



MASENO UNIVERSITY
UNIVERSITY EXAMINATIONS 2013/2014

**FIRST YEAR SECOND SEMESTER EXAMINATIONS FOR
THE DEGREE OF MASTER OF BUSINESS
ADMINISTRATION
(CITY CAMPUS – EVENING)**

**BMM 811: LEGAL ENVIRONMENT OF EMPLOYMENT IN
KENYA**

Date: 18th July, 2014

Time: 5.30 – 8.30 p.m.

INSTRUCTIONS:

- Attempt ANY FOUR questions.



Question one

- a) "A person with a criminal conviction is not necessarily obliged to disclose this to a recruitment company, provided the conviction has been "spent".
 - i) With examples and in the context of the statement explain the term "spent". (5 marks)
 - ii) Highlight exceptions to the statement provided for under the Rehabilitation of Offenders Act.(5 marks)
- b) Explain FOUR areas that require clarification and attention at the initial offer of a job which are important to both the employee and the employer in ensuring future healthy industrial relations. (5marks)

Question two

- a) Evaluate the effectiveness of the Central Organization of Trade Unions (COTU) in relation to industrial relations arena in Kenya. (12marks)
- b) Explain circumstances under which strikes may be lawful. (3 marks)

Question three

- a) Contrast contributory and non-contributory pension schemes.(6 marks)
- b) Give THREE reasons why civil servants have resisted the implementation of contributory pension scheme. (9marks)

Question four

- a) Explain FOUR factors that influence regulation of wages and conditions of employment in Kenya. (12 marks)
- b) Explain what you understand by "retrenchment statutory provisions". (3 marks)

Question Five

"Both workmen's compensation, National Hospital Insurance Fund, and Insurance cover to employees can be interpreted to mean over compensation to individual employees". Discuss (15 marks)

Question Six

The Trade Disputes Act cap 234 of the laws of Kenya is a gloss to industrial relations charter. Discuss (15 marks)