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## Solutions

### S1. Ans.(c)

**Sol.** The payment of bonus Act was introduced in the year 1965.

### S2. Ans.(a)

**Sol.** Payment of Bonus Act 1965, extends to whole of India and is applicable to every factory and to every establishments where 20 or more workmen are employed on any day during an accounting year.

### S3. Ans.(e)

**Sol.** All of the given employees are covered under this act.

### S4. Ans.(b)

**Sol.** Earlier this act only covered employees that were earning up to Rs. 10,000 per month and lower. However, the amendment has raised this ceiling to Rs. 21,000.

### S5. Ans.(e)

**Sol.** The Payment of Bonus Act, 1965 (Bonus Act) has been recently amended to bring about certain key changes. The amendment has been brought into effect from 1 April 2014.

### S6. Ans.(d)

**Sol.** The calculation ceiling of Rs. 3500 is currently doubled to Rs. 7000 per month "or the minimum wage for the scheduled employment, as fixed by the appropriate Government" (whichever is higher). If Basic+DA is above Rs.7000 then the bonus will be calculated on Rs.7000. Thus, an employee drawing a wage between Rs.10000-21000 shall receive a bonus calculated on the amount of Rs. 7000.

### S7. Ans.(b)

**Sol.** The payment of Bonus for a financial year has to be made within 8 months of its completion. Since the financial year in India ends in March, payments have to be made by the end of October of the next financial year.

### S8. Ans.(d)

**Sol.** The minimum bonus payment was capped at 8.33% of INR 3500 per month or INR 100, whichever is higher. The calculation ceiling of INR 3500 has now been doubled to INR 7000 per month "or the minimum wage for the scheduled employment, as fixed by the appropriate Government" (whichever is higher).

### S9. Ans.(a)

**Sol.** Every employee drawing not less than Rs. 21,000/- per month and who has worked for not less than 30 days in an accounting year shall be eligible for the Bonus

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**S10. Ans.(d)**

**Sol.** According to Payment of Wages Act 1965, Allocable Surplus means; In relation to an employer, being a company (other than a banking company) which has not made arrangements prescribed under Income Tax Act for the declaration an payment of dividend in accordance with section 194 of that Act is 67% of such available surplus in an accounting year. In any other case (banking) 60% of such available surplus of the accounting year is considered.

**S11. Ans.(d)**

**Sol.** For the purpose payment of bonus Act, wages are defined as the total of the Basic salary + DA (Dearness Allowance).

**S12. Ans.(e)**

**Sol.** If bonus is due by an employer, an employee can file an application with the appropriate government within 1 year from such due.

**S13. Ans.(b)**

**Sol.** The appropriate government or such authority as the appropriate government may specify in this behalf may, upon an application made to it by the employer and for sufficient reasons, by order, extend the said period of eight months to such further period or periods as it thinks fit; so, however, that the total period so extended shall not in any case exceed two years.

**S14. Ans.(d)**

**Sol.** According to the Bonus Act, a minimum of 8.33% up to 20% of his basic (earned) wages is to be paid to the employee.

**S15. Ans.(c)**

**Sol.** If Basic +DA is below Rs.7000 then bonus is calculated on the actual amount. Therefore, in this case, the bonus will be calculated on Rs.6500.

**S16. Ans.(a)**

**Sol.** The first Maternity Benefits Act was passed in 1929 by the Bombay Government and as result of the recommendation of the Royal Commission on Labour in INDIA (1931) the Maternity Benefit Act were passed in other states like Madras (1934), Uttar Pradesh (1938), West Bengal (1939), Assam (1944).

**S17. Ans.(c)**

**Sol.** Mines Maternity benefit Act, 1941 is the first central measure taken by the by the government for the benefit and safety of pregnant women employees.

**S18. Ans.(b)**

**Sol.** The act applies to:

- (i) Every factory, mine or plantation (including those belonging to Government),
- (ii) An establishment engaged in the exhibition of equestrian, acrobatic and other performances, irrespective of the number of employees, and
- (iii) Every shop or establishment wherein 10 or more persons are employed or were employed on any day of the preceding 12 months.

Moreover, an employer/establishments covered under the E.S.I. Act is exempt from the provisions of Maternity Benefit Act and Workmen's Compensation Act.

**S19. Ans.(c)**

**Sol.** Wages for Maternity Benefit includes DA, HRA, other cash allowances, incentive bonus, money value of concessional supply of articles. But it does not includes following:

- i) any bonus other than incentive bonus
- ii) overtime earnings & any deduction or payment on a/c of fines
- iii) any contribution paid or payable by the employer to any pension fund or provident fund or for the benefit of the woman under any law for the time being in force and
- iv) any gratuity payable on the termination of service.

**S20. Ans.(d)**

**Sol.** As per the Act, to be eligible for maternity benefit, a woman must have been working as an employee in an establishment for a period of at least 80 days in the past 12 months.

**S21. Ans.(a)**

**Sol.** According to the Maternity Benefits Act 1961, a women employee is entitled to 26 weeks of which not more than 8 (earlier was 6 weeks) shall precede the date of her expected delivery.

**S22. Ans.(b)**

**Sol.** When a woman, dies during her delivery or during the period immediately following the date of her delivery for which she is entitled for the maternity benefit, leaving behind in either case the child, the employer shall be liable for the maternity benefit for that entire period but if the child also dies during the said period, then, for the days up to and including the date of the death of the child.

**S23. Ans.(e)**

**Sol.** The medical bonus of Rs. 3,500 that is entitled to be paid to eligible women employees remains unchanged.

**S24. Ans.(a)**

**Sol.** The amount of maternity benefit for the period preceding the date of her expected delivery shall be paid in advance by the employer to the woman on production of such proof as may be prescribed that the woman is pregnant, and the amount due for the subsequent period shall be paid by the employer to the woman within forty-eight hours of production of such proof as may be prescribed that the woman has been delivered of a child.

**S25. Ans.(c)**

**Sol.** In case of miscarriage, a woman shall, on production of such proof as may be prescribed, be entitled to leave with wages at the rate of maternity benefit, for a period of six weeks immediately following the day of her miscarriage.

**S26. Ans.(e)**

**Sol.** At the time of initial appointment of the female employee, every such establishment shall intimate in writing the benefits and facilities provided by the employer regarding maternity benefits.

**S27. Ans.(b)**

**Sol.** Any woman deprived of maternity benefit or medical bonus, or both, or discharged or dismissed during or on account of her absence from work in accordance with the provisions of this Act, may, within sixty days from the date on which order of such deprivation or discharge or dismissal is communicated to her, appeal to such authority as may be prescribed.

**S28. Ans.(a)**

**Sol.** For failure to pay maternity benefit as as provided for under the Act, the penalty is imprisonment upto one year and fine upto Rs. 5000. The minimum being 3 months and Rs. 2000 respectively.

**S29. Ans.(d)**

**Sol.** The period of paid maternity leave (“Maternity Benefit”) that a woman employee is entitled to has been increased to 26 (twenty six) weeks.

**S30. Ans.(c)**

**Sol.** Under maternity benefit (Amendment) act 2017 for women, who already have two surviving children will be only entitled to a paid maternity leave of 12 weeks.

**S31. Ans.(a)**

**Sol.** An HRIS, which is also known as a human resource information system or human resource management system (HRMS), is basically an intersection of human resources and information technology through HR software. This allows HR activities and processes to occur electronically.

**S32. Ans.(a)**

**Sol.** The contributions towards evolution of the policy aimed at protecting wages. The first direct step in this regard was taken in 1936, when the payment of wages act was passed.

**S33. Ans.(b)**

**Sol.** Section 49 of the Factories Act made it compulsory for every factory wherein five hundred or more workers are ordinarily employed to employ in each factory such number of welfare officers as the state government might prescribe.

**S34. Ans.(d)**

**Sol.** Bad physical conditions of workplace are the part of the grievances resulting from working conditions.

**S35. Ans.(c)**

**Sol.** Collective bargaining is a continuous process which establishes regular and stable relationship between the parties involved.

**S36. Ans.(a)**

**Sol.** Trade unions are political institutions that are formed to safeguard the social and economic interest of worker.

**S37. Ans.(d)**

**Sol.** Career goals are positions that employee wants to acquire in future.

**S38. Ans.(d)**

**Sol.** Job evaluation determine wage rate of jobs based on objective evaluation not subjective evaluation.

**S39. Ans.(e)**

**Sol.** When workers are consulted and have their say in the management of unit, it is a part of worker's participation in management.

**S40. Ans.(c)**

**Sol.** The Provincial Government may after giving three months' notice of its intention of so doing, by notification in the Official Gazette, extend the provisions of the Act or any of them to the payment of wages to any class of persons employed in any industrial establishment or any class or group of industrial establishments.

**S41. Ans.(d)**

**Sol.** According to section 20 of factories act 1948 every factory must have a provision for spittoons within the factory premises which shall be maintained in a clean and hygienic condition.

**S42. Ans.(e)**

**Sol.** Kochan, Katz and Mckersie developed a three-tier institutional structure. A three-tier organizational structure separates the top-level decision makers from the bottom-level staff by a middle layer of management oversight generally made up of regional, divisional or subsidiary managers.

**S43. Ans.(d)**

**Sol.** Voluntary Arbitration refers to the mode of settling labor-management disputes by which the parties select a competent, trained and impartial person who shall decide on the merits of the case and whose decision is final, executory and binding.

**S44. Ans.(c)**

**Sol.** A performance appraisal (PA), also referred to as a performance review, performance evaluation, (career) development discussion, or employee appraisal is a method by which the job performance of an employee is documented and evaluated.

**S45. Ans.(b)**

**Sol.** A "Go Slow" strike is where workers unite and take 2 and 3 times as long to do the job. It causes profits to fall and eventually loses to be incurred.





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**S46. Ans.(d)**

**Sol.** The proposed amendment in the Trade union amendment Bill -2018 is a significant step in giving stronger statutory recognition to trade unions and granting them more teeth when negotiating for the rights of workmen with both employers as well as the Central and State governments.

**S47. Ans.(d)**

**Sol.** Section 6 Provisions to be contained in the rules of a Trade Union. —A Trade Union shall not be entitled to registration under this Act, unless the executive thereof is constituted in accordance with the provisions of this Act.

**S48. Ans.(a)**

**Sol.** No Court shall take cognizance of any offence under this Act, unless complaint thereof has been made by, or with the previous sanction of, the Registrar or, in the case of an offence under section 32, by the person to whom the copy was given, within six months of the date on which the offence is alleged to have been committed.

**S49. Ans.(e)**

**Sol.** If default is made on the part of any registered Trade Union in giving any notice or sending any statement or other document as required by or under any provision of this Act, every office-bearer or other person bound by the rules of the Trade Union to give or send the same, or, if there is no such office-bearer or person every member of the executive of the Trade Union, shall be punishable, with fine which may extend to five rupees and, in the case of a *continuing default*, with an additional fine which may extend to five rupees for each week after the first during which the default continues: Provided that the aggregate *fine shall not exceed fifty rupees*.

**S50. Ans.(c)**

**Sol.** A copy of every alteration made in the rules of a registered Trade Union shall be sent to the Registrar within fifteen days of the making of the alteration.

**S51. Ans.(a)**

**Sol.** Any person who wilfully makes, or causes to be made, any false entry in, or any omission from, the general statement required by section 28, or in or from any copy of rules or of alterations of rules sent to the Registrar under that section, shall be punishable with fine which may extend to five hundred rupees.

**S52. Ans.(e)**

**Sol.** Notice in writing of every change of name, signed by the Secretary and by seven members of the Trade Union changing its name, shall be sent to the Registrar.

**S53. Ans.(e)**

**Sol.** Any two or more registered Trade Unions may become amalgamated together as one Trade Union with or without dissolution or division of the funds of such Trade Unions or either or any of them, provided that the votes of at least one-half of the members of each or every such trade Union entitled to vote are recorded, and that at least sixty per cent of the votes recorded are in favour of the proposal.

**S54. Ans.(e)**

**Sol.** Any person who has attained the age of fifteen years may be a member of a registered Trade Union subject to any rules of the Trade Union to the contrary, and may, subject as aforesaid, enjoy all the rights of a member and execute all instruments and give all acquittances necessary to be executed or given under the rules.

**S55. Ans.(b)**

**Sol.** A person shall be disqualified for being chosen as, and for being, a member of the executive or any other office-bearer of a registered Trade Union if -

(i) he has not attained the age of eighteen years,

(ii) he has been convicted by a Court in India of any offence involving moral turpitude and sentenced to imprisonment, unless a period of five years has elapsed since his release.

**S56. Ans.(d)**

**Sol.** All office-bearers of a registered Trade Union, except not more than one-third of the total number of the office-bearers or five, whichever is less, shall be persons actually engaged or employed in the establishment or industry with which the Trade Union is connected.

**S57. Ans.(d)**

**Sol.** The payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any financial year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year.

**S58. Ans.(a)**

**Sol.** All communications and notices to a registered Trade Union may be addressed to its registered office. Notice of any change in the address of the head office shall be given within fourteen days of such change to the Registrar in writing, and the changed address shall be recorded in the register referred to in section 8.

**S59. Ans.(d)**

**Sol.** Any person aggrieved by any refusal of the Registrar to register a Trade Union or by the withdrawal or cancellation of a certificate of registration may, within such period as may be prescribed, appeal, -

(i) where the head office of the Trade Union is situated within the limits of a Presidency-town, to the High Court, or

(ii) where the head office is situated in any other area, to such Court, not inferior to the Court of an additional or assistant Judge of a principal Civil Court of original jurisdiction, as the appropriate Government may appoint in this behalf for that area.

**S60. Ans.(a)**

**Sol.** On the application of trade union during verification in the prescribed manner, a registrar is not required to give a notice of reason of cancellation of registration

**S61. Ans.(c)**

**Sol.** In matrix organization, employees have dual reporting relationships - generally to both a functional manager and a product manager.

**S62. Ans.(b)**

**Sol.** Clan control refers to the values and beliefs of an organization that operates more like a family than a company. In clan control, high-level management is seen as mentors rather than bosses. There are very few rules and policies put in place by the organization because it relies mostly on the trust of its employees.

**S63. Ans.(a)**

**Sol.** Welfare officer in an organisation is appointed under the Factories Act, 1948.

**S64. Ans.(d)**

**Sol.** The Industrial Employment (Standing Orders) Act, 1947 is designed to provide service rules to workmen. The object of the Act is to require employers in industrial establishments to formally define conditions of employment under them. It also deals with the issue of complaints between the employers and employees.

**S65. Ans.(c)**

**Sol.** A job description or JD is a document that describes the general tasks, or other related duties, and responsibilities of a position. It may specify the functionary to whom the position reports, specifications such as the qualifications or skills needed by the person in the job, and a salary range.

**S66. Ans.(b)**

**Sol.** The primary function of HRD audit is to review every aspect of management of HR to determine the effectiveness of each programmes in an organisation.

**S67. Ans.(b)**

**Sol.** The representatives of the four central trade union organisations - the INTUC, AITUC, HMS and UTUC –agreed to observe certain principles with a view to maintaining harmonious inter-union relations in May 1958.

**S68. Ans.(a)**

**Sol.** All employees earning up to the wage threshold (increased to INR 21,000 by the Amendments), and who have worked in the establishment for not less than 30 working days in the year are eligible to receive this statutory bonus.

**S69. Ans.(c)**

**Sol.** Minimum wages Act, 1948 provides for the establishment of minimum wages advisory boards and wages councils, and for the regulation of the remuneration and conditions of employment of employees.

