

**2016
MBA**

MBA 4.4 (A)

LABOUR LEGISLATION

Full Marks : 70

Time : 3 Hrs

The figures in the margin indicate full marks for the questions

SECTION A

Answer any five: 2x5=10

1. What are the two broad categories of Labour Law? 2
2. Who is an Apprentice? 2
3. According to child labour (prohibition and regulation) act, 1986 & the child labour (prohibition and regulation) rules, 1988, what should be the hours and period of work for a child? 2
4. Why is workmen's compensation act 1923 not applicable where workmen are covered under ESI act? 2
5. What is the minimum and maximum percentage of bonus payable to an employee in an accounting year? 1+1
6. Where is payment of gratuity act 1972 applicable and who are eligible for gratuity? 1+1
7. As per Industrial Dispute Act, what is unfair labour practice? 2

SECTION B

Answer any five:

4x5=20

1. Who are "Contractor" and "Workman" according to Contract Labour Act, 1970? 2+2
2. Discuss the laws pertaining to the employment of women in factories according to Factories Act, 1948. 4
3. How is minimum wage rate fixed in India? 4
4. Who are entitled to Maternity Benefit according to Maternity Benefit Act, 1961? 4
5. What are the provisions implemented for the interest of women workforce according to Factories Act, 1948? 4
6. Describe the management between State and Industrial Relations. 4
7. Describe the functions of Trade Union. 4

SECTION C

Answer any four:

8x4=32

1. Describe the classification of Labour Laws in India. 8
2. Describe the obligation regarding hazardous processes or substances as per the Factories Act, 1948. 8
3. What will be the amount of compensation in case of death and disablement as per the Workmen's Compensation Act, 1923? 8
4. Describe the benefits under the ESI Scheme. 8
5. Discuss the rights and liabilities of Trade Union. 8

(2)

6. Discuss the determining factors of Industrial Relations. 8
7. What is Collective Bargaining? Mention the characteristics of Collective Bargaining. 2+6

SECTION D

CASE STUDY

(Compulsory Question carrying 8 marks)

Phil, a supervisor, made several unsolicited sexually suggestive advances towards Julie in the workplace. Despite Julie repeatedly asking Phil to stop, the advances continued. Julie reported the matter to her manager, John. In recent months John had heard of similar complaints from other female staff about Phil, but this was the first formal complaint. Unsure of what action to take John sent Phil a copy of the organization's Sexual Harassment policy and asked him in an email to read the policy document and not to act in a manner that would contravene the policy, but took no other action. The behaviour continued and Julie and the other female staff made a formal complaint to the equal employment opportunity commission.

Questions:

1. Did the organization meet its duty of care to its female employees? 2
2. What risks does the organization face? 2
3. Can the organization retrieve the situation? 2
4. Frame the policy guidelines to overcome the workplace harassment. 2