

UNIVERSITY OF COLOMBO, SRI LANKA

FACULTY OF MANAGEMENT AND FINANCE

Bachelor of Business Administration (Level II – Semester VI) Examination 2017

**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.

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1. (i) Explain the legal principles relating to probationary employment.
(13 Marks)
- (ii) Lanka Toys Ltd employed Kumari as a Junior Executive with effect from 01-04-2017 subject to a probationary period of six months. Kumari provided her services to the satisfaction of her immediate superiors. She had a personal dispute with the Human Resource Manager relating to a love affair outside the workplace. The Management of the Company terminated her services at the end of her probationary period without giving any reason. Kumari wishes to know whether she could seek any relief against termination of her services. Advise Kumari.
(12 Marks)
- (Total 25 Marks)**
2. Health Lanka Ltd has monopoly in supplying surgical instruments to the hospitals in the country. The sole trade union in the Company commenced a strike action demanding an allowance. The strike action immensely affects surgeries in hospitals all over the country.
- (i) Explain the methods available to the Commissioner to settle the dispute.
(13 Marks)

- (ii) Explain the methods available to the Minister to settle the dispute, if the attempts made by the Commissioner fail.

(12 Marks)

(Total 25 Marks)

3. Raja worked in ABC Printers Ltd as a labourer for about ten years. On 15 November 2017, security officers at the main gate checked his bag, and found that he had taken a small bundle of cut pieces of papers without any permission. In an inquiry, it has been established that the papers were in the garbage section of the workplace for disposal. According to the evidence given by the manger, Raja had not committed any misconduct in the past. However, the management of the ABC Printers Ltd terminated his services for the misconduct. Raja wishes to seek relief against termination of his services. Advise Raja.

(25 Marks)

4. (i) Explain the important aspects of the Termination of Employment of Workmen (Special Provisions) Act.

(13 Marks)

- (ii) Colombo Fabrics Ltd commenced its business in 2010. The Company employs 250 employees from the commencement of its business. The business of the Company has been affected because of importation of fabric items. It resulted in termination of employment of fifty employees who had worked in the Company for more than five years. The Company did not obtain any approval from the Commissioner before the termination of their employment. The employees wish to seek relief against the terminations of their employments. Advise them.

(12 Marks)

(Total 25 Marks)

5. (i) Explain the important aspects of the Payment of Gratuity Act.

(13 Marks)

- (ii) Neptune Lanka Ltd employs fifty workmen since the commencement of its business in 2008. The Company employed Ravi also from the commencement of its business, and terminated his services on 12 November 2017 for misappropriation of funds of the Company. Ravi wishes to know whether he is entitled to gratuity. Advise Ravi.

(12 Marks)

(Total 25 Marks)

6. (i) Explain the important aspects of the Workmen's Compensation Ordinance.

(13 Marks)

- (ii) Mahen worked in a construction site, and a tile cutting machine had cut-off his right hand beyond elbow because of his negligence. Mahen wishes to know whether he is entitled to compensation. Advise Mahen.

(12 Marks)

(Total 25 Marks)