

UNIVERSITY OF COLOMBO, SRI LANKA

FACULTY OF MANAGEMENT AND FINANCE

Bachelor of Business Administration (Level II – Semester VI) Examination 2018

HRM 2201/MOS 2217/INB 2217/MKT 2217/ACT 2217/FIN 2217/BEC
2217/HLM 2217 – Industrial Law

Two (02) Hours

Answer any FOUR questions

1. Food Land Super Market employs Ravi and ten others as salesmen. The Management of the Super Market has given the designation to Ravi and others as casual workmen. Ravi and others provide their services to the Super Market with effect from 01-01-2013. They do not have any appointment letter given by the Super Market. They attend for work six days in a week according to the roster prepared by the Manager of the Super Market. Their work is based on shift basis. Their wages are Rs. 800/= for a day, and paid once a month, according to the number of days they work during the month. Ravi and others wish to know whether they are casual workmen or permanent workmen. Advise them.

(25 Marks)

2. The Industrial Disputes Act provides the mechanisms for settlement of industrial disputes and maintenance of industrial peace in the country. Explain the important aspects of the mechanisms provided by the Act for settlement of industrial disputes.

(25 Marks)

3. Nihal works in ABC Finance Ltd as an executive officer since 01-01-2009. He is a confirmed permanent employee, and his age of retirement is 60 years according to his letter of appointment. A clause in his letter of appointment states "The Finance Company reserves the right to terminate your employment at any time by giving three months notice or three months salary in lieu of notice without assigning any reason". The Management of the Company is displeased by his views about the political crisis in the country. On 21 - 11 -2018, the Company had given the three months notice to terminate his employment without giving any reason. Nihal wishes to know whether he can successfully challenge the termination. Advise Nihal.

(25 Marks)

4. i. Explain the legal provisions relating to over - time work of female workers under the Factories Ordinance.

(13 Marks)

- ii. Explain the legal provisions relating to maternity leave in the labour legislation with special reference to the Amendment Acts in 2018.

(12 Marks)

(Total 25 Marks)

5. i. Explain the legal aspects relating to non-disciplinary termination of employment in Sri Lanka.

(15 Marks)

- ii. Lavan worked in Economic Development Bank as an executive officer since 2012. He was also the Program Coordinator of a Charity Organization. He submitted some altered receipts to the Organization for reimbursement of expenses. The Organization came to know about the fraud, and removed him from the position. The Bank terminated the services of Lavan when the Bank came to know about the fraud in the Organization. Lavan wishes to know whether he could seek relief against termination of his services. Advise Lavan.

(10 Marks)

(Total 25 Marks)

6. Write notes on the following:

- i. Legal aspects relating to probationary employment

(13 Marks)

- ii. Legal aspects relating to liability and non-liability for payment of compensation under the Workmen's Compensation Ordinance.

(12 Marks)

(Total 25 Marks)