



MACHAKOS UNIVERSITY

University Examinations for 2020/20201 Academic Year

SCHOOL OF BUSINESS AND ECONOMICS

DEPARTMENT OF BUSINESS ADMINISTRATION

SECOND YEAR SECOND TERM EXAMINATION FOR

DIPLOMA IN HUMAN RESOURCE MANAGEMENT

2908/202/: LABOUR AND INDUSTRIAL LAW

DATE: 8/6/2021

TIME: 2.30-5.30 PM

INSTRUCTIONS:

ANSWER ANY FIVE QUESTIONS.

1. a) Explain the factors which influenced the development of labour law in Kenya. (10 marks)
b) Explain the composition and jurisdiction of the industrial court in Kenya. (10 marks)
2. a) Explain the importance of collective bargaining agreement (10 marks)
b) Explain the duties of an employer towards an employee under a contract of employment. (10 marks)
3. a) Explain why it is important for a trade union to be independent in its operations from the respective employer of its members (10 marks)
b) Trade unions are legally required to make annual returns to the Registrar of trade unions. Explain what such returns should contain. (10 marks)
4. a) Explain five reasons why it is important for any organisation to have a laid down grievance procedure at the work place. (10 marks)
b) Explain the factors that an employer should consider when preparing for collective bargaining. (10 marks)
5. In reference to the law governing trade disputes:
a) Explain the circumstances under which an employee shall be deemed to be within the same trade or industry. (6 marks)
b) Outline the composition of a tripartite committee which may be established by the minister for labour. (4 marks)

6. a) Explain the contractual requirements that have to be fulfilled before a legally binding contract of employment can come into existence (10 marks)
- b) Explain five responsibilities of a trade union as stipulated in the industrial relations charter. (10 marks)
7. a) Outline the procedure which is followed in collective bargaining (8 marks)
- b) Explain the particulars that must be specified in a trade dispute. (6 marks)
- c) Explain the basic prepositions for compulsory arbitration in essential services. (6 marks)