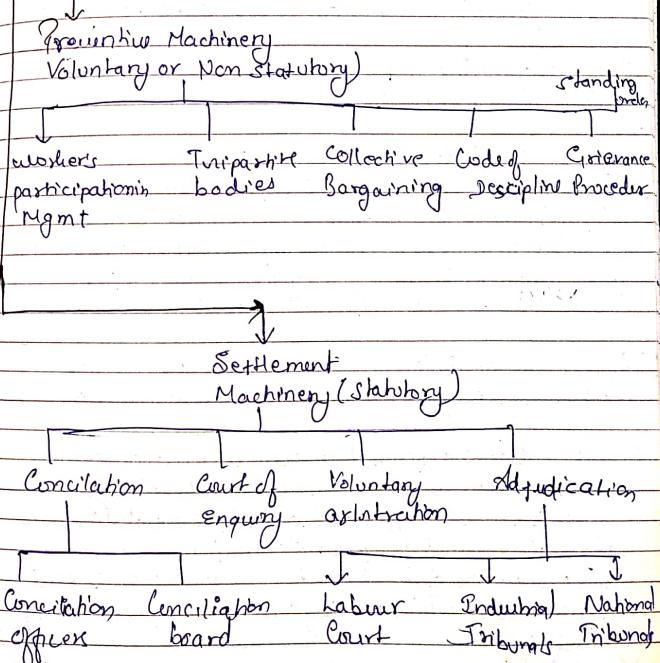


UNIT-4

Industrial Relations machinery in India



Prevention Machinery

Workers Participation Right

It is a method whereby the workers are allowed to be consulted and to have a ^{say} in the management of the unit.

The important schemes of workers participation are

- 1) work committee
- 2) Joint management council

Work Committee

① It is termed as the most effective social institution of industrial democracy and established within the industrial unit with representative of management and workmen for preventing and settling Industrial dispute at unit level.

② The work committee can be formed by any enterprise employing 100 or more workers

③ Its objective can two remove the causes of friction in day to day work situation by providing an effective grievance resolution machinery and to promote major securing good relationship and to serve as a useful tool in establishing bargaining relationship

④ The total no of members shall not exceed 20

⑤ The effectiveness of work committee will depend on adequate support from the union proper

appreciation of function of work committee and more responsive attitude on the part of management.

⑥ Work committee is normally deal with condition of work such as Ventilation Temperature etc

ii Adjustment of festival and national holidays

iv) Wages and promotion

v) Administration of welfare and fundy

v) Safety and accident prevention

vi) List of the items which the work committee will not normally deals with wages and allowances

g) Bonus and profit sharing scheme

b) Wages and allowances

c) Incentive scheme

d) Nursing and Transport services

e) Duration of leave

Joint Management Council (JMC)

1) The establishment of Joint Management council is towards the achieving the objective of labour management association

2) The council was given the right to obtain information regarding the working of direct administrative responsibility of matter concerning worker welfare

3) The accepted functions of JMC can be summed up under three broad heads

- i) Consultation
- ii) Information
- iii) Administration

iv) It would be endeavour of the council to improve the working and living conditions of employees. Here productivity and to create in the employee a live sense of participation.

v) All matters for example :- wages, bonus etc which are the subjects for collective bargaining are excluded from their scope

• Collective Bargaining

① It is the term used to describe a situation in which essential conditions of employment are determined by a bargaining process, undertaken by representatives of group of workers on one hand or more employees on the other.

② Collective bargaining not only include negotiations, administration and enforcement of written contracts b/w the employees and the employer but also include the process of resolving labour management conflict.

③ Labour legislation and the machinery for its implementation prepare a framework acc to which industrial establishment should operate.

• Tripartite Bodies

① A large no of tripartite bodies have been set up by the government to provide consultation on various labour related issues among them :-

- ② among these bodies few are :-
- i) ILC Indian labour conference
- ii) SLC Standing labour committee
- iii) Committee on conventions
- iv) Industrial committee
- v) Other bodies of tripartite

③ The objective of Indian labour conference is to promote uniformity in labour legislation and to discuss all matter of all India importance as between employers and employees.

④ The main function of ILC is to advise the govt of India on any matter refer to it for advice taking into account suggestion lead by the prouential govt, the states and representative of orgn of workers.

⑤ The ILC had a strength of 45 members including 22 from the govt and 11 representative each of employees and workers.

⑥ The SLC has 34 members including 12 from the govt and 3 each from among employers and workers.

→ Industrial committee on Convention.

i) It was a

set up in 1954. Its objective was

- i) To examine the Indian labour organisations convention and recommendation which had not so far ratified by India
- ii) To make suggestion with regard to speedy implementation of ILO standards

→ Industrial Committee

i) The 8th session of ILDC decided to set up industrial committee

ii) Its main objective is to discuss various specific problems special to the industries covered by them and submit their report to the conference which would coordinate their activity

iii) Industrial committee provide a forum for discussion of proposal for legislation and other matters connected with labour policy and administration before they are finally brought up before legislature

iv) The first industrial committee was constituted in 1947

v) There committee is tripartite body in which no of workers representation is equal to the no of employers representation,

→ the committee that was set up immediately after independence were for plantation, cotton textile, jute, cement, iron and steel etc

Bipartite

i) They comprises of two important constituent i.e. works committee or Joint Management council

ii) There are purely consultative and not negotiable

Reasons for the failure bipartite machinery

i) There is lack of follow-up measure on the part of government for implementation of various schemes announced by it

ii) Trade unions in India are not very strong and responsible

iii) Management by ~~entitlance~~ positive membership to the idea of workers participation

iv) More emphasis has been given to participants at higher level.

* • Code of discipline

① The 15th tripartite Indian Labour Conference in July 1957 appointed a sub-committee to draft a

② code of discipline the committee evolve a code

which came into force on 1st June 1978

- i) The code of discipline is a set of self-imposed mutually agreed voluntary principle of discipline and good relation b/w the management and workers in indus.
- ii) The broad principle of code are
 - a) There should be no lockouts or strikes without notice
 - b) The employers will not increase work load without prior agreement with the workers
 - c) Award and Agreement should be steadily implemented
 - d) Any agreement which disturbs collared relation should be avoided
- e) ^{Code} The broad principle discipline applies to both public and private sector of economy
- f) It consists of 3 sets of code
- g) The first part applies to both management and union it makes it obligatory upon them to settle all disputes and differences by mutual negotiation consultation and voluntary arbitration and to establish grievance process
- h) The second part consists of obligation to be observed by the Mgmt.
- i) It lays down that management should not raise the work load unless agreed

iv) The union must observe the code and must have a membership of at least 1% of the members

v) The third set of principle consist of abstention of union
→ It lays down that union should not engage in physical act in demonstration

→ There will be no union activity during working hrs unless permitted by law or agreement

→ The code symbolise the policy of govt to build up an industrial democracy on voluntary basis

* Industrial Employment (Standing Order) Act, 1946

1) Introduction

A bill providing for framing standing orders containing the conditions of employment in all industrial establishments employing 100 or more workers was introduced by central govt in the legislative assembly on 8th April 1946

2) Objectives of the Act.

It is to have uniform standing orders providing for matters in the schedule to the act

3) Scope of the Act

The Act extends to the whole of India.

4) Matters to be defined to the Act

- i) Shift working
- ii) Attendance and late coming
- iii) Classification of workmen, for ex: whether permanent, tempo, etc.
- iv) Requirement to enter premises by certain gates
- v) Termination of employment
- vi) Edition of

5) Addition of 8 matters by central government to frame standing orders

- i) Service Reward
- ii) Conformation
- iii) Age of Retirement
- iv) Transfer
- v) Medical aid
- vi) Medical examination
- vii) Secrecy
- viii) Exclusive service

6) Procedure for certification of standing orders

- Within 6 months from the date on which the Industrial Employment Act becomes applicable to the industrial establishment the employer should submit copies of standing orders proposed by him to the certifying officer.

who may be a labour commissioner - or regional labour commissioner or some other officer appointed by the govt

- on receipt of the draft the certifying officer shall forward copy thereof to the trade union and to the elective representative of the workmen with a notice enjoining their objection if any.
- The certifying officer shall decide whether or not any modification or addition to the draft submitted by the employer is necessary to render the draft certifiable under the Act for this purpose he shall ensure that

- i) The draft is in conformity with model standing order issued by the govt
- ii) The draft provides for every matter set out in the schedule
- iii) The draft is reasonable and fair

- The draft is then certified by the certifying officer with or without modifications and shall send within 7 days authenticated copy to the employer and to the trade union or representative of workmen.

~~Modification of standing orders~~

Modification in certified standing order if sought before the expiry of 6 months from

1. The date of coming into force can be met on the agreement b/w the employer and workmen

8) Posting of Standing order

The text of the standing order is finally certified under this act should be posted by employer in English and in the language understood by the majority of workmen on special boards.

9) Misconduct and in Standing order

Every act of indiscipline is called a misconduct. Those acts which are most commonly mentioned as misconduct in standing orders act of 1948 are as follows:

- (i) Disobedience
- (ii) Sleeping while on duty
- (iii) Smoking within the factory except in the places where smoking is permitted
- (iv) Giving or taking bribes
- (v) Habitual late attendance
- (vi) Refusal to accept an order or other communication

10) Forms of Punishment

- (i) Warning
- (ii) Fine
- (iii) Withholding of increment or demotion
- (iv) Suspension
- (v) Dismissal

UNP-5

Models of Industrialization

1) Collectivist model

Collectivist model culture emphasis the need and goals of the group as a whole over the needs and desire of each individuals. In such cultures relationship with other members of the group and the interconnectedness it mean the people play a central role in each persons identity. Collectivist culture such as those of China, Korea and Japan emphasize family and work group goals above individual needs or desires. Collectivism and individualism deeply persuade cultural people simply take their cultural stance for granted. A collectivist someone who let others decide for him who allows others to direct the course of his life and perhaps feels comfort in not having to be independent.

2) Trades of Collectivism

- Social rule focus on promoting selflessness and putting the community needs ahead of individual needs
- Working as a group and supporting others is essential
- People are encouraged to do what's best for the society

- Family and community have a central role
- working individually and output depends on individual ability while working collectively and output depends on ability of society.

* Advantages of Collectivism

- Sense of Community and Unity
- Respectfulness, teamwork and cooperation
- Collectivists are extremely supportive
- Multiculturalism
- Everyone feels values as everyone works in team as equally important
- Limited liability
- Social progress and stability
- Equal opportunity to all

* Disadvantages of Collectivism

- One person can bring down many others
- Ideas are less free flowing
- Lack of motivation
- It requires members to participate for success
- Human nature is to claim clear territory and objects are their own
- Loss of trust between the individuals will bring down very collectivist society

② Anarchist Mode)

Pierre-Joseph Proudhon (1809 - 1865)

: It opposed centralization of power, reliance on the state, cooperatives and self-help. He developed rules and system to prevent centralization of power in the organization. He criticized the belief in individual ownership. He proposed the ways of overcoming contradictions of capitalism as well as bureaucracy. He had the saying that there is no need of violent revolution and attractive forms of employment will automatically draw support. For ex: The kibbutz of Israel

Around 2000 about 2.5% of population of Israel lived in kibbutz but produced 35% of its agricultural products and 6% of its manufactured products. They set up farms and later small industries. The former prime minister, like Golda Meir and David Ben Gurion lived in kibbutz. All income of kibbutz goes to common pool, personal allowances are given. All major decisions made through meetings and democratic processes and the emphasis mostly on equality. Children reared collectively and the rotation of work was there.

Decline of kibbutz

- Unbiased borrowing in 1917 leading to huge depth
- Many children choose to leave the place for various reasons
- Tended to be secular got into political conflicts with religious group led to the decline of the place

Return
to the kibbutz

- Renewed cultural energy
- More flexible work assignments
- Form each according to the preference and need given the job
- greater hiring of labour from outside the place
- children now raised primarily by the family
- Greater disparity in personal allowances

3 Free Market

In Economist a free market is a system in which prices for the goods and services are determined by the open market and by consumers in a free market the laws and force of demand of supply and demand are free from any intervention by the govt or by other authority. It is the best way of communication of the need of the society & gain popularity in 1990's. It motivated to economic reform and reduced the regulation on large industry although there is no one set of variables that defined a free market. There is a generally accepted list of major that help determine just how free market economy can be. These variables can be divided into

- i) Trade policy
- ii) Government Intervention
- iii) Monetary policy
- iv) Banking and finance
- v) Budget and Prices
- vi) Capital and foreign investment flows