



The Co-operative University College of Kenya
(A Constituent College of Jomo Kenyatta University of Agriculture & Technology)

SUPPLEMENTARY/SPECIAL EXAMINATION -2016

**EXAMINATION FOR THE DEGREE OF BACHELOR OF CO-OPERATIVE
BUSINESS**

UNIT CODE: HCOB 2328

UNIT TITLE:

DATE:

TIME: 2 HOURS

INSTRUCTIONS:

- Answer question **ONE (compulsory)** and any other **TWO** questions

QUESTION ONE

KQ CEO Undress Senior Communication Manager

Former senior manager with Kenya Airways has sued managing director Titus Naikuni for forcefully undressing him in public before sacking him. Kepha Bosire, who was the corporate communication manager, accused Naikuni of pulling off his Arsenal football club T-shirt during a party at the Lemek Conservancy in the Maasi Mara on October 5. The party took place after the Kenya Airways Maasai Marathon held earlier that day. Arsenal's attire is branded F'ly Emirates' as the team is sponsored by Emirates airline. it is believed Naikuni disapproved of the T-shirt that promoted an airline other than Kenya Airways. Naikuni and Kenya Airways, who are names as respondents in the case, are yet to file their reply. Several guests witnessed that incident, However, a journalist from a media house that was the official partner of the marathon says they are unable to speak about it as their employers do not approve of the action, and will not publish the story. Bosire filed the case on Thursday last week through the law firm Musyoki Mogaka and Company. He said Naikuni violated his rights by humiliating him in public. he is also seeking damages for unfair dismissal.

In his witness statement, Bosire said that in the course of the day of the marathon he wore Kenya Airways barnded T-shirts. "once the events were over at about 5pm or shortly thereafter, I sat with some colleagues in the hospitality tent and had a couple of refreshments before going back to my room at Livingstone lodge an hour later at about 6pm to rest and freshen up, "he said. "I has used up all the T-shirts and tops I had carried with me except a T-shirt of European League soccer team I support, which I changed into, out on a blazer and made out to dance. "Bosire said he returned to the hospitality tent tat around 9.pm and after serving dinner, joined his colleagues to socialize. "at about 10 pm I went to the dancing area to enjoy some music and a few minutes thereafter, a person whom I realized was Titus Naikuni, walked into the dancing area. I acknowledged Mr. Naikuni as he passed by me and went to dance with my colleague. "After some time, I suddenly felt someone hold me from behind, pulling at my blazer and on turning I found off the blazer and on turning I found it was Mr. Titus Naikuni. Not understanding what was going on, I watched him forcefully pull

off the blazer I was wearing. He followed this action by grabbing my T-shirt which I was wearing under my blazer, “Bosire said.

The former manager said it was then that he realized his boos after the T-shirt he was wearing. He said he exercised restraint and allowed Naikuni to accomplish his mission, leaving him nude above his waist. “Despite my plea and without utterance he continued to tug at my shirt, this time strengthening his hold on my person; particularly by grabbing me by the neck while attempting to pull the T-shirt. In a bid to avoid any further excitement of the people at the event as that would look bad for him, I gave in to his move to pull off the t-shirt,” Bosire said. He said Naikuni proceeded to throw the blazer at him, “which I painfully put on as many colleagues watched in dismay but rushed to cover my semi-nudity with their scarves and lessons as Mr. Naikuni sauntered away with T-shirt in his hand.” Bosire said he followed Naikuni pleading with him to return the T-shirt.

“He responded by grabbing a Maasai Shuka from a lady who I believe was his wife and handed it over to me, ostensibly to cover myself.” The former manager said that upon realizing that his MD was not going to give him back his T-shirt, he covered himself with the shuka and rejoined some of his colleagues at the hospitality tent. “ Couldn’t continue dancing following the heartbreaking incident. I shared my plight with Chris Diaz (KQ marketing manager), who was at the venue and expressed my protest on the untoward and inhuman treatment I had been subjected to in public by the said Naikuni, “he said. Bosire said he left the hospitality tent at about 2am when transport was available. The following day, he took the hired group transport back to Nairobi.

He said he called the KQ human resources directors Alban Mwendar and explained what had happened. Bosire said a few days later Mwendar summoned him to his office where, on arrival at the airline’s premises, he found that this security access card had been deactivated. He was escorted in by a security guard. At Mwendar’s office he was allegedly handed a resignation letter prepared in advance with his name as the author, and a certificate of service. “I briefly talked about the incident and he explained to me that Mr. Naikuni had instructed him to fire me and that he (Mr. Mwendar) negotiated with him to have me resign to protect my career, especially since it was Kenya Airways that had looked for me and not I that had looked for a job and that my performance was good, “he said.

In view of the fact that I had been humiliated, my presence was no longer tenable and the environment was increasingly hostile, I opted to sign the resignation letter and leave, “he said. On his way out, Mwendar handed back to him Arsenal T-shirt. His lawyers do not claim Naikuni sexually assaulted Bosire by exposing his nakedness in public and in full view of colleagues, revelers, hosts, staff and fans. They further charged that Naikuni treated Bosire in a degrading, demeaning and brutal manner thereby subjecting him to loss of esteem, psychological and physical degradation and mental torture. They said that by taking away the Arsenal T-shirt, Naikuni violated Bosire’s freedom of conscience and expression as enshrined in the constitution.

The lawyers say Bosire was unfairly dismissed from employment had not given a “show cause” letter or the opportunity to be heard. Bosire now wants a declaration that Naikuni’s conduct violated his constitutional rights and that he should pay damages. He also wants the court to find that the manner of his sacking was in breach of their employment contract and award him Shs 24 million for lost salary.

Task:

- (a) Discuss the philosophical behavioural undertones to the three managers using the SWOT analysis procedure (15 marks)
- (b) Given that this case ended up in your chamber as judge, what will be the basis of your judgment considering that the image of the organization is at stake (10 marks)
- (c) Discuss the conduct of the Director of Human resource in the whole scenario (5 marks)

QUESTION TWO

- (a) The ingredient of good human resource planning principles focuses on achieving organization objectives through organization staff? Discuss (20 marks)

QUESTION THREE

- (a) Kenya Breweries has given you a consultancy job for six months to come up with a scientific job design and job description of Human resource manager for the organization. Discuss by using appropriate examples the duties and responsibilities of Human Resource Manager (20 marks)

QUESTION FOUR

- (a) Performance appraisal determines the worthy of individuals in terms of salary considerations and career development? Discuss (20 marks)

QUESTION FIVE

- (a) Write short notes TWO of the following
 - i. Performance management
 - ii. Learning organization
 - iii. Job design
 - iv. Objectives of human resource management (20 marks)