



IV Semester M.B.A. Degree Examination, June/July 2012  
(2007-08 Scheme)  
**MANAGEMENT**

**H-4 : Labour Legislation and Welfare**

Time : 3 Hours

Max. Marks : 75

**Instruction : Answer all the Sections.**

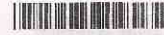
**SECTION - A**

1. Answer **any six** questions, **each** question carries **two** marks. (6×2=12)
- a) State the objectives of Factories Act, 1948.
  - b) What do you mean by International Labour Code ?
  - c) What is protective labour legislation ?
  - d) Mention the conditions of payment of Gratuity.
  - e) What are extramural benefits ?
  - f) Who is an "adolescent" ?
  - g) What is distress ?
  - h) What is labour welfare ?

**SECTION - B**

- Answer **any three** questions, **each** question carries **eight** marks. (3×8=24)
- 2. Discuss the need for special consideration to physically challenged employee.
  - 3. Discuss the impact of ILO on Indian Labour Legislation.
  - 4. Explain the causes of stress and suitable remedies followed by corporates to overcome stress.
  - 5. Discuss health and safety measures as per Factories Act, 1948.
  - 6. Discuss the provisions of Workmen Compensation Act, 1923.

P.T.O.



## SECTION - C

Answer **any two** questions, **each** question carries **twelve** marks. (12×2=24)

7. Explain the fines and deductions as per Payment of Wages Act, 1936 with suitable examples.
8. Discuss "Women in night shift ; Indian scenario" and explain the moral and ethical issues arising due to night shift.
9. Explain :
  - a) Mines Act, 1952
  - b) Maternity Benefit Act, 1972
  - c) Equal Remuneration Act, 1976

## SECTION - D

10. **Compulsory**

**Case study :** (1×15=15)

**Seinfeld and Sexual Harassment**

What role can a popular television show possibly play in a major sexual harassment law suit ? As it turns out, a pretty big one! The show in question is *Seinfeld*, one of the most popular sit-coms in television history. The event that sparked the lawsuit took place in the corporate headquarters of Miller Brewing Company and involved Jerold MacKenzie, a fifty-five-year-old, nineteen-year Miller executive, and Patricia Best, his secretary.

The incident occurred about ten years ago. The *Seinfeld* episode in question involved a story in which the show's main character, Jerry Seinfeld, meets and starts dating a woman whose name he cannot recall. But he does recall that it rhymes with a part of the female anatomy. He subsequently spends the rest of the episode running through different possible names for the woman. She dumps him when she realizes that he doesn't know her name. After she leaves, he finally remembers that her name is Delores.

Mr. MacKenzie apparently found the show to be especially funny. On the day after the show aired, he made a point of bringing it up for discussion with Ms. Best. Ms. Best indicated that she had not seen the show. As he began to describe the show for her, she indicated to him that she didn't want to discuss it. Mr. MacKenzie persisted, however, and continued to push her into discussing it with him. When he couldn't bring himself to say the name of the female body part, however, he made a photocopy of a dictionary page containing the word and gave it to Ms. Best.



Ms. Best became quite upset and reported to Miller Brewing Company's human resource department that Mr. MacKenzie had sexually harassed her. She also indicated that he had harassed her on earlier occasions. A few days later, Mr. MacKenzie was summoned to a meeting with a group of Miller attorneys and a senior human resource manager. He was asked about the *Seinfeld* incident and he acknowledged that it had happened as Ms. Best had reported. He also indicated that he saw their discussion simply as office conversation and that Ms. Best had not seemed to be bothered or upset at the time of the conversation.

The next day Mr. Mackenzie was visited by another senior corporate executive; this executive indicated that he (MacKenzie) was being terminated for unacceptable management performance. The incident with Ms. Best was identified as a major part of the final decision to terminate MacKenzie's employment with Miller, but he was also told that it was part of a pattern of poor decisions that had already attracted the attention of senior managers. Mr. MacKenzie indicated surprise but left with little argument or discussion.

As time passed, however, Mr. MacKenzie gradually began to feel that he had been mistreated. Finally, in 1997 he reached the point where he felt compelled to take some action. After consulting with his attorney, he filed a lawsuit against Miller Brewing Company, the executive who had made the decision to terminate him, and Ms. Best. Among his charges were wrongful discharge and libel. After hearing both sides of the case, a jury of ten women and two men decided that he was right. Indeed, they so strongly believed that Mr. MacKenzie was a victim rather than a sexual harasser that they awarded unusually large judgements, including punitive damages, of \$ 24.5 million against Miller Brewing Company, \$1.5 million against Ms. Best (this amount was later dropped due to a legal technicality), and slightly over \$ 6,00,000 against the executive who had terminated him.

**Case Questions :**

- 1) Do you think Mr. MacKenzie's actions constituted sexual harassment ? Why or why not ?
- 2) Do you think Miller Brewing Company's termination of Mr. MacKenzie was justified ? Why or why not ?
- 3) What is your opinion of the Jury's decision ?