UNIVERSITI TUN HUSSEIN ONN MALAYSIA

FINAL EXAMINATION
SEMESTER I
SESSION 2015/2016

COURSE NAME	:	INDUSTRIAL RELATIONS
COURSE CODE	:	BPC 42803
PROGRAMME	:	4 BPB
EXAMINATION DATE	:	DECEMBER 2015/ JANUARY 2016
DURATION	:	2 HOURS 30 MINUTES
INSTRUCTION	:	ANSWER **ALL** QUESTIONS

THIS QUESTION PAPER CONSISTS OF **FOUR (4)** PAGES

Q1 (a) State the structure of the Industrial Court.

(2 marks)

(b) Describe **SIX (6)** types of disputes that the Industrial Court has the jurisdiction to hear.

(12 marks)

(c) Discuss the procedures to be followed by employers before workers are retrenched.

(6 marks)

(d) Discuss the need for the Industrial Court to have the power to interpret the collective agreements.

(5 marks)

Q2 (a) Siti has been working as a clerk for five years in a multinational company with a trade union. Without prior notice, she receives a termination letter from her employer.

(i) Determine Siti's problem based on Industrial Relations Act (1967).

(3 marks)

(ii) Describe **TWO (2)** rights that can be claimed by Siti.

(4 marks)

(iii) Explain the procedures that Siti should take to claim her rights as in **Q2 (a) (ii).**

(6 marks)

(b) Mahmood is a government servant who is always absent, coming late to work and has no self-discipline. Meanwhile Azezah is a staff of a private firm that has similar attitude problem with Mahmood.

Compare the actions to be taken to overcome problems faced by Mahmood and Azezah if you were their boss.

(12 marks)

Q3 (a) In Malaysia, the right to terminate the employment contract is regulated by several legislations among others the Employment Act 1955, the Industrial Relations Act 1967 and the Employment (Termination and Lay-Off Benefits Regulations 1980). Further, the termination itself may take place in several forms.

Apply the following types of termination in case studies that you may develop with appropriate examples:

(i) Termination by contractual notice.

(5 marks)

(ii) Termination of Probationers.

(5 marks)

(iii) Termination due to Frustration of Contract

(5 marks)

(b) Explain **FIVE (5)** general guidelines on taking disciplinary action towards employees.

(10 marks)

Q4 (a) Differentiate between picket and demonstration.

(8 marks)

(b) The Industrial Relations Act (Section 2) defines a strike as:
"The cessation of work by a body of workmen acting in combination, or a concerted refusal or a refusal under a common understanding of a number of workmen to continue work or to accept employment, and includes any act or omission by a body of workmen acting in a combination or under a common understanding, which is intended to or does result in any limitation, restriction, reduction or cessation of or dilatoriness in the performance or execution of the whole or any part of the duties connected with their employment".

(i) Explain **TWO (2)** conditions that cause a strike to become illegal in Malaysia.

(4 marks)

(ii) List **FOUR (4)** steps that could be taken by employer to continue the factory's production once a strike has been called.

(4 marks)

(iii) Demonstrate whether or not a go-slow is a strike.

(9 marks)

- END OF QUESTIONS -