

Ollscoil na hÉireann, Gaillimh

National University of Ireland, Galway

Summer Examinations, 2004/2005

M.B.S. DEGREE:

INDUSTRIAL RELATIONS AND HUMAN RESOURCE MANAGEMENT

MG 569 INDUSTRIAL RELATIONS AND EMPLOYMENT LAW

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Time Allowed: Two Hours

Answer two questions. All questions carry equal marks.

This examination accounts for 60% of course assessment.

1. Mediation in equality claims was an innovation under the Employment Equality Act, 1998 as compared to its predecessor, the Employment Equality Act, 1977. Outline the case for and against the use of mediation in equality disputes. Discuss the role, function and activities of the Equality Tribunal's mediation service.
2. The Unfair Dismissals Act, 1977 was considered by some commentators to place a restriction, perhaps even an excessive restriction, on the exercise of managerial prerogative in the area of employment termination. An alternative view sees the effects of this Act and its amendment, the Unfair Dismissals Act, 1993 in a very different light. Discuss the implications of the Unfair Dismissals Acts, 1977 and 1993 for Irish industrial relations.

3. The European Information and Consultation Directive (2002) gives considerable scope to individual member states in transposing the Directive into national legislation. What issues emerged in Ireland between the employer and trade union confederations when the transposing legislation was being considered? Do you think any relevant lessons were learned from the experience of the introduction of European Works Councils Directive?

4. Sexual harassment and harassment have recently gained increased prominence on the Irish industrial relations agenda. Why are sexual harassment and harassment considered to be issues meriting serious attention? Review and evaluate the *Code of Practice on Sexual Harassment and Harassment at Work* (Equality Authority, 2002) as a resource for organisations and employees in relation to their rights and obligations under current Irish legislation.

5. The employment of people with disabilities has recently begun to emerge as both a challenge and an opportunity for Irish employers. How do the research findings of Conroy and Fanagan (2001) inform your understanding of the issues in this area? (Conroy, P. and Fanagan, S., 2001, *Research project on the effective recruitment of people with disabilities into the public service, 2000.*)