THE UNIVERSITY OF THE WEST INDIES
CAVE HILL CAMPUS

EXAMINATIONS OF DECEMBER 2008

CODE AND NAME OF COURSE: LAER 6002 - INTERNATIONAL LABOUR LAW

DATE AND TIME: DECEMBER 2008
DURATION: 2 HOURS

INSTRUCTIONS TO CANDIDATES: This paper has FIVE (5) QUESTIONS and TWO (2) pages. Students are required to answer TWO (2) QUESTIONS only. Question one (1) is compulsory and any other question from Section B.

SECTION A

Question 1

“Labour Law is now inevitably global law and not just the concern of a particular nation-state”. Critically discuss with particular reference to the development of an effective legal framework for the transnational regulation of labour relations in a globalised market economy.

[30 marks]

SECTION B

Question 2

Article 33 of the ILO’s constitution provides as follows:

“In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Inquiry, or in the decision of the International Court of Justice, as the case may be, the Governing Body may recommend to the Conference such action as it may deem wise and expedient to secure compliance therewith”.

Citing any relevant case, critically evaluate the above provision and the effectiveness of the Labour Standards Supervisory mechanism of the International Labour Organisation (ILO).
Question 3
Evaluate the effectiveness of voluntary corporate codes in the promotion of global labour standards especially in the development of fair trade. Is there a role for such codes in the long-term prospects of international labour law?

Question 4
“Although international norms bind all branches of government, domestic courts probably constitute the most important organs for the implementation of international norms at the domestic level.”

Critically examine this statement with reference to any Caribbean state and relevant case law.

Question 5
“He acted as though we were big pals together and said I was silly if I thought he had an ulterior motive. He said I’d got it all wrong.”

Utilizing international norms, policy and cases critically discuss the above statement with particular reference to ILO Convention 111 – Discrimination in Employment and occupation.

[20 marks each]

END OF EXAM