

THE OPEN UNIVERSITY OF SRI LANKA
 FACULTY OF MANAGEMENT STUDIES
 MASTER OF BUSINESS ADMINISTRATION IN HUMAN RESOURCE
 MANAGEMENT
 FINAL EXAMINATION – MAY 2022
 HRP9339/MSP9339/ MCP2139– INDUSTRIAL LAW AND RELATIONS
 DURATION: 03 HOURS



Date: 28 MAY 2022

Time: 9.30a.m. to 12.30p.m.

Answer any FIVE questions.

Candidates will be penalized for illegible handwriting.

Total Number of Questions: 08

1. Explain the tests the Courts have developed to identify a workman.

(20 Marks)
2. Management Students' Union intends to publish a Journal, and requests you to write an Article entitled "Industrial Disputes Act as an Instrument to Promote Industrial Peace." Explain the key points that you would include in the Article.

(20 Marks)
3. Casurina Hotels Ltd commenced its business in 2015. The Hotel employs 60 workmen from the commencement of its business. The business of the Hotel has been affected due to the economic crisis in the Country. The Management of the Hotel has terminated the employment of fifteen workmen on 01 April 2022 without any consent or approval. The workmen wish to seek relief against termination of their employment. Advise them.

(20 Marks)
4. Explain the legal aspects relating to disciplinary termination of employment in Sri Lanka.

(20 Marks)
5. Ruba worked in a Garment Factory since 2017. On 12 March 2022, security officers of the Company found that she had taken some cut pieces of cloths in her bag without any permission. The cut pieces of cloths had no economic value to the employer. Ruba has not committed any other misconduct. However, the employer had terminated her services for the misconduct. Ruba wishes to seek relief against termination of her services. Advise Ruba.

(20 Marks)

6. Explain the important aspects of the following legislation:

- (a) Payment of Gratuity Act
- (b) Employees' Provident Fund Act

(Each part carries 10 Marks.)

(Total 20 Marks)

7. Alpha Steels Ltd employed Vasu as a steel cutter since 2008. On 10-03-2022, while Vasu was cutting a steel bar, a steel-cutter had cut-off his leg beyond knee. Vasu wishes to know whether he is entitled to any compensation. Advise him. Would your answer be different if Vasu was under the influence of alcohol during the time of the accident? Explain.

(20 Marks)

8. The Trade Unions Ordinance impliedly recognizes right to strike.

Comment on the above statement citing the provisions of the Trade Unions Ordinance.

(20 Marks)

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