

IMT-138

INDUSTRIAL RELATIONS

Notes:

- a. Write answers in your own words as far as possible and refrain from copying from the text books/handouts.
- b. Answers of Ist Set (Part-A), IInd Set (Part-B), IIIrd Set (Part – C) and Set-IVth (Case Study) must be sent together.
- c. Submit the assignments in IMT CDL H.O. along with the assignments Question Papers for evaluation .
- d. Only hand written assignments shall be accepted.

<u>A. First Set of Assignments</u>	5 Questions, each question carries 1.5 marks.
<u>B. Second Set of Assignments</u>	5 Questions, each question carries 1.5 marks.
<u>C. Third Set of Assignments</u>	5 Questions, each question carries 1.5 marks. Confine your answers to 150 to 200 Words.
<u>D. Forth Set of Assignments</u>	Two Case Studies : 7.5 Marks. Each case study carries 3.75 marks.

SECTION - A

1. What is Industrial Dispute? Write various methods statutorily available to solve industrial disputes .
2. Explain different types of strikes and lockouts.
3. Discuss the role of actors in promoting industrial relations.
4. Briefly discuss conciliation, arbitration and adjudication.
5. Explain unjustified strike and lockout in comparison with justified strike and lockout.

SECTION - B

1. What are the economic and non-economic reasons of industrial dispute?
2. Discuss the theories in Industrial Relations.
3. How does the Trade Union into categories and discuss the amendments of TU Act, 2001.
4. Discuss the extensive view of the judicial interpretation of “unfair labour practice” and mention four unfair labour practices by employees.
5. Write short notes:
 - (a) Retrenchment and Dismissal.
 - (b) Layoff and Closure.

SECTION - C

1. Who are the various Authorities under Industrial Disputes Act, 1947? Explain their role in promoting industrial peace.
2. Why do we need employers' federation? Discuss their objectives and activities .
3. Highlight the main features of the legal legislations governing wage payments of India.
4. Discuss an industrial worker with respect to varying influences and other aspects of their life.
5. Why do unions lack cohesion and power? Discuss other issues regarding unions.

CASE STUDY - 1

Reliance Textile Industry at Naroda

The plant of Reliance textile spread over 120 acres and with assets of over Rs.300 crores, was established in 1966 by Dhirubhai Ambani at Naroda Industrial Estate. According to the World Bank, it is India's 'most modern textile complex'. Company posted its highest ever turnover of over USD 44 billion and its net profit increased to USD 3.6 billion in the year 2012. In spite of increased profits, workers find their lives not improving and worsening day by day.

On 2nd February 2012, Reliance Textile workers had been on strike due to highly exploitative wage structure and dreadful working conditions. They formed a new, independent union as the most of approx 1100 permanent and approx 4000 contract workers assert their rights and continue their strike which started from the second shift on 2nd February 2012.

According to the workers, since 20 years company's profits increased ten-fold though the wages for the workers and karigars has more or less been the same, but the salary of the staff increased many times. While the permanent workers earn a paltry Rs. 5000-6000 per month, the contract workers are paid Rs.85-100 per day. No legality of payment in terms of pay slips is maintained, only a voucher is signed. Overtime is paid in single rate, while strict surveillance is maintained and late entry is severely punished. Workers now organized as Reliance Employees Union submitted a 16-point demand list to the management during the strike. The list includes a 10% hike in wages and regularization of contract workers, besides double rate overtime, a workers to Rs. 200 per day, renewal of fixed salary system, uniform rights for wage board, tea-snacks in the canteen, no fine for 10 minute late entry, to fill accident forms according to procedure, an end to harassment of workers, and an assurance that striking workers will not be fired and no deduction of wage for the strike period is made.

The company meanwhile responded with police deployment, intimidation, arrest of workers' leaders and a media campaign which says that the workers have only been miffed for not being allowed to carry mobile phones inside the factory. Declaring the strike to be illegal, and arresting the leaders, police has posted itself in the factory gate. The workers, fed up of both these Unions' corrupt practices, say how they act as "extended office of the management". Every three years, a settlement is brokered between these two Unions' officials and the management, but workers are kept out of it and do not even get to know of the deal brokered. No notice is put up. Four years back, both these Unions even agreed to accept that there will be no recess hour for the workers to have tea. So the workers were henceforth forced to have tea on the way to the bathroom, and in the location of work in an unhygienic and dirty atmosphere, so that work is not disturbed and time 'better managed'.

Questions :

1. What are the workers concerns?
2. How did the Company respond and identify the weaknesses in redressal .

CASE STUDY - 2

For Bata, labor had always posed major problems. Strikes seemed to be a perennial problem. Much before the assault case, Bata's chronically restive factory at Batanagar had always plagued by labor strife. In 1992, the factory was closed for four and a half months. In 1995, Bata entered into a 3-year bipartite agreement with the workers, represented by the then 10,000 strong BMU, which also had the West Bengal government as a signatory.

On July 21, 1998, Weston was severely assaulted by four workers at the company's factory at Batanagar, while he was attending a business meet. The incident occurred after a member of BMU, Arup Dutta, met Weston to discuss the issue of the suspended employees. Dutta reportedly got into a verbal duel with Weston, upon which the other workers began to shout slogans. When Weston tried to leave the room the workers turned violent and assaulted him. This was the second attack on an officer after Weston took charge of the company, the first one being the assault on the chief welfare officer in 1996.

In February 1999, a lockout was declared in Bata's Faridabad Unit. Middleton commented that the closure of the unit would not have much impact on the company's revenues as it was catering to lower-end products such as canvas and Hawaii chappals. The lock out lasted for eight months. In October 1999, the unit resumed production when Bata signed a three-year wage agreement.

On March 8, 2000, a lockout was declared at Bata's Peenya factory in Bangalore, following a strike by its employee union. The new leadership of the union had refused to abide by the wage agreement, which was to expire in August 2001. Following the failure of its negotiations with the union, the management decided to go for a lock out. Bata management was of the view that though it would have to bear the cost of maintaining an idle plant (Rs. 3 million), the effect of the closures on sales and production would be minimal as the footwear manufactured in the factory could be shifted to the company's other factories and associate manufacturers. The factory had 300 workers on its rolls and manufactured canvas and PVC footwear.

In July 2000, Bata lifted the lockout at the Peenya factory. However, some of the workers opposed the company's move to get an undertaking from the factory employees to resume work. The employees demanded revocation of suspension against 20 of their fellow employees. They also demanded that conditions such as maintaining normal production schedule, conforming to standing orders and the settlement in force should not be insisted upon.

In September 2000, Bata was again headed for a labour dispute when the BMU asked the West Bengal government to intervene in what it perceived to be a downsizing exercise being undertaken by the management. BMU justified this move by alleging that the management has increased outsourcing of products and also due to perceived declining importance of the Batanagar unit. The union said that Bata has started outsourcing the Power range of fully manufactured shoes from China, compared to the earlier outsourcing of only assembly and sewing line job. The company's production of Hawaii chappals at the Batanagar unit too had come down by 58% from the weekly capacity of 0.144 million pairs. These steps had resulted in lower income for the workers forcing them to approach the government for saving their interests.

Questions:

Q1. Maintaining good industrial relations have always been a problem for Bata. Why? How do you think Bata can maintain sound industrial relation practices?

Q2. The role played by the Bata Mazdoor Union (BMU) seems to have been more of a destructive one than constructive one in the state of affairs at Bata. Comment.

