



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF BUSINESS

UNIVERSITY EXAMINATION FOR:

DIPLOMA IN HUMAN RESOURCE MANAGEMENT

BHR 2202: INDUSTRIAL AND LABOUR LAWS

SPECIAL/SUPPLEMENTARY EXAMINATION

SERIES: JULY 2022

TIME: 2 HOURS

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) Contents/ particulars of employment contract. (5 marks)

Question FOUR

- (a) Outline **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)