



UNIVERSITI TUN HUSSEIN ONN MALAYSIA

**FINAL EXAMINATION
SEMESTER II
SESSION 2011/2012**

COURSE NAME : INDUSTRIAL RELATIONS
COURSE CODE : BPC 42803
PROGRAMME : 4 BPB
EXAMINATION DATE : JUNE 2012
DURATION : 2 HOURS 30 MINUTES
INSTRUCTION : ANSWER ALL QUESTIONS

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

Q1 An Accounts Officer (claimant) working with ABC Sdn. Bhd. was charged for failing to bank in cash collection of foreign currencies amounting to US12,000.00 between 1st May 2012 to 30th May 2012. The claimant replied that it was his superior's instruction not to bank in foreign currencies without her approval. A domestic inquiry was subsequently held and the accounts officer was dismissed from employment.

(a) State the issues in this case.

(5 marks)

(b) Discuss the remedies available to the Account Officer who is not satisfied with the action taken against him by his employer, ABC Sdn. Bhd.

(10 marks)

(c) Discuss the causes of action the company could face when it terminates the services of the Account Officer.

(10 marks)

(d) Under Section 20(3) of the Industrial Relations Act, the Minister upon receipt of the notification from the Director General of Industrial Relations may, if he thinks fit, refer the matter to the Industrial Court for an award.

Explain the **TWO (2)** principle functions of this Industrial Court if a case is being referred.

(5 marks)

Q2 The definition of workman is different among the Labour Laws namely, the Employment Act (1955), the Industrial Relations Act (1967), Employment Provident Fund Act (1991), Employees Social Security Act (1969), the Trade Union Act (1959) and Human Resource Development Act (2001).

(a) Differentiate definitions of workman between these Acts.

(10 marks)

(b) Discuss the implications of these differences on the role and functions of human resource management in a private company.

(10 marks)

Q3 Recent news reported that Prime Minister is likely to announce setting a minimum wage on Labour Day (May 1, 2012). The Executive Director of Malaysian Employer Federation (MEF) supports the introduction of the minimum wage policy. However, companies should be given a grace period for its implementation.

(a) Discuss the implications of implementation of minimum wage for the private employment sector in Malaysia.

(10 marks)

(b) You are the HR Executive of a Company with unionized workforce where the Collective Agreement with the Union will expire in the year 2014.

Propose an action plans for the Company to implement this new requirement, assuming that the minimum wage requirement is to be implemented in the month of August 2012.

(10 marks)

Q4 There are several ways to put a contract of employment to an end. One of them is by way of retrenchment. Termination of employment by way of retrenchment may be relevant when the employer restructures his business.

(a) When there is situation of redundancy, the employers concerned must first take relevant measures to avoid termination of employee. Propose **FIVE (5)** measures employers should follow for industrial harmony.

(10 marks)

(b) Evaluate the application of the principle Last in First Out (*LIFO*) in the case of retrenchment in Malaysia.

(10 marks)

(c) Assess to what extent the courts defend the prerogative of the employer to retrench his employee in the case of redundancy.

(10 marks)

END OF QUESTION PAPER