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**KIRIRI WOMENS' UNIVERSITY OF SCIENCE AND TECHNOLOGY  
UNIVERSITY EXAMINATION, 2016/2017 ACADEMIC YEAR  
DIPLOMA IN HUMAN RESOURCE MANAGEMENT**

**DHR 015 - INDUSTRIAL AND LABOUR LAWS**

Date: 9<sup>th</sup> August, 2016.  
Time: 12.00pm – 2.00pm

**INSTRUCTIONS TO CANDIDATES**

**ANSWER QUESTION ONE (COMPULSORY) AND ANY OTHER TWO QUESTIONS**

**QUESTION ONE (30 MARKS)**

- a) Explain the following terms as used within the labour laws;
- i) Recognition agreement
  - ii) Redundancy
  - iii) Strike
  - iv) Trade dispute
  - v) Partial incapacity
  - vi) Dependant
- (12 Marks)
- b) Outline the reasons that may lead to an employee being dismissed as per the labour laws in Kenya. (8 Marks)
- c) Explain the challenges facing trade unions in Kenya today. (10 Marks)

**QUESTION TWO (20 MARKS)**

- a) A contract of employment or service means an agreement whether oral or written, expressed or implied, to employ or to serve as an employee for a period of time. Discuss the four main types of contracts allowed by the Kenyan labour laws. (12 Marks)
- b) Outline the jurisdictions of the Industrial court of Kenya. (8 Marks)

**QUESTION THREE (20 MARKS)**

- a) Explain the employer's liability for compensation for death or incapacity resulting from an accident as stipulated in the Workman Compensation Act Cap 236 laws of Kenya. (12 Marks)
- b) Explain the main objectives of the trade unions in Kenya. (8 Marks)

**QUESTION FOUR (20 MARKS)**

- a) Explain the circumstances under which strikes and lockouts can be termed as illegal under the Trade disputes act. (12 Marks)
- b) Outline the Main sources of the labour laws in Kenya. (8 Marks)

**QUESTION FIVE (20 MARKS)**

- a) Outline any six reasons for joining a trade union. (10 Marks)
- b) Discuss elements in bargaining which will make bargaining not to be in good faith. (10 Marks)