



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF BUSINESS

DEPARTMENT OF BUSINESS ADMINISTRATION

UNIVERSITY EXAMINATION FOR:

DIPLOMA IN HUMAN RESOURCE MANAGEMENT

BHR 2202: INDUSTRIAL AND LABOUR LAWS

END OF SEMESTER EXAMINATION

SERIES: JULY 2021

TIME: 2 HOURS

DATE: 15 July 2021

**Instructions to Candidates**

You should have the following for this examination

-Answer Booklet, examination pass and student ID

This paper consists of FIVE questions. Attempt Question ONE (Compulsory) and any other Two questions

**Do not write on the question paper.**

**Question ONE**

- (a) Define the term labour law (3 marks)
- (b) Janet was recently employed as a clerk in a Government accounts Department. Outline SIX unethical practices that she should guard against in the performance of her duties. (12marks)
- (c) In relation to the Employment Act Cap 226 Laws of Kenya, state EIGHT deductions that an employer may make from the wages of his employee. (8 marks)
- (d) State SEVEN matters that are dealt with by the Trade Disputes Act Cap 234 Laws of Kenya. (7 marks)

## Question TWO

- (a) Outline SIX steps that the Minister for Labour may take upon receipt of a report of a trade dispute. (12 marks)
- (b) Explain FOUR consequences for cancellation of registration of a trade union. (8 marks)

## Question THREE

Write short explanatory notes on the following:

- (i) Tests for distinguishing employee from contractors (5 marks)
- (ii) Requirements for a valid contract of employment. (5 marks)
- (iii) Apprentices/ indentured learners. (5 marks)
- (iv) Content/particulars of employment contract. (5 marks)

## Question FOUR

- (a) Explain SIX legal reasons for setting the minimum wage (12 marks)
- (b) Highlight FOUR duties of self-employed persons in regard to health and safety measures for self and others. (8marks)

## Question FIVE

- (a) Explain the role of the Employment and Labour relations Court with regard to the content and interpretation of awards in industrial disputes (10marks)
- (b) Highlight FIVE grounds that may justify summary dismissal of an employee. (10 marks)