

Name:

Enrolment No:



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

Course: LABOR LEGISLATIONS

Programme: MBA- HRM

Time: 03 hrs.

Instructions:

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

Semester: III

Course Code:HRES8005

Max. Marks: 100

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

S. No.		Marks	CO
Q-1	The constitution of India provides for freedom of expression and peaceful association. The labor legislation regime in India too derives the same philosophy	2	CO1
Q-2	Printing the newspapers is a “Manufacturing Process” as per Section 2k of The Factories Act, 1948	2	CO2
Q-3	It is mandatory now to pay wages to the employees only through bank transfer as per the Payment of Wages Act	2	CO2
Q-4	As per the Employees Compensation Act, Compensation is paid on the basis of severity of injury caused to the worker	2	CO3
Q-5	A company Agrawal Builders has outsourced the catering service to Satya Caterers. Employees of Satya Caterers are “Contract Workers” for Agarwal Builders	2	CO4
Q-6	Bonus is workers share in profit of the business. So business running in loss will not pay bonus	2	CO2
Q-7	Minimum wages are set to ensure subsistence of life of the worker	2	CO1
Q-8	Bonus is the amount paid to the workers for good performance	2	CO2
Q-9	Every factory shall have a crèche if 100 female workers work therein	2	CO1
Q-10	Maternity benefit can only be claimed by a married female employee	2	CO4

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

Q-11	What are the provisions of The Employees Compensation Act towards payment of compensation for accidents caused while coming to work, and while going home after finishing work? Explain the concept of “Notional Extension of Employers Premises giving relevant example	5	CO1 CO3
Q-12	Differentiate between Sickness Benefit, Medical Benefit, Prolonged Medical Benefit, and rehabilitation benefit as per the ESI Act.	5	CO2 CO3

Q-13	What are the Provisions of the Contract Labor (Regulation and Abolition) Act towards Abolition of Contract Labor System? Who will abolish the system and how? What happens to the Contract Workers when the Contract Worker system is abolished	5	CO1 CO4																																		
Q-14	Differentiate between starvation, subsistence, living, fair, and luxury wages. At what level is the minimum wages fixed by the government?	5	CO2 CO4																																		
Q-15	What are the provisions of The Payment of Wages Act towards wage day, wage cycle and deductions of money from wages of the workers	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 Worker whose Average Monthly wages are Rs. 28,000/- works the given number of hours in particular two 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;">6</td></tr> <tr><td>Monday</td><td style="text-align: center;">8</td></tr> <tr><td>Tuesday</td><td style="text-align: center;">10</td></tr> <tr><td>Wednesday</td><td style="text-align: center;">11</td></tr> <tr><td>Thursday</td><td style="text-align: center;">12</td></tr> <tr><td>Friday</td><td style="text-align: center;">9</td></tr> <tr><td>Saturday</td><td style="text-align: center;">10</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;">3</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	6	Monday	8	Tuesday	10	Wednesday	11	Thursday	12	Friday	9	Saturday	10	WEEK 2		Sunday	<i>Weekly Off</i>	Monday	11	Tuesday	10	Wednesday	4	Thursday	3	Friday	10	Saturday	7	15	CO1 CO2 CO3
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Q-17	<p>The Maternity Benefit (Amendment) Act 2017, provides for 26 weeks of maternity benefit to the female employee in case of birth of a child whereby leaves are provided with full wages. Prior to this amendment, the maternity benefit was 13 weeks. Some studies have shown that this enhancement in maternity benefit has resulted into small and mid-size companies refraining from employing females, or females with particular marital status and in particular age group. What was destined to be a benefit to female workers in some cases is going against them.</p> <p>Discuss how with means of a legislation or otherwise, this problem can be solved.</p> <p>Also, in the changing social patterns, and changing family patterns (more number of working couples, and more nuclear families) discuss the pros and cons of statutory paternity benefit.</p>	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 	15	CO2 CO3 CO4																																		

- c. Statutory Minimum Bonus
- d. Set-Off
- e. Set-On

SECTION-D

Q-19

A worker whose salary slip is given below

Salary Slip				
Earnings			Deductions	
Basic		34,000	PF	5000
DA	125%	42500	Income Tax	3000
HRA	20%	6800	Loan Repayment	4000
Transport Allowance		3000	Society charges	300
Medical Allowance	12.50%	4250		
Incentive		3000		
Overtime Payment		2000		
Other earnings		800		
Gross Salary		96,350	Total Deductions	12300
Net Salary = Gross Salary - Total Deductions				84,050

And other relevant information as:

Date of Birth: May 16, 1979
 Date of joining the Company: August 7, 1999
 Designation: Reservoir Monitor

Suffered with an accident while on duty on March 21, 2017. He was provided full medical assistance by the employer. The Doctor's report indicates the following:

Medical Certificate issued by The RMP reports:

“Amputation below shoulder with stump 18 cms from tip of acromion”

After three month of hospitalization i.e on June 21, 2017 the worker rejoined the factory in the same capacity

Unfortunately on 26 October 2017 the worker died. The post mortem report of the worker revealed that the cause of his death was the infection attributable to the injury he suffered on March 21

- a. Calculate the compensation (if any) that would have been paid to the worker after his injury at March 21, 2017
- b. Calculate the compensation (if any) that would have been paid to the worker between March 21 and June 21, 2017.
- c. Calculate the compensation (if any) that would have been paid to the worker's dependents on his unfortunate death on October 26, 2017

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CO1
CO2
CO3
CO4

	<p>d. Calculate the amount of gratuity that would have been paid to the worker's nominee after his death</p> <p>e. After the death of the workers, his widow, and his parents made separate claims of full compensation. There was a dispute amongst them. Both parties wanted full compensation to be paid to them. How will the company decide as to compensation is to be paid to whom</p> <p>as per The Employees Compensation Act, 1923.</p>		
	<p>*****End of the paper*****</p>		