



ELIZADE UNIVERSITY, ILARA-MOKIN, ONDO STATE

FACULTY: HUMANITIES, SOCIAL AND MANAGEMENT SCIENCE

DEPARTMENT: HUMAN RESOURCE MANAGEMENT

FIRST SEMESTER EXAMINATION

2020/ 2021 ACADEMIC SESSION

COURSE CODE: HRM 307

COURSE TITLE: LABOUR & EMPLOYMENT LAW

DURATION: 2 HOURS AND 30 MINUTES

INSTRUCTION: ANSWER THREE QUESTIONS ONLY.

1. (i) Queens University is a private institution established in 2005 after due approval from the Nigerian University Commission. The school is owned by Chief Wale Olowo who has been generous in funding his institution until the economic downturn in Nigeria started affecting his business empire adversely. The University employed both academic and non-teaching staff. The institution began to run into financial crisis due to low student enrollment and started experiencing difficulties in paying staff salaries. Some of the senior lecturers became very aggrieved and started mobilizing other academic staff to stage a protest that eventually cumulated into a strike. Upon hearing the intentions of the academics, the university management sacked all the lecturers concerned without giving them the opportunity to face a disciplinary hearing before their dismissal. Furthermore, the students of the institution staged a 'don't come for lectures' riot to protest the poor state of teaching and learning facilities in the University on the instructions of the president of their student consultative union. The President of the student union was put on indefinite suspension when the management of the institution were informed about the student riot. However, the sacked lecturers later gained employment in a public university but soon realised that employee welfare in public universities were even worse. They subsequently refused to join other lecturers in the public university who embarked on a warning strike based on the negative experiences of the past. Subsequently, their colleagues conspired against them and got them sacked while no formal letters of termination were issued to them from the institution.

As a highly knowledgeable Labour and Employment law student, advise parties on their rights, privileges and liabilities in this case.

- (ii) Briefly describe and differentiate between laws that govern workplace relations in public and private universities and examine four general functions of labour laws?
2. (i) Examine three sources of Nigerian Labour laws.

(ii) Mr Tunde Balogun is an Accountant in the Budget and Planning department of the Ministry of Finance at the Federal Capital Territory. He was coerced to join the trade union public servants in Nigeria. The Senior Management of Ministry subsequently employed an expatriate to take over his position and redeployed Mr. Balogun to another unit within the Budget and Planning department that is less engaging and he felt under-utilized. Mr. Balogun made several complains about the poor working conditions in the audit where he was deployed but got no positive response. Mr. T. Balogun also expressed concerns about the poor transportation system provided for staff despite the high deductions that were taken from his salary as transport charges because he is made to work late and uses the staff bus frequently for those who work late. Mr. Balogun also observed that he is never granted sick leave and sometimes given work not suitable for his area of expertise. He is now fed-up and wants to ensure his employer's comply with the labour law regulations guiding his employment contract. He comes to you for advice as an experienced labour and employment law guru. Advise him of his rights and privileges under the Nigerian Labour Law.

3. (i) Mrs Sule Bada is employed as a back office staff in the Federal Road Safety Corps but realized after five months of employment that tasks assigned to her by her superior were incompatible with her work experience (i.e. she is underemployed). She also observed very poor health and safety protocols operates in the organisation. There was no provision for holidays and she later realized that the employee housing scheme was a fraud. Mrs Bada later discovered that her employers take monthly deductions off her salary as pension but do not remit contributions to the pension scheme she holds. She was subsequently sacked without an opportunity to defend herself at a disciplinary panel. Mrs S. Bada feels aggrieved and seeks legal redress on all these issues raised. She comes to you because she feels you are very knowledgeable in labour and employment matters. Using the law, what will be your advice?
(ii) Write short notes of the following:
 - (a) Trade Unions Act of 1973
 - (b) Labour Act of 1974
 - (c) Trade Disputes Act of 1976
 - (d) Trade Disputes (Amendment) Act of 1977
4. (i) Mr. Mustapha Nkem is employed as a Chartered Accountant in one of the commercial banks in Nigeria. Before He was sacked for always sleeping on duty, he was always made to compulsorily work long and very stressful hours. He was assured of benefitting from the bank's housing scheme but his employers failed to honour this obligation by remitting his contributions to the scheme. Mr. M. Nkem later discovered after four years that he was not given a formal contract of employment when he started work. Critically examine the specific provisions of the Nigerian law on employment that were breached in this scenario?
(ii) Discuss the development of the Arbitration and Industrial Courts in Nigeria?
5. (i) What is Industrial Relations?
(ii) Write a brief history of the development of Industrial Relations in Nigeria?

(iii) Write short notes on any three of the following hierarchical structure of the Nigerian Courts:

- (a) The Supreme Court of Nigeria
- (b) The Court of Appeal
- (c) The High Court
- (d) The Federal High Court