

**UNIVERSITY OF SWAZILAND**  
**FACULTY OF SOCIAL SCIENCES**  
**DEPARTMENT OF SOCIOLOGY AND SOCIAL WORK**  
**FINAL EXAMINATION PAPER, MAY 2016**

**TITLE OF PAPER : INTRODUCTION TO ELEMENTS OF LABOUR  
LAW**

**COURSE CODE : SOC410**

**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.**

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN  
GRANTED BY THE INVIGILATOR TO DO SO.**

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**FINAL EXAMINATION QUESTION PAPER MAY  
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**TITLE OF PAPER: INTRODUCTION TO ELEMENTS  
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**1. (a) Explain five (5) essential elements of a  
contract of service.**

**(b) Discuss five (5) circumstances under  
which a contract of employment can  
lawfully be brought to an end.**

**(c) Distinguish between a review and an**

**appeal as envisaged by the  
Industrial Relations Act, 2000  
(as amended).**

**(d) Differentiate between a dispute of right  
and a dispute of interest.**

**(e) Conciliation and arbitration.**

- 2. Distinguish between a contract of service  
and a contract for services.**
- 3. Explain the circumstances under which a  
termination of a contract of employment can  
both be substantively and procedurally unfair  
and not according to the law.**
- 4. Explain the due process followed in a  
termination for operational requirements.**
- 5. Identify one of the perspectives that is used  
to explain an employment relationship and  
discuss its assumptions, strengths and  
weaknesses.**
- 6. Explain the role of the Conciliation,  
mediation and Arbitration Commission  
(CMAC) in the arbitration of disputes in  
Swaziland.**