

**BOWEN UNIVERSITY
(OF THE NIGERIAN BAPTIST CONVENTION)
COLLEGE OF LAW
BOWEN UNIVERSITY, IWO, OSUN STATE
2023/2024 SESSION FIRST SEMESTER EXAMINATION
COURSE CODE: PIL 211
COURSE TITLE: LABOUR LAW 1**

INSTRUCTION: ANY TWO QUESTIONS FROM EACH SECTION AND FOUR QUESTIONS IN ALL

SECTION A

1. Gogo Nig. Ltd. is a marketing company that pays its employees commission based on sales. Their marketers are located geographical areas to market their products. Agbor was employed as a marketer but for the past six months, the Head of Marketing is yet to allocate a marketing area to him. Meanwhile, Achi employed Rolly as his driver, each day Rolly report at work, washes the car and get set. However, Achi would call a cab to take him everywhere each day but at the end of each week, Achi pay's Rolly N 20, 000: 00. Rolly is worried that his driving skill is being wasted. Meanwhile, Mary-Mary is an accomplished actress. She was hired by Bowen Studio for their upcoming production "The Culture of Bowen." Bowen Studio agreed to pay a weekly fee of N 1, 000, 000: 00 and the production was to subsist for a period of one year which period, Mary-Mary is not permitted to undertake any other work. Bowen Studios paid her as agreed but for the past nine months, she has not been assigned a role. Michael was employed as a driver by Bowen Ventures to drive its lorry from Iwo to Ibadan. On the 12th day of March, 2023 while coming from Ibadan, the brake pad of the lorry became faulty, Michael bought it and replaced it and paid the mechanic who did the repairs. Evans was employed as a clerk in Gawan Nig. Ltd. on the 15th day of October, 2023, without following due process, he cleared a cheque which led to financial losses to the company. **Identify and address all the legal issues involved.**
2. Write short but reasonable notes on the following:
 - i. Sources of Nigerian Labour Law
 - ii. History of Nigerian labour Law
 - iii. Control Test
 - iv. Who is an Independent contractor?
3. Laura Michael was employed for a period of one year by Gideon Nig. Plc. as it Sales Manager. The employment was to span from 1st January, 2013 to 31st December, 2023. It is 1st of January, 2024 and Laura Michael signed a contract with Upsons Nig. Ltd on behalf of Gideon Nig. Plc. for the supply of 20 tons of Dangote Cement. Meanwhile, Ben Benny was employed by Bowen Factory as Graphics Designer on a monthly gross salary of N 300, 000: 00. The contract provides that either party could terminate same by giving two months' notice. Three months' later, Ben Benny got a better offer from Promson Nig. Ltd. which required him to resume immediately. He paid the sum of N 600, 000: 00 and left the employ of Bowen Factory immediately. Omega was employed by Kurere Supply Stores Ltd. on a monthly gross salary of N 250, 000,.00. She accepted the offer of employment, submitted herself to medical checks as required. She was to resume work on the 13th day of March, 2023 having resigned from her

former work place. On the 12th day of March, 2023, a civil war broke out and Kurere Supply Stores Ltd. was completely burnt down.

With the aid of judicial and statutory authorities, identify and address all the legal issues involved.

SECTION B

1. (a) Mr Fey works for Anikson Plc. According to him, his manager recently, in a briefing, informed him and some of his colleagues that although they are on the payroll of the company, they are not entitled to any form of leave from work, no public holidays will be observed by them, they are not entitled to any pension or gratuity after retirement, they are in no way entitled to health insurance and that the management of the company has resolved that the termination of their employment will be without any notice given nor will any payment be made by the Company in lieu of notice. As a student of Labour Law, bring out the issues in the above and advise Mr Fey, supporting your advice with judicial authorities. (10½marks)
(b) List, with dates, Seven International Labour Organisation Conventions that have been ratified by Nigeria. (7 Marks)
2. (a) Mr Abbey an employee of Naca Bank Ltd., as an Accountant opened an account for a prospective customer without obtaining due reference on her as required by banking practice. The customer later defrauded the bank of ₦15, 000, 000, 00. Mr Abbey as a result of this was dismissed for negligence. Mr Abbey believes he was unjustly dismissed from the bank and has approached you for advice. With the aid of decided cases, advise Mr. Abbey (8½marks)
(b) Write short notes on the following:
 - (i) Paternity Leave and its importance
 - (ii) Termination of employment by notice
 - (iii) Termination of employment by lapse of time (9marks)
3. Allison an intelligent was taken to Mr Saka's Mechanic Workshop two weeks after his eleventh birthday as an apprentice by his uncle. His uncle who upon the demise of his parents has volunteered to assist him met with Mr Saka and had an oral agreement that Allison would not finish his apprenticeship until he attains the age of 18 years. Allison though an impressionable young boy has been coerced into accepting to learn from Mr Saka. His twin sister, Alika, who is concerned about her brother's state of health, being an Epileptic patient, knows that you are a student of Labour Law and has approached you on the propriety of the apprenticeship arrangement made between their and Mr Saka. With the aid of statutory authorities, identify all the issues and advise all parties in this matter. (12 Marks)
(b) Succinctly discuss how the rights of women as vulnerable persons in employment can be protected. (5½marks)