

MACHAKOS UNIVERISTY COLLEGE
SCHOOL OF BUSINESS & ECONOMICS
DEPT. OF BUSINESS, ENTREPRENUERSHIP AND MANAGEMENT SCIENCES
DIPLOMA IN HUMAN RESOURCE MANAGEMENT – Y1S2
END OF SEMESTER (MAY-AUG 2016) EXAMINATIONS
LABOUR LEGISLATION BBA045
TIME ALLOWED: 2HRS

INSTRUCTIONS

ATTEMPT QUESTION ONE and any OTHER TWO ONLY.

1. Jerry Jones has been working for JUMBOTEL Ltd a company owned by her uncle who is the MD. Their relationship turned sour after she filed a claim of Kshs.300,000 as unpaid salaries and leave entitlement not taken over the last three years. She has come to you for advice on her rights under the circumstances. On the basis of foregoing information:

- (a) Discuss the various tests that you would apply to determine the nature of their relationship. (12Marks)
 - (b) Explain to Jerry Jones her rights as provided for under the Employment Act (2007) Laws of Kenya, assuming she is an employee. (12Marks)
 - (c) Discuss with her the possible defences that her uncle who is the Managing Director may put up. (6Marks)
2. (a) Distinguish between an independent contractor and an employee. (12Marks)
- (b) Discuss any **TWO** major alternatives handling redundant employees. (10Marks)
3. (a) Discuss legal principles relating to when wages are due to employees. (12Marks)
- (b) Explain regulations relating to payment of wages. (8Marks)
4. (a) Explain any **FIVE** personal Protective Equipment (PPE) that employees must be provided specifying the environment. (10Marks)
- (b) Describe the process of reporting a dispute when parties hit a bargaining impasse. (10Marks)
5. (a) Discuss any **FIVE** benefits that one is entitled by virtue of being a member to National Social Security Fund. (10Marks)
- (b) Explain any **FIVE** benefits employers get from being members of Federation of Kenya Employers (**FKE**). (10Marks)

MACHAKOS UNIVERISTY COLLEGE
SCHOOL OF BUSINESS & ECONOMICS
DEPT. OF BUSINESS, ENTREPRENUERSHIP AND MANAGEMENT SCIENCES
DIPLOMA IN HUMAN RESOURCE MANAGEMENT – Y₁S₂
END OF SEMESTER (MAY-AUG 2016) EXAMINATIONS
INDUSTRIAL RELATIONS BBA 046

TIME ALLOWED: 2HRS

INSTRUCTIONS

Attempt **QUESTION ONE** and any **OTHER TWO** only.

1. **XYZ Ltd** has issued a recognition agreement to **Electrical Workers Union**. This was after its board subjected the Union's request to a vote that resulted in **75%** approval. Using this information answer the following questions:

- (a) Benefits awaiting **XYZ Ltd**. *(10Marks)*
 - (b) Responsibilities that the Union must execute. *(8Marks)*
 - (c) Six measures that the parties may take to ensure near complete integration of the two sides objectives. *(12Marks)*
2. (a) Discuss any **FIVE** preconditions for successful collective bargaining . *(10Marks)*
(b) Explain any **FIVE** measures to be taken to motivate employees. *(10Marks)*
3. (a) Describe the dispute resolution machinery in an organization. *(10Marks)*
(b) Explain how a trade Union meets employees needs. *(10Marks)*
4. (a) Kenya Plantation and Agricultural Workers Union (KPAWU) is an affiliate to COTU(K), discuss the benefits it gets by this affiliation. *(10Marks)*
(b) Explain any **FIVE** obligations of a registered Employer's Association. *(10Marks)*
5. (a) Explain any **FIVE** roles played by Federation of Kenya Employers. *(10Marks)*
(b) Explain any **FIVE** actions by an employer that may be seen as ground for poor relations with her employees. *(10Marks)*