



**Institute of Human Resource Advancement  
University of Colombo, Sri Lanka**

**Master of Human Resource Management – Course No 10**  
**2<sup>nd</sup> Trimester Examination**  
(Held in March/April – 2021)

**MHRM 5232 – Labour Law and Industrial Relations**

**Instructions to the Candidates**

- (1) Answer any Five (05) Questions only.
- (2) Time allocated for the examination is three (03) hours.
- (3) This paper consists of Eight (08) questions and Two (02) pages.
- (4) If a page or a part of this question paper is not printed properly, please inform the Supervisor immediately.
- (5) Use of any equipment such as mobile phone is prohibited, and rules and regulations of university examinations should be strictly followed.

01. Gama Lanka Foods Ltd provides home delivery services of its food items in Colombo. The Company engages nine persons to deliver the food items since the commencement of its business in 2015. The delivery persons use the motor-bikes and boxes provided by the Company to deliver the food items. The Company provides uniform to the delivery persons to wear during their delivery hours. The Company pays only a commission calculated on the basis of the deliveries they make during the month. An agreement between the Company and the delivery persons prevents the delivery persons from working at any other workplace. The delivery persons wish to know whether they are employees of the Company or independent contractors. Advise them.

**(20 Marks)**

02. Wuhan Hospital Ltd employed Nilmini as a Junior Executive with effect from 01-02-2020 subject to a probationary period of one year. Nilmini provided her services to the satisfaction of her superiors, and became entitled to all salary increments based on her performance. She had a personal dispute with a Senior Administrator of the Hospital relating to love affair of her brother. The Management of the Hospital terminated her services at the end of her probationary period without giving any reason. Nilmini wishes to know whether she could seek any relief against termination of her services. Advise her.

**(20 Marks)**

03. Explain the mechanisms provided by the Industrial Disputes Act for settlement of industrial disputes and maintenance of industrial peace.

**(20 Marks)**

04. Assume that you are a President of a Labour Tribunal, and write how would you decide the following case filed for termination of services:

Jeevan worked at Kalubowila Printers Ltd as a Machine Operator since 2010. On 20 December 2020, security officers found that he had taken some cut pieces of papers without any permission. In an inquiry, it has been established that the papers were discarded items and kept separately for disposal. However, the management of the Company had terminated his services for the misconduct.

**(20 Marks)**

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

(20 Marks)

06. A trade union in the Rainbow Garments Ltd intends to commence a strike action demanding an allowance. The Human Resource Manager of the Company wishes to know whether right to strike is recognized by any legislation in Sri Lanka. Advise him.

(20 Marks)

07. Michael worked as a tile-cutter in a construction Company called Shanghai Lanka Ltd. A tile cutting machine has cut off his three fingers in his left hand because of his negligence. Discuss whether Michael is entitled to any compensation in terms of the provisions of the Workmen's Compensation Ordinance. Would your answer be different if Michael was under the influence of drugs at the time of the accident? Explain.

(20 Marks)

08. Write notes on any two of the following:

- a. Legal aspects relating to casual employment
- b. Jurisdiction and powers of a Labour Tribunal
- c. Shop and Office Employees' Act

(Each part carries 10 Marks)

(20 Marks)

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