

UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCE
DEPARTMENT OF SOCIOLOGY
FINAL EXAMINATION PAPER, MAY 2008

TITLE OF PAPER : **INTRODUCTION TO ELEMENTS OF LABOUR LAW**

COURSE CODE : **SOC 410**

TIME ALLOWED : **TWO (2) HOURS**

INSTRUCTIONS : **1. ANSWER ANY THREE (3) QUESTIONS.**
2. ALL QUESTIONS CARRY EQUAL MARKS.

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

QUESTION 1

Critically discuss the duties of an employee subsequent to the conclusion of the contract of employment.

QUESTION 2

With reference to the Employment Act, 1980, explain the circumstances under which an employer can fairly and justly terminate an employment relationship. Use examples to illustrate your answer.

QUESTION 3

Discuss the remedial powers that are at the disposal of the Industrial Court of Swaziland in the event that a dismissal is deemed unfair.

QUESTION 4

Discuss the tests that are used in determining the procedural fairness of a dismissal in an employment relationship.

QUESTION 5

Explain the role played by the Conciliation, Mediation and Arbitration Commission (CMAC) as an alternative dispute resolution mechanism in Swaziland.

QUESTION 6

Explain the rationale behind the establishment of the Labour Advisory Board (LAB).