



(University of Choice)

**MASINDE MULIRO UNIVERSITY OF
SCIENCE AND TECHNOLOGY
(MMUST)**

SCHOOL OF NURSING, MIDWIFERY AND PARAMEDICAL SCIENCES

**UNIVERSITY EXAMINATIONS
2023/2024 ACADEMIC YEAR**

THIRD YEAR SECOND SEMESTER EXAMINATIONS

**FOR THE DEGREE
OF
BACHELOR OF SCIENCE IN OCCUPATIONAL SAFETY AND
HEALTH**

COURSE CODE: NCO 422:

**COURSE TITLE: LEGISLATION AND COLLECTIVE BARGAINING
AGREEMENT**

DATE: 8TH APRIL 2024 TIME: 3.00 PM – 6.00 PM

INSTRUCTIONS TO CANDIDATES

All Questions Are Compulsory

TIME: 3 Hours

MMUST observes ZERO tolerance to examination cheating

This Paper Consists of 5 Printed Pages. Please Turn Over. ►

KEY**Section A: MULTIPLE CHOICE QUESTIONS MCQ (20 MARKS)**

1. Laws in Kenya are made by legislature which is made up of two houses namely?
 - A. Parliament and senate
 - B. Parliament and National Assembly
 - C. Senate and National Assembly
 - D. Senate and upper house
2. Parliament of Kenya has made five laws commonly known as labour laws. They include the following except?
 - A. The employment Act
 - B. The labor relations Act
 - C. The youth empowerment Act
 - D. The Occupational safety and health Act
3. In Kenya laws made by parliament are enforced by the
 - A. The judiciary
 - B. The Executive
 - C. The Senate
 - D. The National Assembly
4. The main purpose of labour inspection is?
 - A. Comply with international standards
 - B. Prosecute employers
 - C. Ensure compliance with labour laws
 - D. Identify worker-employer conflicts
5. Which of the following is true in the consistency and coherence principle guiding labour inspection?
 - A. Labour inspection will treat similar cases in different ways to achieve similar compliances.
 - B. Labour inspection will treat similar cases in similar ways to achieve similar compliances.
 - C. Labour inspection will treat similar cases in similar ways to achieve different compliances
 - D. All of the above
6. International Labour Organization (ILO) instruments include all the following except?
 - A. ILO convention
 - B. ILO recommendation
 - C. ILO conference
 - D. ILO codes of practice

7. To achieve effective legislation OSH staff can best be recruited from which disciplines ?
 - A. Medicine, Science, Nursing, Anthropology
 - B. Medicine, Nursing, Philosophy, Science
 - C. Engineering, Nursing, Commerce, Science
 - D. Engineering ,Science, Nursing, Medicine
8. Which of the following does not assist to improve safety owing to ever changing technology at the workplace?
 - A. Research
 - B. New policies/legislation
 - C. New company name
 - D. Re-training of staff
9. A 'walkaround' of all or part of the workplace is one of the procedures required during the process of?
 - A. Workplace research and data collection
 - B. Workplace safety and health training
 - C. Workplace committee meeting
 - D. Workplace inspection
10. The collective bargaining process involves _____ and _____ to negotiate contracts to determine terms of employment.
 - A. Unions and the government
 - B. Unions and employers
 - C. Government and employers
 - D. Government and management
11. The ILO declaration gives five categories of fundamental principles and rights at work which include freedom of _____ and the effective recognition of the right to collective bargaining.
 - A. expression
 - B. Association
 - C. movement
 - D. choice
12. Which of the following subjects/topics are not allowed by the law to be discussed by the parties to a collective bargaining agreement?
 - A. Wages, overtime ,bonuses
 - B. Company shares,directors,shareholders
 - C. Safety practices, staff discipline, lay offs
 - D. Bonuses, work practices, grievance procedures
13. Which of the following gives the meaning of term 'overtime'

- A. The time a worker spends working during weekends
 - B. The time a worker spends doing a job in addition to his/her normal working hours
 - C. The time a worker spends working during public holidays
 - D. The wages a worker earns for additional working hours
14. Recognition of trade unions and collective bargaining agreements is provided for under which law?
- A. The employment act
 - B. The work injury benefits act
 - C. The labour relations act
 - D. The occupational safety and health act
15. Every collective agreement is required to be submitted to industrial court for registration within ____ days of its conclusion.
- A. 7
 - B. 10
 - C. 14
 - D. 21
16. Which of the following true concerning the registration of a collective bargaining agreement by the industrial court?
- A. The industrial court shall register a collective agreement that conflicts with the Acts or any other law
 - B. The industrial court shall not register a collective agreement that does not comply with salary conditions issued by the minister.
 - C. The industrial court will register a collective agreement within seven days of receiving it.
 - D. The industrial court will not give any reasons for refusing to register any collective agreement.
17. Objectives of a works committee in a workplace include all of the following EXCEPT?
- A. Promote good relations between employers and employees
 - B. Comment upon matters of common interest
 - C. Resolve differences of opinion on certain matters of common interest
 - D. Review company assets for disposal
18. Which of the following should not be an item for consideration by a workplace health and safety committee?
- A. Statistics on accidents, ill health records
 - B. Accident investigations and actions taken

- C. Loans and borrowing by the company
 - D. Emergency procedures and response training.
19. An employee has been suspended by the employer following failure to use personal protective equipment. The best next course of action should be for the employee to?
- A. Demand all his wages and leave the company
 - B. Inform his labour union for representation in case review
 - C. Mobilize his colleagues into an industrial strike
 - D. Take company to industrial court for unfair suspension
20. Which of the following is not true about the ILO principles on the right to collective bargaining?
- A. Collective bargaining is a right of employers and their organizations and of workers organization of any level
 - B. The right to collective bargaining covers workers both in the public and private sectors.
 - C. Collective bargaining must be free and voluntary, respect the principle of autonomy of the parties.
 - D. The content of collective bargaining concerns terms and conditions of work and employment during day time only.

Section B: SHORT ANSWER QUESTIONS, SAQs (40 marks)

1. Explain four roles played by government authorities in legislation. (8 marks)
2. State four benefits that employees are entitled to under the employment Act, laws of Kenya. (8 marks)
3. Explain four functions of labour inspectors (8 marks)
4. (i) Explain what you understand by 'collective bargaining agreement', CBA? (2 marks)
(ii) State any six mandatory subject items that both parties to a CBA are required by law to negotiate in good faith (6 marks)
5. Explain four benefits of a CBA to employees (8 marks)

Section C: LONG ANSWER QUESTIONS, LAQs (40 m)

- 1) Describe the key steps involved in the process of a collective bargaining agreement, CBA before it is registered at the industrial court (20 marks)
- 2) Explain any ten types of information which should be shared with workers representatives for negotiations on collective bargaining. (20 marks)

