

Mod 5: Industrial relations (IR)

- Industry: Productive activity in which individual is engaged
- Relation: Relationship b/w employer & employee
- IR explains relationship b/w employer and migrant in day to day working life.

① Advantage

- Reduce absenteeism → Improved morale
- Improved motivation → Increased job satisfaction
- Increased loyalty → Increased productivity

② Indian Trade Union Act (1926)

- An act to provide for registration of Trade union and in certain respects to define the law relating to Trade Unions.

i) Registration of TU

Seven or more members can apply for registration of TU

ii) Legal status of TU

- Becomes a corporate body
- Perpetual succession & common seal
- Acquire & hold movable/immovable property
- Enter into contract with others
- Can take legal action in registered name

iii) Rights & Privileges of TU

- Maintain separate fund for political purpose
- Enjoy immunity from civil suit & conspiracy
- Right to amalgamate → Right to inspect books

(iv) Duties & Liabilities of TU

- Change in registered office
- Object on which general fund may be spent
- Political fund - Constitute one fund for that
- Proportion of office bearers to be connected ^{with} industry
- Dissolution
- Disqualification of office bearers

(1946)

(D) Industrial employment Standing Order's Act

- An act of to regulate employees in industries to formally define conditions of employment under them

- Classification of workmen
- Manner of intimating to workmen the period & ^{of work} wage
- Shift working
- Attendance & late coming
- Condition & procedure to apply for holiday
- Requirement to enter premises & liability to strike
- Closing & reopening sections of establishment
- Suspension for misconduct & acts and omissions which constitute misconduct.

(D) Indian Factories Act (1948)

- Served to assist in formulating national policies in India w.r.t occupational safety & health in factories & docks in India
- Act was amended in 1954, 1967, 1987.
- There are 119 odd sections covering various areas:

- Definition of relevant concepts (2)
- licensing / Registration of factories (16 & 7).

- iii) Inspecting staff (8 to 10)
- iv) Working hours for adults (51 to 66)
- v) Employment of young person (67 to 77)
- vi) Employment of women
- vii) Annual leaves with wages (78 to 84)
- viii) Penalties & procedures (92 to 106)

② Industrial disputes Act (1947)

- Act makes provision for investigation & settlement of industrial dispute
- Seeks to prevent strikes & when they occur, reasons are found & collective actions are taken
- Restricts employer's unbridled freedom to layoff
- Has 40 sections and was last amended in 2010

- i) Definition of relevant concept (2)
- ii) Authority & Agency under the act (3 to 7)
- iii) Reference of dispute (16)
- iv) Power & procedure of authority (11)
- v) Settlements and awards (16 to 17)
- vi) Strikes & lockouts (22 to 23)
- vii) Layoff, retrenchment, closure (25A → 25S)
- viii) Unfair labor practices (25T → 25U)
- ix) Penalties (26 to 31)

A) Ind Tribunal & Adjudication Process

→ Judicial bodies that hear / determine claims to do with emp matters.

→ They can deal with ~~settlement~~ ^{disputes} related to:

- i) wages: Period and mode
- ii) Compensation, other allowance
- iii) Hours of work & rest intervals
- iv) leave with wage & holidays
- v) Bonus, profit PF, gratuity.

→ Adjudication is a mandatory settlement of an industrial dispute by a labor court or a tribunal

→ Disputes are reported here by conciliation officer

→ Verdict of Tribunal must be obeyed by both party

→ Labor courts can handle:

- legality of an order passed by emp.
- Application & interpretation of standing order
- Discharge / dismissal of workmen
- Withdrawal of statutory concession
- Illegality
- matters not specified in 3rd schedule of Industrial Disputes Act 1947