

MANICALAND STATE UNIVERSITY OF APPLIED SCIENCES

**FACULTY OF APPLIED SOCIAL SCIENCES
HUMAN RESOURCE MANAGEMENT DEPARTMENT**

ELEMENTS OF LABOUR LAW

CODE: HHRM 221

**SESSIONAL EXAMINATIONS
MAY/JUNE 2020**

DURATION: 3HOURS

EXAMINER: MR C. SAUTI

INSTRUCTIONS & INFORMATION

- 1. The paper contains 1 Section with 6 Questions.*
- 2. Answer ANY FOUR questions..*
- 3. Total marks 100*

SECTION A

1. Otto Kahn-Freund stated that,“...*the main objective of labour law has been, and will always be a countervailing force to counteract the inequality of bargaining power, which inherently pervades the employment relationship,*”(Davies and Freedland, 1983:18).

Discuss this statement in relation to the development of labour law in Zimbabwe since 1980. **(25 marks)**

2. With reference to relevant case law, explore the duties and responsibilities of the employer and employee respectively, in the operation of the employment contract. **(25 marks)**
3. To what extent has the labour laws in Zimbabwe exacerbated the growth of precarious employment? **(25 marks)**
4. With supporting examples, critically examine the statutory provisions for leave in Zimbabwe. **(25 marks)**
5. “*The right of workers to strike is probably the most controversial component of labour law,*” (Madhuku, 2015:427). Discuss. **(25 marks)**
6. a) Differentiate between a *dispute of right* and a *dispute of interest* giving case examples. **(8 marks)**
b) Discuss any **four** mechanisms for the resolution of disputes in an employment relationship. **(17 marks)**

END OF EXAMINATION