hours

KIBU observes ZERO tolerance to examination cheating

QUESTION ONE

Susie is a maid at Fairview Hotel. She enjoys her job, but has recently seen a change in her work environment after the new head supervisor was appointed. Staff are expected to work harder than previously but what concerns Susie is the way in which she is expected to do her work. She was told to clean the windows of the Hotel, but no ladder or safety belts were provided, leaving her to lean on the window ledge and, dangerously, hang outside. She was also told to use harsher chemicals 'to make the floors shine' without being instructed on how to use them safely or being given any particular materials to work with. Susie is a hard worker and has thus far evaded any problems, but is becoming increasingly stressed at the change in her conditions.

- a. Advise Susie of the legal basis on which she may raise a claim, regarding the methods of work she must now undertake. (7 marks)
- c) Trade Unions are legal organizations that bargain with employers on behalf of the workers i.e. the primary role of Trade Unions is to fight for better rights for employees. List and explain FIVE roles by labour unions play and the reasons employees join them. (8 marks)
- c) Describe the role of the government in Industrial relations. (8 marks)
- d) Explain ways in which a contract may be discharged. (7 marks)

QUESTION TWO

- b) Labour laws lend a structure and fairness to the workplace. It offers a uniform purpose. If you agree with this statement, describe any FIVE functions of labour law. (10 marks)
- d) Describe the formation of COTU and explain its function labour and industrial law in Kenya. (10 marks)

QUESTION THREE

- a) It is essential that every organization should have disciplinary procedures against errant employees. Discuss these procedures. (10 marks)
- b) Explain the reasons that force employees to join trade unions. (10 marks)

QUESTION FOUR

- (a) The employer and employee perform different duties at the work place. Describe the duties each of these two parties perform? (10 marks)
- b) The remedies available to a workman in an unfair dismissal. (10 marks)

QUESTION FIVE

- a) Elaborate ways in which the Kenyan government has intervened to stop and prevent child labour and human trafficking. (10 marks)
- b) Explain the following terms; (6 marks)
 - i) Ethics,
 - ii) Integrity
 - iii) Professionalism
- c) What is meant by illegal strike and lock out? (4 marks)