

UNIVERSITY OF BOLTON
BOLTON LAW SCHOOL
LAW PATHWAYS
SEMESTER 1 EXAMINATION 2018/19
INDIVIDUAL EMPLOYMENT LAW
LAW7014

DATE: Monday 14 January 2019

TIME: 10.00 – 1.00

INSTRUCTIONS TO CANDIDATES: There are 5 questions on this paper.
Answer 3 questions.
All questions carry equal marks.

1. Kahn-Freund famously stated that the aim of labour law is to offset the inherent imbalance of bargaining power between employers and employees (Sanders, 2017).
Critically discuss this view in light of the current legal issues concerning precarious employment contracts.

2. The growing use of social media presents many challenges to the employment relationship. One of these areas is the potential of social media platforms to blur the lines between one's private life and work.
Critically discuss the threats of social media in light of the laws on termination of employment contracts.

3. Critically discuss whether Individual Employment Law is displacing the Role of Trade Unions or whether they are still necessary.

4. Critically discuss how the cases *Rockfon*, *Athinaiki* and *USDAW* have affected the UK approach to collective redundancies.

5. Introducing the Trade Union Bill at its second reading, the Secretary of State stated the following:
"[T]his Bill is not a declaration of war on the trade union movement. It is not an attempt to ban industrial action. It is not an attack on the rights of working people... It is simply the latest stage in the long journey of modernisation and reform. It will put power in the hands of the mass membership; bring much-needed sunlight to dark corners of the movement; and protect the rights of everyone in this country—those who are union members and those who are not, and those hard-working men and women who are hit hardest by industrial action" (HC Hansard, 14 September 2014, col 761 per Sajid Javid).
Critically discuss this statement in light of the limits placed on the right to strike by the Trade Union Act 2016.

END OF QUESTIONS