

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
SUPPLEMENTARY EXAMINATION PAPER JULY, 2008

TITLE OF PAPER :INTRODUCTION TO LABOUR LAW

COURSE CODE :DL 034

TIME ALLOWED :TWO (2) HOURS

INSTRUCTIONS :ANSWER ANY TWO (2) QUESTIONS.

THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN GRANTED BY THE INVIGILATOR.

QUESTION ONE

- (a) Discuss and fully explain the remedies available to an employee upon breach by an employer of his/her/its contract of Employment.

In your answer refer to the relevant statutory provisions and case law where applicable.

[50 Marks]

QUESTION TWO

- (a) What is the legal status of International Labour Standards in Swaziland?
[20 Marks]
- (b) With reference to legislation, discuss the Employer's remedy to lock out employees.
[10 Marks]
- (c) Briefly discuss legislation as a source of Labour Law. [20 Marks]

[Total: 50 Marks]

QUESTION THREE

Distinguish the contract of employment from a contract to provide services.

[50 Marks]

QUESTION FOUR

- (a) Discuss the employer's duty to receive the employee into service.
[15 Marks]
- (b) Discuss the termination of the contract of employment on expiration of the agreed period. In such discussion explain the concept of "*legitimate expectation*" and whether or not non-renewal of fixed term contracts can amount to unfair dismissal.
[15 Marks]
- (c) Write brief notes on the employee's right to apply for re-instatement.
[10 Marks]

(d) Write brief notes on the right to freedom of association. [10 Marks]

[Total: 50 Marks]

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