



TECHNICAL UNIVERSITY OF MOMBASA

School of Business

Department of Business Administration

UNIVERSITY EXAMINATION FOR:

DEGREE IN BACHELOR OF
BUSINESS ADMINISTRATION
BACHELOR OF COMMERCE
BHR 4405: LABOUR LAW

END-OF-SEMESTER EXAMINATION

SERIES: DECEMBER, 2024

TIME: 2HOURS

DATE DEC, 2024

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) Unions and management representatives recognize that no single causal factor determines wage outcome. Discuss **FIVE** factors that parties may identify as important in determining wage differentials among employees.
(10 marks)
- b) Explain **FIVE** conditions that may warrant summary dismissal of an employee from the workplace.
(10 marks)
- c) Examine **FIVE** forms of child labour that are prohibited under Kenyan law.
(10 marks)

Question TWO

- a) Collective bargaining agreements (CBA) are significant tools used by organizations in attracting, retaining, and enhancing levels of employee dedication

to work. Discuss various elements of a good collective bargaining agreement.
(10 marks)

- b) According to health and safety policy employees are required to comply with certain responsibilities at the workplace for their own health and safety. Discuss.
(10 marks)

Question THREE

- a) Prohibition against forced labour is covered under Employment Act. Discuss **FIVE** circumstances when this is not considered in work performance.
(10 marks)
- b) Discuss any **FIVE** factors to be considered by a labour officer or industrial court when dealing with termination cases.
(10 marks)

Question FOUR

- a) Explain any **FIVE** basic elements that a contract of employment must comply with during its formation.
(10 marks)
- b) According to the Employment Act, an employee is sexually harassed following certain circumstances or events at the place of work. Discuss **FIVE** forms of sexual harassment an employee must be protected against.
(10 marks)

Question FIVE

- a) Explain **FIVE** functions of labour law towards the promotion of efficient labour practices in Kenya.
(10 marks)
- b) In accordance with the new constitutional provision in relation to labour, employees enjoy certain rights. Explain **FIVE** rights of employees in employment relations.
(10 marks)