

UNIVERSITY OF SWAZILAND

FACULTY OF SOCIAL SCIENCE

DEPARTMENT OF LAW

SUPPLEMENTARY EXAMINATION PAPER JULY 2013

TITLE OF PAPER : LABOUR LAW

COURSE CODE : IDE-L304/L607

TIME ALLOWED : THREE (3) HOURS

INSTRUCTIONS : ANSWER ANY FOUR QUESTIONS

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

QUESTION 1

What are the common law duties of an employee? (25 marks)

QUESTION 2

It shall be fair for an employer to terminate the services of an employee as long as the qualifications of substance and procedure have been satisfied. Explain what this means in relation to the Employment Act 1980. (25 marks)

QUESTION 3

Give the five essential elements of a contract of employment. (25 marks)

QUESTION 4

Employees in your Company intend engaging in an illegal strike, what remedy is open to you as an employer and what grounds do you have for such remedy? (25 marks)

QUESTION 5

Employees in terms of our common and statutory law have a variety of rights. Discuss them. (25 marks)

QUESTION 6

Discuss the various methods by which a contract of employment may be terminated. (25 marks)

QUESTION 7

With reference to statutes and decided cases explain what constructive dismissal entails.

(25 marks)