

2908/202

LABOUR AND INDUSTRIAL LAW

July 2017

Time: 3 hours



THE KENYA NATIONAL EXAMINATIONS COUNCIL

DIPLOMA IN HUMAN RESOURCE MANAGEMENT

MODULE II

LABOUR AND INDUSTRIAL LAW

3 hours

INSTRUCTIONS TO CANDIDATES

This paper consists of SEVEN questions.

Answer any FIVE questions in the answer booklet provided.

All questions carry equal marks.

Candidates should answer the questions in English.

This paper consists of 2 printed pages.

Candidates should check the question paper to ascertain that both pages are printed as indicated and that no questions are missing.

1. (a) Explain **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. (8 marks)
2. (a) Explain **five** ways in which colonial labour laws were used to manipulate the African Labour force to the advantage of the colonialists. (10 marks)
- (b) Explain **five** safety provisions in case of fire in a factory, as stipulated in the Factories and Other Places of Work Act. (10 marks)
3. (a) Industrial training schemes for workers may face certain challenges. Highlight **six** such challenges. (12 marks)
- (b) Outline **four** persons not regarded as employees as stipulated in the Work Injury and Benefits Act. (8 marks)
4. (a) Explain **five** reasons that may make a Court of Law to reverse an employee's termination of service. (10 marks)
- (b) Highlight **five** contents that must be included in a trade union's annual returns. (10 marks)
5. (a) Explain **six** merits of arbitration as a dispute resolution mechanism. (12 marks)
- (b) Outline **four** negative consequences of strikes to an organisation. (8 marks)
6. (a) Explain the role of the Employment and Labour Relations Court, with regard to the content and interpretation of awards in industrial disputes. (10 marks)
- (b) Highlight **five** grounds that may justify the summary dismissal of an employee. (10 marks)
7. (a) Explain **five** reasons that may lead to the cancellation of the registration of a Trade Union. (10 marks)
- (b) Explain **five** ways that may be used to terminate a contract of apprenticeship and indentured learnership. (10 marks)

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