

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

Compare and contrast the Unitary and Pluralist approaches to a labour relationship.

QUESTION 2

Explain various ways in which a contract of employment can lawfully be brought to an end. Use examples to illustrate your answer.

QUESTION 3

Explain the various tests used to determine the procedural and substantive fairness of a dismissal for misconduct in an employment relationship.

QUESTION 4

With reference to the Industrial Relations Act, 2000 (as amended), discuss the circumstances under which automatically unfair dismissal can occur.

QUESTION 5

Critically discuss the role of the Conciliation, Mediation and Arbitration Commission (CMAC) in dispute resolution in the industrial relations arena in Swaziland.

QUESTION 6

Explain the remedial powers at the disposal of the Industrial Court of Swaziland and CMAC in cases of unfair dismissal.