**School of business and economics**

**MBA year two semester one Exam Draft**

**Course Name Employee Relations**

 **Course code** MBA 852

**Duration: three hours**

**Answer question one and any other two**

**QUESTIONS ONE**

**Case study**

**Workplace conflict**

*Please read the case study and assume that you are the supervisor. Then, answer the questions that follow*

You have been in your current supervisory position for about six (6) months. Diane and Jill are two employees in your department who do not get along. Diane has worked for the department for six (6) years. Jill has worked in the office for about two (2) years. Each believes the other is incompetent. They have heated arguments on occasion.

You are aware that animosity between the two has existed since Jill began working for the department. The previous supervisor attempted to resolve the issues by bringing in third parties to facilitate resolution between the two employees. This was not successful.

Jill has now reported to you that Diane has pushed her. You have asked each to provide a written statement of the incident.

***Jill’s version:*** *They came from opposite directions around a blind corner and stopped within a foot of each other. Each had time to move to the side. However, before Jill could move out of the way, Diane crossed her arms in front of her and pushed Jill. Jill had to catch herself on the cubicle wall to avoid falling. Diane then said, “You stopped right in front of me.”*

***Diane’s version:*** *They came from opposite directions around a blind corner. Realizing there was no time to stop; Diane attempted to maneuver to the side, but bumped shoulders with Jill. Jill immediately said “You pushed me.” Diane said “You stopped in front of me.”*

You interview other workers in the office, but no one witnessed this incident. However, one employee tells you that Diane has previously made demeaning remarks about Jill including calling Jill “old and stupid.” Another employee tells you that Diane has stated that “she doesn’t need to change her ways to accommodate Jill.” None of the other employees seem to be taking sides. They all wish both Diane and Jill would start behaving appropriately.

1. What action would you take to address the behavior of the two employees? (4 Marks)
2. If you would discipline, what are the grounds for this course of action? (4 Marks)
3. What mitigating circumstances might exist in this case? (4 Marks)
4. What level of discipline would you seek or impose? (4 Marks)
5. In four clear points discuss the purpose and the need of effective grievance resolution procedure (4 Marks)

**QUESTION TWO**

1. Explain the options available to a trade union in the event of employer’s failure to honor the content of Collective Bargaining Agreement (CBA). (6 Marks)

b) Describe types of negotiable issues that trade unions pursue in their Collective Bargaining (6 Marks)

c) As an Employment Relations expert. Discuss five suggestions you feel are necessary to Improve Industrial Relations in Kenya (8 Marks)

**QUESTION THREE**

1. Explain the following terminologies as captured in the employment and Labour Relations Acts (6 marks)
2. Labour relations
3. Industrial Relations
4. Employee relations
5. Describe four major factors that contributed to the growth of Labor Legislation and Industrial Relations in Kenya (6 Marks)
6. Critically examine the theory of Industrial Relations Systems as propagated by john Dunlop (8 Marks)

**QUESTION FOUR**

1. Outline the paramount features of an effective disciplinary procedure as articulated under Employment Act Cap 226 (6 Marks)
2. Briefly describe the circumstances that may expose an employee to summary dismissal. (6 Marks)
3. By your understanding explain the causes of poor industrial relations in post independence Kenya. (8 Marks)

**QUESTION FIVE**

1. Explain the importance of the Employment and Labour Relations Court of Kenya in solving industrial relation disputes (6 Marks)
2. “Equal pay for equal work” is one of ILO maxim which is highly stressed ,Explain the benefits of this in the industrial relations in Kenya (6 Marks)
3. Discuss the measures that an organization may take to ensure health and safety of its employees at the work place is assured (8 Marks)