

BINDURA UNIVERSITY OF SCIENCE EDUCATION

FACULTY OF COMMERCE

DEPARTMENT OF HUMAN CAPITAL MANAGEMENT

LABOUR LAW (HCM 206)

OCT 2024

TIME: THREE HOURS

INSTRUCTIONS TO CANDIDATES

1. Answer **question 1** and any other **3 questions from section B**
2. Start the answer to each question on a fresh page.

INFORMATION TO CANDIDATES

1. No cellphones and any other unauthorised materials are allowed into the examination room.
2. Each question carries 25 marks.

Section A

QUESTION 1

Sibanda had been employed by Honey Bakeries since 2011 as a driver. His duty was to deliver bread various designated points. He had done so without any misconduct and Honeys was happy with the way he was performed his duties. After completing his daily duties he was supposed to pack the truck in the company garage in Bindura. On the 12th of January, 2016 he went to deliver in Mount Dawn with is 60km away from Bindura. He was supposed to use Bindura to Mount Dawn Road. On his way back to Bindura from Mount Dawn he thought of visiting his friend who stays in Madziwa Mine which is 20km away from Bindura Mount Dawn Road. He had a good time with his friend in Madziwa Mine. He departed Madziwa Mine from Bindura around 4 O'clock pm. He was just 50 meters away Bindura to Mount Dawn Road, he failed to control the truck and hit a commuter Omni bus which belongs to Mr Wajaira. Both vehicle were extensively damaged. Mr Wajaira wants to recover cost of repairing commuter Omni bus.

Required advice the parties on their legal principles which arise from the above facts and their positions at law. **[25 marks]**

SECTION B

QUESTION 2

With reference to decided case law authorities and statutory provisions. Discuss the notion that the Labour Amended Act (No. 5) of 2015 has brought to finality problems which are associated with the termination of an employment contract.

[25 marks]

QUESTION 3

Asses the place and role of the labour Court in the resolution of discipline of disputes relating to employment.

[25 marks]

QUESTION 4

'The procedure for the registration and an enforcement of bargaining procedure is not in line with best labour standards'. Evaluate the above statement.

[25 marks]

QUESTION 5

Explain what the mandate of the works council is in terms of provision of the Labour Act
[25 marks]

QUESTION 6

Analyse key dynamics affecting trade unionism in Zimbabwe.
[25 marks]

*****END OF PAPER*****