



NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS
SEPTEMBER/OCTOBER 2015 EXAMINATION
SCHOOL OF LAW

COURSE CODE: LAW 232.

COURSE TITLE: LABOUR LAW II.

TIME ALLOWED: 2 ½ HRS.

INSTRUCTION: ANSWER FOUR QUESTIONS INCLUDING QUESTION 1.

1. Mr. A is a practicing homosexual, he works in an oil servicing company. He was recently dismissed from his employment without notice. He does not wish to continue to work for the company any longer as he sees them as 'narrow minded bigots!' He however insists on the contractual provision in his employment contract which states that he is entitled to three months notice or payment in lieu on termination of his appointment. Can he enforce this provision?
2. Briefly discuss the methods of termination of a contract.
3. During the protests in respect of fuel subsidy, the Nigerian Labour Congress issued a 'stay at home order' Diehard' an auto-mechanic insists on going to work and reports at the ministry of transport that day.

He is caught molested and prevented from entry by protectors and his clothing is ripped. Can he sue the protesters?

He is seen by Aploko, a co-worker, who is tired of Diehards 'goody two shoes attitude' He steers the crowd in 'Diehard's' direction and insights them to give him a memorable beating. Does he have any legal remedy?

4. Define the following terms:
 - i. Notice/Payment in lieu.
 - ii. Subsequent agreement.
 - iii. Summary dismissal.
 - iv. Antecedent Misconduct.
5. Maigeri is a foreman in Uwargida's soft drink bottling company. On Monday morning, he resumes at work to notice Usman who has been trying to become Uwargida's favourite, tampering with some of the machines to make him look incompetent. A scuffle ensues, Maigeri slips and falls. The cutting machine is on and Maigeri's arm is badly damaged. Usman hits his head against the corking machine and faints. A passerby hears Maigeri's screams and rushes in to rescue him, he succeeds in rescuing Maigeri but trips and falls breaking his leg. Discuss the legal issues in this question.
6. Greedy Inc. a production company led its staff to believe they would be paid an extra sum of money for long service over and above money from their personal staff pension scheme. Bayo has served the company for twenty years he retires from greedy Inc. only to be told the promise was a plot to keep workers for a long period and there is no money.

Bayo threatens to sue the company for fraud, the line manager Golddigger laughs in his face in front of all his colleagues and tells him "Produce the agreement you illiterate!" and walks off. Bayo feels cheated and decides to teach Greedy Inc. a lesson. He decides to publish the fact that Greedy Inc's MD is a homosexual and alleges the fact that the Chairman and Vice Chairman are paedophiles.

- i. Has Greedy Inc. done anything illegal if so what?
- ii. What offence if any has been committed by Golddigger&Bayo.
- iii. What are the elements of the offence committed by Bayo if any?