



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS**  
**SCHOOL OF LAW**  
**JUNE/JULY 2013 EXAMINATIONS**

**COURSE CODE: LAW 231**

**COURSE TITLE: LABOUR LAW 1**

**TIME ALLOWED: 3 Hours**

**INSTRUCTION: Answer any 5 questions. All questions carry equal marks**

1. Trace the history of labour law in Nigeria
2. With the aid of relevant authorities, explain the phrase “arisen out of and in the course of employment”.
3. Advise on the following scenarios:
  - a. An employee whilst rushing to board the staff bus got his umbrella entangled with the door of the bus as a result of which he fell and sustained injuries.
  - b. when the limitation period starts to run
  - c. a machine operator’s hand got stuck in the machine whilst he was performing his duty, as a result of which he lost his arm.
4. State the conditions that must be satisfied before a plaintiff can be said to have discharged the burden of proof of liability in line with Boyle V. Kodak
5. Discuss the essential requirements of Sections 14 - 17 of the Factories Act 1990
6. Shine Shine Textiles Limited increased staff working hours from 6 to 8 hours per day. As a result, the staff downed tools and went on strike. The night before they proceeded on strike, they pasted a ‘notice’ on the MD’s gate. The notice read ‘Oga, we don tire o. Make u do your work by yourself. Then your eye go clear. We no dey come work tomorrow!’. The next day, they all assembled by the security post, singing solidarity songs and chanting ‘We no go work eh!’. The MD announced via public address system that since they have become delinquent, he will deal with them. He then invited law enforcement agents who drove them all out of the premises and locked the gate. Both parties maintain that they have satisfied the requirements of the law. Advise them.

7. The MD of Scrumptious Pizzas was jilted by his fiancée. As a result, he developed hatred for all women, saying that they are all dishonest. Two days after he was jilted, he went to the office and dismissed Tolotolo, his personal assistant without notice or benefits. He based on the dismissal on his inability to trust her, being a woman. The Company secretary advised her to sue the MD and claim specific performance. Explain to her what specific performance means, what she should expect if she is successful and limitations, if any, to the grant of an order of specific performance.

8. With the aid of relevant authorities discuss the relevance of motive in termination of employment.

9. Discuss the cases where summary dismissal will be ineffective for breach of applicable procedure