



KENYATTA UNIVERSITY
UNIVERSITY EXAMINATIONS 2018/2019
SECOND SEMESTER EXAMINATION FOR THE DEGREE OF MASTER OF
BUSINESS ADMINISTRATION
BHM 830: INDUSTRIAL RELATIONS AND LAW

DATE: WEDNESDAY 3RD APRIL 2019

TIME: 5.30 P.M. – 8.30 P.M.

INSTRUCTIONS

Answer Question One and any other THREE questions

Read the case below to answer question One

CASE STUDY

The Employees of JK company started resorting to work to rule, go slow and other Covert agitational methods because they thought that the management had unilaterally revised the prices of canteen items without consulting the canteen committee. The management view was that since the recognized union registration was cancelled due to non-submission of returns they were not obliged to consult the employees,

Consequently, the management also felt that the canteen constituted with the nominees of the then recognized union ceased to be the representative body. The management entered into an MOU with another registered union.

The management constituted a canteen committee with the cooperation of the registered but not recognized union. During the strike there were some disturbances and an accident in which an apprentice died. The management did not agree to pay compensation on the plea that the deceased person was not an employee of the company. This led to further unrest. The management applied to the appropriate government to allow them a lockout on the pretext of threat to company's property and personnel. In the meantime they also insisted that unless

employees sign a 'good conduct' certificate the workers will not be allowed to enter the factory for work. A section of the workers were willing to sign but the other refused to do so and dubbed the management as indulging in unfair labour practices.

Question One

- a) How can JK company improve on its industrial relations. (10 marks)
- b) Is this a case of strike or lock-out? (5 marks)
- c) Did the management resort to unfair labour practices? Explain. (5 marks)
- d) What would be the benefits of having good industrial relations? (10 marks)

Question Two

Discuss the machinery of collective bargaining. (10 marks)

Question Three

What is industrial dispute? Discuss the causes and remedies for resolving industrial disputes. (10 marks)

Question Four

- a) What is the significance of discipline in industry. (5 marks)
- b) Explain the guidelines of a disciplinary action (5 marks)

Question Five

Discuss the provisions of the Employment Act of Kenya in regard to Termination and dismissal. (10 marks)