

**UNIVERSITY OF SWAZILAND**  
**FACULTY OF SOCIAL SCIENCE**  
**DEPARTMENT OF SOCIOLOGY**

**FINAL EXAMINATION QUESTION PAPER, MAY 2014**

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

**COURSE CODE : SOC 410**

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

- INSTRUCTIONS :**
- 1. QUESTION ONE (1) IS COMPULSORY.**
  - 2. ANSWER ANY TWO (2) OF THE  
REMAINING QUESTIONS.**
  - 3. ALL QUESTIONS CARRY EQUAL MARKS.**

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

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1. (a) Explain the circumstances under which a matter can be taken on review and appeal in the context of the administration of labour law in Swaziland.  
  
(b) In accordance with **Section 16 of the Industrial Relations Act, 2000 (as amended)**, explain the remedial powers of the Industrial Court of Swaziland.
2. Explain the role of the Conciliation, Mediation and Arbitration Commission in the arbitration of disputes in Swaziland.
3. Explain the main assumptions and challenges of the Unitarist approach to an employment relationship.
4. Critically discuss any three (3) common law duties of an employee. Use relevant case law examples to illustrate your answer.
5. With reference to *SA Broadcasting Corporation v. Mackenzie*, distinguish between **locatio conductio operarum** and **locatio conductio operis**.
6. With reference to The Employment Act, 1980 (as amended), Explain the procedure that ought to be followed in a dismissal for operational requirements.