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**University Examinations 2015/2016**

THIRD YEAR, SECOND SEMESTER EXAMINATION FOR THE DEGREE OF BACHELOR OF COMMERCE (HUMAN RESOURCE MANAGEMENT OPTION)

**BFB3370: EMPLOYMENT LAWS**

**DATE: NOVEMBER 2015 TIME: 2HOURS**

**INSTRUCTIONS:** *Answer question* ***one*** *and any other* ***two*** *questions*

**QUESTION ONE (30 MARKS)**

1. Discuss six sources of labor law in Kenya. (8 Marks)
2. State four duties of the government, under the Industrial Relations Charter. (2 Marks)
3. Discuss exhaustively two ways of handling trade disputes. (4Marks)
4. Three persons accompanying three workers of Matopeni Company Limited joined the workers, at the request of the workers, to pull the company van which had been stuck in mud and want to be paid by the company for the work rendered. What entitlements are due to them and from whom?

(4 Marks)

1. Mundu Mulosi, an employee of Nakummattrons Limited, is newly married to Mutwiri, and in their happy moments, she conceives unexpectedly. She had been earmarked for retrenchment in May next year but before then she is to go for her annual leave on 1st November 2015. She gives birth to a bouncing baby girl on 15th September 2015 and does not resume from her annual leave on 1st of December and her employer is very unhappy with her, and wants to sack her on 2nd December, 2015 since this is the long-awaited opportunity for him to get rid of her sooner than retrenchment time because the Asian girl he has always wanted to marry is really in need of a job similar to that of Mundu Mulosi. Using appropriate employment laws advise Mundu Mulosi and also the manager. (12 Marks)

**QUESTON TWO (20 MARKS)**

1. Name and briefly describe two types of employment. (4 Marks)
2. A house-help by name Jane (tall and plump) is only twelve years old, a fact which Joseph, her immediate boss, knows well about. She has worked for him for three years, of which Joseph recalls having paid her for five months only. In the last two months, John has been hurling a broom towards her whenever he sees her, because he has been suggestively winking at her yet she is ignoring him. Identify some of the wrongs Joseph has committed under the employment laws, while explaining what both need to do remedy the situation. (6 Marks)
3. Describe the role of an industrial relation officer in processing grievances, with respect to the employee union, steward and personnel department. (10 Marks)

**QUESTION THREE (20 MARKS).**

Make some short notes on the following:

1. Hot stove rule (5 Marks)
2. General skills in the art of negotiation (5 Marks)
3. Structure of negotiation (5 Marks)
4. ‘Quid pro quo’ (5 Marks)

**QUESTION FOUR (20 MARKS)**

1. Discuss the conduct of joint discussions and negotiation, listing all the necessary steps to be taken before the parties involved could strike a compromise. (10 Marks)
2. Elucidate ten things that must be included in an employment contract. (10 Marks)

**QUESTION FIVE (20 MARKS)**

Discuss the various interventions taken by the Kenyan government in fighting child labor and human trafficking. (20 Marks)