

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2019

Course: LABOR LEGISLATIONS
Programme: BBA- HRM

Semester: V
Course Code:HRES3003

Time: 03 hrs.

Max. Marks: 100

Instructions:

- 1. All sections are compulsory.**
- 2. This question paper contains 4 printed pages**

SECTION A
(2 x 10 = 20 Marks)
Answer in True/ False Only

S. No.		Marks	CO
Q-1	The philosophy of “Welfare State” as provided in the Constitution of India forms the basis of labor legislations regime in India	2	CO1
Q-2	“Living Wages” are those levels of wages that provide a worker with a comfortable lifestyle	2	CO2
Q-3	Wages paid to the worker can also be paid in kind	2	CO2
Q-4	As per the Employees Compensation Act, Compensation is paid on the basis mental and physical pain suffered by the worker	2	CO3
Q-5	Contractor is the “employer” of contract workers for the purpose of labour legislations	2	CO4
Q-6	“Diwali Bonus” can never be the statutory bonus as provided under the payment of bonus act	2	CO2
Q-7	Wages are paid to the employees for the work done by them	2	CO1
Q-8	Unmarried daughter of a deceased worker comes under class 2 dependents	2	CO2
Q-9	Every factory shall have a crèche if 50 married female workers work therein	2	CO1
Q-10	Gratuity payable to the employee can be fortified in certain cases	2	CO4

SECTION B (4 x 5 = 20 Marks)
Attempt Any FOUR Questions

Q-11	What is disablement? Differentiate between Total Permanent, Partial Permanent, and Temporary Partial disablement citing relevant examples	5	CO1 CO3
Q-12	Differentiate between subsistence wages, starvation wages, living wages, and fair wages. At what level is the minimum wages set?	5	CO2 CO3

Q-13	Explain the roles and relationships between the parties involved in the contract labor system.	5	CO1 CO4																																		
Q-14	What is bonus? Differentiate between bonus and incentives.	5	CO2 CO4																																		
Q-15	What are the objectives for which The Payment of Wages Act was enacted. Critically analyze whether the legislation has been able to achieve such objectives.	5	CO3 CO4																																		
SECTION-C (2 x 15=30) Q-16 is COMPULSORY, Attempt ANY ONE question among Q-17 & Q-18																																					
Q-16	<p>A Contract Worker whose daily wages are Rs. 525/- works the given number of hours in particular two consecutive weeks.</p> <p>Is he entitled to Overtime payment in week 1 and/or week 2?</p> <p>If yes, calculate the amount of overtime payment separately in week 1 and week 2</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" style="text-align: center;">WEEK 1</th> </tr> <tr> <th style="text-align: center;"><i>Day</i></th> <th style="text-align: center;"><i>No. Hours worked</i></th> </tr> </thead> <tbody> <tr><td>Sunday</td><td style="text-align: center;">7</td></tr> <tr><td>Monday</td><td style="text-align: center;">9</td></tr> <tr><td>Tuesday</td><td style="text-align: center;">12</td></tr> <tr><td>Wednesday</td><td style="text-align: center;">10</td></tr> <tr><td>Thursday</td><td style="text-align: center;">11</td></tr> <tr><td>Friday</td><td style="text-align: center;">9</td></tr> <tr><td>Saturday</td><td style="text-align: center;">11</td></tr> <tr> <th colspan="2" style="text-align: center;">WEEK 2</th> </tr> <tr> <td>Sunday</td> <td style="text-align: center;"><i>Weekly Off</i></td> </tr> <tr><td>Monday</td><td style="text-align: center;">11</td></tr> <tr><td>Tuesday</td><td style="text-align: center;">10</td></tr> <tr><td>Wednesday</td><td style="text-align: center;">4</td></tr> <tr><td>Thursday</td><td style="text-align: center;">On leave</td></tr> <tr><td>Friday</td><td style="text-align: center;">10</td></tr> <tr><td>Saturday</td><td style="text-align: center;">7</td></tr> </tbody> </table>	WEEK 1		<i>Day</i>	<i>No. Hours worked</i>	Sunday	7	Monday	9	Tuesday	12	Wednesday	10	Thursday	11	Friday	9	Saturday	11	WEEK 2		Sunday	<i>Weekly Off</i>	Monday	11	Tuesday	10	Wednesday	4	Thursday	On leave	Friday	10	Saturday	7	15	CO1 CO2 CO3
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Q-17	What are the provisions of The Factories Act, 1948 regarding health and safety of workers working in a Factory? What are specific provisions regarding fire safety?	15	CO1 CO3 CO4																																		
Q-18	<p>As per The Payment of Bonus Act 1965, explain the following</p> <ol style="list-style-type: none"> a. Available Surplus b. Allocable surplus c. Statutory Minimum Bonus d. Set-Off e. Set-On 	15	CO2 CO3 CO4																																		

SECTION-D

<p>Q-19</p>	<p>A Contract Worker who is employed in a garment export company works on average monthly wages of Rs. 20,000/- per month. On July 5, 2018 he suffered with an accident. He suffered fracture in his right hand, for which he was advised rest on medical grounds for three months i.e till October 5, 2018. His contractor was M/S Shiv Placement Agency. On July 15 2018, Shiv Placements was declared bankrupt, and the accounts of the company were frozen by the National Company Law Tribunal. Upon the closure of the placement agency, the worker approached the principal employer for payment of compensation.</p> <p>And other relevant information as:</p> <p>Date of Birth: May 16, 1979 Date of joining the Company: August 7, 2017 Designation: Tailor</p> <p>a. Who is primarily liable to pay the compensation? b. Is the worker authorized to claim the compensation from the principal employer? If yes, who will ultimately bear the cost of compensation? c. Calculate the compensation (if any) that would have been paid to the worker (if paid) between July 5, 2018 and October 5, 2018. When will he get the compensation?</p> <p>as per The Employees Compensation Act, 1923.</p>	<p align="center">30</p>	<p align="center">CO1 CO2 CO3 CO4</p>
	<p align="center">*****End of the paper*****</p>		