



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**FACULTY OF LAW, DEPARTMENT OF COMMERCIAL LAW**  
**Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja**

**JUNE 2021\_1 EXAMINATION ...**

**COURSE CODE:** CLL231

**COURSE TITLE** LABOUR LAW – I

**CREDIT UNITS:** 4

- INSTRUCTIONS:**
- (a) Indicate your Matriculation Number clearly
  - (b) Attempt Question one (1) and any other three (3) questions
  - (c) Question one (1) is compulsory and carries 25 marks; while the other questions carry 15 marks each.
  - (d) Using appropriate statutory and judicial authorities, present all your points in a straightforward, coherent and orderly manner.

**TIME ALLOWED:** 2.5 Hours

**QUESTION 1**

Musa, a supervisor in a garment knitting factory, was employed to maintain work roster, distribute milk to the workers as a measure against nauseous effect of factory fumes, and prepare timesheets for weekly wages of the workers. In the course of his work, Musa developed breathing problems. His doctor diagnosed a rare and incurable condition of complicated bronchitis due to excessive factory fumes he inhaled in his workplace. He advised him to quit his job. Musa worried at prospect of having to live with the “disabling occupational disease” has approached you for counsel on the following:

- (a) Identify the persons the Employee’s Compensation Act 2010 provides that information must be given for the purpose of employer in any case of disabling occupational disease in the workplace. (10 marks)
- (b) What are the contents of the information required to be given to the employer? (6 marks)
- (c) Musa developed the rare condition after he had resigned from his employment with the factory. In fact, he worked for another employer, a bank in this case. Is there reprieve for him under the law? (9 marks)

**QUESTION 2**

- (a) Mr. Onisuru is the Sales Manager of a petroleum products distribution company. On this particular day, he was sent to the bank to deposit the previous day’s sales. On his way, he stopped by a friend’s office. Attempting to drive out of his friend’s office to the bank, an oncoming vehicle rammed into his car and caused him serious injuries. The question that arose was whether the accident arose out of and in the course of employment to entitle him to compensation. How do you determine this question? (6 marks)
- (b) Marshall is a commissioned officer of the Nigerian Army. He had sustained a disabling occupational disease in the course of his employment as a military officer. He sought to file a claim for compensation pursuant to the Employee’s Compensation Act 2010. Advise him. (5 marks)
- (c) Would your answer be different if Marshall’s employment with the Nigerian Army is in a civilian capacity? (4 marks)

**QUESTION 3**

- (a) State at least five objectives of the Employees Compensation Act 2010. (10 marks)
- (b) Attempt an explanation of the concept of “*good or international best practice in labour or industrial relations*” as contained in the National Industrial Court Act 2006. (5 marks)

**QUESTION 4**

- (a) With the aid of an illustration, explain the principle of “Limitation of Action” (5 marks)

- (b) Identify and state at least two justifications for the evolution of the principle. (6 marks)
- (c) Explain any two ways by which limitation period are calculated. (4 marks)

#### **QUESTION 5**

- (a) Define the word “maintained” according to the Factories Act. (3 marks)
- (b) What are the three classes of machinery under the Factories Act? (12 marks)

#### **QUESTION 6**

- (a) Identify the elements of the implied duties of the employee. (5 marks)
- (b) Discuss any two of the elements. (10 marks)