



**FACULTY OF BUSINESS MANAGEMENT**  
**END OF SEMESTER EXAMINATIONS - APRIL 2025**

**PROGRAMME: BHRM**

**YEAR/SEM: YEAR 3/SEMESTER 1**

**COURSE CODE: LAW 3101**

**NAME: LABOUR LAWS**

**DATE: 2025-04-16**

**TIME: 9:00AM-12:00PM**

**INSTRUCTIONS TO CANDIDATES:**

1. Read the instructions very carefully
2. The time allowed for this examination is STRICTLY three hours
3. Read each question carefully before you attempt and allocate your time equally between all the Sections
4. Write clearly and legibly. Illegible handwriting cannot be marked
5. Number the questions you have attempted
6. Use of appropriate workplace examples to illustrate your answers will earn you bonus marks
7. Any examination malpractice detected will lead to automatic disqualification.

**DO NOT WRITE ANYTHING ON THE QUESTION PAPER**

## **Section A THIS QUESTION IS COMPULSORY AND CARRIES 40 MARKS**

### **Question 1:**

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#### **Case Study Question:**

Read the following scenarios and analyze the duties and obligations of both the employer and the employee in each case. Support your answers with relevant legal principles, case law, and statutory provisions.

#### **Scenario 1: (10 marks)**

David works as a machine operator at SteelWorks Ltd. His employer requires him to operate heavy machinery but has not provided any safety training or protective gear. Recently, David was injured while operating a malfunctioning machine. Discuss the employer's obligations and whether David has any legal recourse.

#### **Scenario 2: (10 marks)**

Maria is employed as an accountant at FinTech Solutions. Her employment contract requires her to maintain confidentiality regarding company financial records. However, she recently shared sensitive financial information with a competitor. Analyze Maria's obligations as an employee and the possible legal consequences of her actions.

#### **Scenario 3: (10 marks)**

Tom has been working at FreshGrocers Ltd. for three years. Despite performing well, his employer has failed to pay his salary for the past two months, citing financial difficulties. Tom is considering legal action. What are his rights as an employee, and what obligations does the employer have in this situation?

#### **Scenario 4: (10 marks)**

Lucy, a supervisor at StarRetail Ltd., frequently mistreats junior employees by overloading them with work and making inappropriate remarks. Some employees have filed complaints, but the management has taken no action. Discuss the employer's duty in ensuring a safe and respectful work environment and the possible consequences of failing to address workplace harassment.

For each scenario, outline the legal obligations of both the employer and the employee, considering labor laws and ethical workplace practices. **(40 marks)**

## **Section B ANSWER ANY 3 QUESTIONS IN THIS SECTION. EACH QUESTION CARRIES 20 MARKS**

### **Question 1:**

Discuss what you know about the National Social Security Fund (NSSF) and the pension system in Uganda. In your answer, outline the conditions under which workers are required to save with the NSSF and qualify for pension benefits, as well as the circumstances under which they can access funds from both schemes. **(20 marks)**

### **Question 2:**

In determining whether a worker is classified as an employee or an independent contractor, courts use various tests to assess the nature of the working relationship. Discuss the key tests used by courts to distinguish between employees and independent contractors. **(20 marks)**

### **Question 3:**

Discuss the legal framework governing trade unions. In your answer, also examine the laws and procedures related to the resolution of labour disputes, highlighting the roles of relevant institutions and legal instruments.

(20 marks)

#### **Question 4:**

Miss Nantumbwe has been employed since January 2020, she has a 4-year contract of employment. However, the following trend of events have been happening ever since she got employed.

- Â· She was given maternity leave of 59 days when she was pregnant
- Â· Her boss who is single always asks her to go to his home and watch news on TV at 10pm and goes back to her home late.
- Â· She fell sick for the whole month of December but they paid her half the salary
- Â· she is the only lady at work and the other 10 employees are men
- Â· she shares wash rooms(toilets) with her male workmates.
- Â· She has now been dismissed because she stole a company pen.

Discuss all the legal issues involved in her situation with reference to laws, cases and other valid examples **(20 marks)**

#### **Question 5:**

Discuss the concept of restraint of trade in employment and business law. Explain the different types of agreements that fall under restraint of trade.. In your answer, consider the legal enforceability of these agreements, the factors courts consider when assessing their validity, and the balance between protecting business interests and ensuring individual freedom to work. Support your discussion with relevant case law and statutory provisions. **(20 marks)**

#### **Question 6:**

Write short notes on the following in regard to workers compensation.

Compensation for a fatal injury (where the worker is dead) (4 marks)

Permanent total incapacity (4 marks)

Permanent Partial incapacity (4 marks)

Temporary incapacity (4 marks)

Course of employment (4 marks)