

UNIVERSITY OF ESWATINI
FACULTY OF SOCIAL SCIENCES
DEPARTMENT OF SOCIOLOGY AND SOCIAL WORK
FINAL EXAMINATION PAPER MAY 2019

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 TO DO S

1. Discuss the role played by the Conciliation, Mediation and Arbitration Commission (CMAC) in dispute resolution in Eswatini.
2. (a) Discuss five (5) essential elements of a contract of employment.
(c) With reference to the Employment Act, 1980 (as amended), explain five (5) circumstances under which an employer can fairly and justly terminate an employment relationship. Use case law to illustrate your answer.
3. (a) Explain the differences between a review and an appeal in accordance with the Industrial Relations Act, 2000 (as amended).
(b) Discuss the remedial powers of the Industrial Court of Eswatini/CMAC in the event that a dismissal is deemed to have been unfair.
4. Explain five (5) factors that can lead to the lawful dismissal of an employee in an employment relationship.
5. Choose one perspective on an employment relationship and explain its strengths and weaknesses.
6. (a) Explain the establishment and composition of the Labour Advisory Board (LAB).
(b) Explain the duties of the LAB.