



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 EXAMINATIONS

SERIES: APRIL 2021

TIME: 2 HOURS

DATE: APRIL 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.

SECTION A Answer All Questions (30marks)

Question ONE

- a) In relation to the Employment Act Cap 226 Laws of Kenya, state 8 deductions that an employer may make from the wages of his employee. **(8marks)**
- b) In accordance with the Employment Act Cap 226 Laws of Kenya, state the Maternity leave provisions. **(8marks)**
- c) A worker who is affected by redundancy is entitled to be paid by his employer. Outline the payments stated. **(3marks)**
- d) State five reasons that may disqualify an employee from receiving compensation in relation to the Work Injury Benefits Act Cap 236. **(5marks)**

e) In accordance with the Work Injury Benefits Act Cap 236, state 6 people who may be accepted as the dependants of a deceased employee. **(6marks)**

SECTION B Answer Any Two Questions (40marks)

Question TWO

a) Outline 6 steps that the minister of labour may take upon receipt of a report of a trade dispute. **(12marks)**

b) Outline 4 advantages of Arbitration as a mode of settling industrial disputes. **(8marks)**

Question THREE

a) Explain two ways in which Collective Bargain Agreement may be incorporated in contracts of employment of employees. **(4marks)**

b) Highlight three legal effects of a collective bargain agreement that has been registered by the industrial court. **(6marks)**

c) Outline 10 matters that may be contained in a contract signed after successful Collective Agreement negotiations. **(10marks)**

Question FOUR

a) In accordance with the Trade Union Act Cap 233 Laws of Kenya, state 7 reasons why the Registrar of Trade Unions may cancel a Trade Unions licence. **(7marks)**

b) The House helps in Lamu County have expressed their desire to form a trade union to advocate for and safeguard their rights. Advise them on the process they have to follow to get their union registered. **(4marks)**

c) State to them the requirements for registering a trade union. **(9marks)**

Question FIVE

a) Outline the composition of the industrial court of Kenya. **(2marks)**

b) State the circumstances under which the industrial court will not take cognizance of any trade dispute. **(6marks)**

c) Outline two reasons why a strike may be termed as unlawful. **(4marks)**

d) Outline the categories of workers who are not covered by the redundancy pay.

(3marks)

e) Outline the decision that the industrial court may make in case the court determines that an employee was wrongly dismissed by his employer.

(5marks)