

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
MAIN EXAMINATION PAPER MAY, 2013

TITLE OF PAPER	: INTRODUCTION TO LABOUR LAW
COURSE CODE	: DL 034
TIME ALLOWED	: THREE (3) HOURS
INSTRUCTIONS	: (1) ANSWER FOUR QUESTIONS. (2) QUESTION ONE IS <u>COMPULSORY</u>

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QUESTION ONE – COMPLUSORY

“The **withdrawal of labour** is an important employee right in collective bargaining”. Discuss this right, setting out the procedures that must be complied with to make the exercise of such right lawful and protected.

[25 Marks]

QUESTION TWO

Write an essay on the registration of workers’ and employers’ federations in terms of the Industrial Relations Act 2000 (as amended) in Swaziland. In your answer, make reference to the relevant international labour instruments, legislation and case law on the subject.

[25 Marks]

QUESTION THREE

Discuss the common law duties of an employee who is engaged under the *locatio conductio operarum*.

[25 Marks]

QUESTION FOUR

“The Conciliation Mediation and Arbitration Commission [CMAC] is empowered by law to, *inter alia*, conciliate disputes”.

Discuss the concept of **Conciliation** making reference to the relevant legislation and setting out the stages of the conciliation process.

[25 Marks]

QUESTION FIVE

With the aid of decided cases and relevant legislation, discuss the employee’s remedy of **forced resignation**.

[25 Marks]

QUESTION SIX

Discuss legislation as a source of labour law in Swaziland.

[25 Marks]

QUESTION SEVEN

Define the following;

(a) Locatio conductio operarum;

[5 Marks]

(b) Trade union;

[5 Marks]

(c) Staff association;

[5 Marks]

(d) Strike;

[5 Marks]

(e) Lockout.

[5 Marks]

[Total 25 Marks]