

1908/202

**ELEMENTS OF LABOUR LAW  
AND INDUSTRIAL RELATIONS**

July 2016

Time: 3 hours



**THE KENYA NATIONAL EXAMINATIONS COUNCIL.**

**CRAFT CERTIFICATE IN HUMAN RESOURCE MANAGEMENT  
MODULE II**

**ELEMENTS OF LABOUR LAW AND INDUSTRIAL RELATIONS**

**3 hours**

**INSTRUCTIONS TO CANDIDATES**

*This paper consists of TWO sections; A and B.*

*Answer ALL the questions in Section A and any FOUR questions from Section B in the answer booklet provided.*

*Candidates should answer the questions in English.*

**This paper consists of 3 printed pages.**

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

**SECTION A: (32 marks)**

*Answer ALL the questions in this section.*

1. Outline **four** persons that are not regarded as employees as per the Workman's Compensation Act. (4 marks)
2. State **three** situations that may lead to the termination of an employment contract. (3 marks)
3. List **three** issues that may form the basis of negotiation between employers and trade unions in a collective bargaining agreement. (3 marks)
4. Outline **three** reasons that may make individual employees refuse to join a trade union. (3 marks)
5. State **three** duties of the government under the industrial relations charter. (3 marks)
6. Outline **four** ways in which an employer may contribute to poor industrial and labour relations. (4 marks)
7. State **three** classifications of law. (3 marks)
8. Highlight **three** measures that the Federation of Kenya Employers should take in order to ensure industrial harmony in Kenya. (3 marks)
9. Outline **three** powers of the Employment and Labour Relations Court (Industrial Court). (3 marks)
10. List **three** types of trade unions in Kenya. (3 marks)

**SECTION B: (68 marks)**

*Answer any FOUR questions from this section.*

11. (a) Explain **six** benefits to an organization that affiliates itself to the Federation of Kenya Employers (FKE). (9 marks)
- (b) Outline **four** factors that may contribute to a successful collective bargaining agreement. (8 marks)

12. (a) Highlight **six** functions of trade unions in Kenya. (9 marks)
- (b) Outline **four** reasons that lead to the adoption of the industrial relations charter by the Kenya government. (8 marks)
13. (a) Highlight **six** particulars that are contained in a contract of employment. (9 marks)
- (b) Explain **four** circumstances under which the minister in charge of labour may order an investigation into an industrial dispute. (8 marks)
14. (a) Outline **six** sources of law in Kenya. (9 marks)
- (b) Explain the importance of labour law in industrial relations. (8 marks)
15. (a) Explain **six** grounds under which the Registrar of Trade Unions may refuse to register a trade union. (9 marks)
- (b) Highlight **four** functions of the National Industrial Training Authority (NITA). (8 marks)

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