

THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LL.B DEGREE PROGRAMME – LEVEL VI
CONTINUOUS ASSESSMENT TEST 2- 2023/2024
LABOUR LAW –LLU6715/LWU4323
DURATION – 01 HOUR



Date: 08.01.2025

Time: 3.30pm- 4.30 pm

Total number of questions – 02

Answer ONE (01) question only.

Candidates will be penalized for illegible handwriting.

1. The employees of MBT Media Pvt. Ltd. are in a dispute with their management regarding a newly introduced company policy that prohibits trade union activities during working hours. The management of the company is unwilling to change the policy and refuses to engage in any negotiation. Therefore, the employees are willing to settle the dispute with the intervention of the Commissioner of Labour.

Discuss the relevant mechanisms available under the Industrial Dispute Act to resolve their dispute with the intervention of the Commissioner of Labour. Your answer should be supported with legislative provisions and case law.

(20 Marks)

2. (a) "The Minister of Labour has unfettered discretion to refer an industrial dispute for compulsory arbitration under the Industrial Disputes Act"

Do you agree with the above statement? Give reasons to your answer with special reference to the relevant legislative provisions and judicial interpretations.

(12 Marks)

- (b) Explain the interpretation of the term 'Employer' in the Industrial Dispute Act No.43 of 1950 of Sri Lanka.

Do you think this interpretation would expand the scope of application of the Act? Discuss with reference to the relevant legislative provisions and case law.

(08 Marks)