

APPLY LABOUR LAWS

UNIT CODE: 0421 551 21A

TVET CDACC UNIT CODE: BUS/OS/HRM/CR/04/6/MA

UNIT DESCRIPTION

This unit specifies the competencies required to apply labor laws. It involves understanding the concepts of labour law, identifying players in labour relations, differentiating trade unions and trade unionism, analysing international labour organization conventions, applying relevant labour legislation, and performing participation and joint consultations.

ELEMENTS AND PERFORMANCE CRITERIA

ELEMENT	PERFORMANCE CRITERIA
These describe the key outcomes which make up workplace function	These are assessable statements which specify the required level of performance for each of the elements. <i>(Bold and italicized terms are elaborated in the range)</i>
1. Understand the concepts of labour law.	1.1 Labour law is defined in line with employment relationship requirements. 1.2 Types of labour law are differentiated as per organizational context. 1.3 Sources of labour law are identified according to national legal framework. 1.4 Evolution of labour laws is explained as per historical developments. 1.5 Key principles of labour law are described in accordance with legal and ethical standard 1.6 The concept of decent work is interpreted in line with international labour standards 1.7 The role of labour law in promoting industrial harmony is explained in organizational context 1.8 Trends and challenges in labour law are identified in line

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	with local and global environments.
2. Identify players in labour relations	2.1 Key players in labour relations are identified as per labour relations framework. 2.2 Roles of trade unions in promoting workers' welfare are explained in line with labour practices. 2.3 Functions of employer organizations are described in the context of labour relations. 2.4 Government and its agencies' roles in labour matters are explained according to legal mandates. 2.5 Role of labour courts and tribunals in dispute resolution is interpreted as per legal procedures. 2.6 Importance of social dialogue is explained in promoting workplace harmony. 2.7 Interrelationships among players are analyzed in a workplace setting. 2.8 Impact of players' actions on labour relations is assessed according to organizational policies.
3. Differentiate trade unions and trade unionism	3.1 Trade unions are defined as per the relevant labour legislation. 3.2 Historical development of trade unionism is described in line with national context. 3.3 Types and structures of trade unions are identified as per union operations. 3.4 Legal framework governing trade unions is interpreted according to applicable laws.

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	3.5 Process of registration and recognition of trade unions is explained in line with legal procedures. 3.6 Rights and obligations of union members are outlined as per labour laws. 3.7 Benefits and challenges of trade unionism are analyzed according to stakeholder perspectives. 3.8 Trade union activities such as strikes and collective bargaining are interpreted as per legal guidelines.
4. Analyse International Labour Organization (ILO) conventions	4.1 Mandate and structure of the ILO are stated in line with international frameworks. 4.2 Key ILO conventions ratified by Kenya are identified as per national obligations. 4.3 Declaration on Fundamental Principles and Rights at Work is explained in line with ILO standards. 4.4 Process of ratification and domestication of ILO conventions is described according to international protocols. 4.5 Impact of ILO conventions on national legislation is assessed in relation to legal reforms. 4.6 Role of ILO in promoting decent work is explained in organizational context. 4.7 Influence of ILO standards on corporate labour practices is interpreted according to compliance expectations. 4.8 Kenya's compliance with ILO conventions is analyzed in light of national reports and assessments.
5. Apply relevant labour	5.1 Key labour laws in Kenya are identified as per the legal

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legislation	framework. 5.2 Provisions of the Employment Act, Labour Relations Act, and OSHA are interpreted in line with organizational requirements. 5.3 Employment contract and termination provisions are applied as per statutory requirements. 5.4 Statutory requirements on wages, working hours, and leave are explained in accordance with legal standards. 5.5 Provisions on equality, non-discrimination, and fair treatment are interpreted in line with labour laws. 5.6 Obligations of employers and employees are outlined as per relevant statutes. 5.7 Penalties for non-compliance with labour laws are identified in accordance with legal provisions. 5.8 Legal procedures for grievance handling and dispute resolution are applied as per organizational protocols.
6. Perform participation and joint consultations	6.1 Participation and joint consultation are defined in the context of labour relations. 6.2 Importance of employee involvement in decision-making is explained as per organizational policy. 6.3 Mechanisms for employee participation are identified in accordance with labour relations practices. 6.4 Legal framework supporting joint consultation is interpreted as per national labour legislation. 6.5 Role of collective bargaining in participative management is explained in line with industrial relations principles.

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	6.6 Impact of joint consultation on productivity and morale is assessed based on workplace indicators. 6.7 Methods of conducting consultative meetings are applied as per organizational procedures. 6.8 Challenges of employee participation in labour relations are identified in relation to workplace dynamics.

RANGE

This section provides work environments and conditions to which the performance criteria apply. It allows for different work environment and situations that will affect performance.

Variable	Range
1. Basic labor law concepts include, but not limited to:	• Employment contracts • Terms and conditions of work. • Discrimination. • Trade union. • Collective bargaining • Employee relations. • Social security. • Health and safety. • Sexual harassment. • Protection of children.
2. Key players in labour relations include but not limited to:	• The Employment Act • The labor Institutions Act. • The Labor Relations Act. • The Occupational Safety and health Act.

	• Work Injury Benefits Act
3. Trade unions include but not limited to:	• Central Organization of Trade of Unions (COTU) • Kenya Petroleum Oil Workers Union (KPOWU) • Kenya National Union of Teachers (KNUT) • Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals & Allied Workers (KUDHEIHA) • Transport & Allied Workers Union (TAWU)

REQUIRED KNOWLEDGE AND UNDERSTANDING

The individual needs knowledge of:

- Foundation in legal principles,
- A grasp of kenyan legal framework,
- Understanding concepts like contracts, discrimination, and employment relationships,
- As well as knowledge of specific kenyan laws like the employment act and the labour relations act.

SKILLS

The individual needs the following skills:

- Interpersonal
- Critical thinking
- Communication
- Evaluation.
- strong analytical skills
- and problem-solving skills
- interpreting their implications.

EVIDENCE GUIDE

This provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge and range.

1. Critical Aspects of Competency	1.1 Assessment requires evidence that the candidate: 1.2 Identified Key players in labour relations as per labour relations framework. 1.3 Explained Roles of trade unions in promoting workers' welfare in line with labour practices. 1.4 Described Functions of employer organizations in the context of labour relations.. 1.5 Assessed Impact of players' actions on labour relations according to organizational policies. 1.6 Interpreted Legal framework governing trade unions according to applicable laws. 1.7 Explained Process of registration and recognition of trade unions in line with legal procedures. 1.8 Interpreted Trade union activities such as strikes and collective bargaining as per legal guidelines. 1.9 Described Mandate and structure of the ILO in line with international frameworks. 1.10 Explained Declaration on Fundamental Principles and Rights at Work in line with ILO standards. 1.11 Interpreted Influence of ILO standards on corporate labour practices according to compliance expectations. 1.12 Applied Legal procedures for grievance handling and dispute resolution as per organizational protocols. 1.13 Explained Role of collective bargaining in participative management in line with industrial relations principles.
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2. Resource implications	The following resources should be provided: 2.1 Access to relevant workplace 2.2 Appropriately simulated environment where assessment can take place 2.4 Materials relevant to the proposed activity or tasks
3. Methods of Assessment	Competency in this unit may be assessed through: 3.1 Practical 3.2 Projects 3.3 POE evaluation 3.4 Third party reports 3.5 Written test
4. Context of Assessment	4.1 The competency may be assessed in a workplace or a simulated workplace
5. Guidance information for assessment	5.1 Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended.