

UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCES
DEPARTMENT OF SOCIOLOGY AND SOCIAL WORK
FINAL EXAMINATION QUESTION PAPER MAY 2018

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
 4. TOTAL MARKS 100.

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

1. With reference to Section 16 of the Industrial Relations Act, 2000 (as amended), discuss the range of remedies that are available to a former employee who has been unfairly dismissed from employment, (COMPULSORY).
2. (a) With reference to The Employment Act, 1980 (as amended), explain the procedure that ought to be followed in a *no fault dismissal*.

(b) Explain the categories of workers that are not protected by labour law in Swaziland.
3. An employee owes an employer a duty of good faith. Critically discuss the above-mentioned statement.
4. Distinguish between a contract of service and a contract for services.
5. Explain substantive and procedural fairness in dismissals for misconduct.
6. Explain the role of the Conciliation, Mediation and Arbitration Commission (CMAC) in the conciliation of disputes in Swaziland.