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UNIVERSITI TUN HUSSEIN ONN MALAYSIA

**FINAL EXAMINATION
SEMESTER I
SESSION 2017/2018**

COURSE NAME : INDUSTRIAL RELATIONS
COURSE CODE : BPC 42803
PROGRAMME CODE : BPB
EXAMINATION DATE : DECEMBER 2017/ JANUARY 2018
DURATION : 2 HOURS 30 MINUTES
INSTRUCTION : ANSWER ALL QUESTIONS

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THIS QUESTION PAPER CONSISTS OF **THREE (3)** PAGES

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- Q1**
- (a) Illustrate 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 **THREE (3)** procedures to be followed by employers before workers are retrenched. (6 marks)
 - (d) Describe **TWO (2)** important reasons 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) Discuss Siti's problem based on Industrial Relations Act (1967). (3 marks)
 - (ii) Describe **TWO (2)** legal 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 disciplinary actions to be taken on Mahmood and Azezah. (12 marks)

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Q3 (a) Describe the following types of strikes with example:

- (i) Wildcat strike.
- (ii) Sympathy strike.
- (iii) Jurisdictional strike.

(9 marks)

(b) When peaceful methods fail to settle a dispute, the trade union may attempt to force a settlement by using threatening to use more aggressive method.

Differentiate between picketing and lockout.

(8 marks)

(c) It is common for one of the parties to be unwilling to negotiate with the other to find an acceptable solution.

Discuss **TWO (2)** methods available for settling disputes.

(8 marks)

Q4 (a) Frustration of contract is a common law doctrine which applies to all types of contracts, including employment contracts.

(i) Explain what is frustration of contract.

(4 marks)

(ii) Discuss **THREE (3)** possibilities leading to frustration of contract.

(9 marks)

(b) Every employer should design a clear procedure so that supervisor and managers know how to handle problem employee whose performance is not satisfactory.

Outline **THREE (3)** procedures to be followed before dismissing an employee on the grounds of poor performance.

(12 marks)

- END OF QUESTIONS -

