

Karnataka Employer's Association

Date: 08/05/2020

The Hon'ble Chief Minister,
Government of Karnataka
Bengaluru

Respected Sir,

Sub: Repeated instances of high handed actions of the Labour Department tarnishing the harmonious relationship between employers and employees in Karnataka.

With great regret, we wish to bring to your kind notice the following:

1) On 13.04.2020, a Circular No KE 170 of 2018 (part 7) was issued by Sri Manivannan, Labour Secretary with an order to employers not to cut salaries and not to remove employees including temporary employees. The Circular concluded with a threat that failure shall attract initiation of proceedings under the Disaster Management Act, 2005. A helpline was also sought to be set up within 48 hours.

2) Alarmed by this shocking circular, Industry Associations including KEA submitted memorandums to the Chief Secretary whose timely intervention resulted in withdrawal of the above said circular.

3) Since 06.05.2020, there is a tweet being widely circulated in the social media that quotes the Labour Secretary stating that directions have been issued by the Hon'ble Labour minister to issue notices to those employers who have not paid the salary or paid reduced wages to workers for the month of April 2020.

4) The tweet further states — If you are an affected worker, file here:
dasoha2020.com/content/complaint

5) It is further noted that the Labour Secretary has been actively encouraging workers to register their complaints regarding non-payment of wages or retrenchment with an assurance that strict action will be taken against employers. Encouraged by this open call, more than 700 workmen have reportedly registered their complaints in the 'dasoha' website.

6) It is submitted that when a concerned employer tweeted that since he has absolutely no means to pay salary to his workmen due to lockdown, the Labour Secretary has responded immediately by stating that "Business is your domain sir. Implementing Law is my domain. Let each of us do our work. That is Dharma".

7) It is our humble submission that the 'Dharma' of employers is to create wealth for the benefit of the nation and that is why they are also called as 'Udyogadaatas' and 'Annadaatas'.

8) It is submitted that when no work has taken place during the lockdown period, the hands of the employers have been tied due to the lockdown and therefore they have been unable to run their businesses and produce wealth. In such a situation, it is the 'Dharma' of the Government, particularly the Labour Department to instill confidence among employers and build rapport between the employers and the employees so as to find practical solutions to the issue of payment of wages during lockdown period.

9) It is regrettable that instead of playing the role of an amiable facilitator to bring about understanding and consensus between the employers and the employees during this difficult period, the Labour Department has been provoking and instigating the workmen to lodge complaints against their own 'Annadaatas', thereby vitiating the entire atmosphere of harmonious relationship that has always existed in Karnataka.

10) It is submitted that the above said precipitative actions of the Labour Department and the incautious actions of the Labour Secretary much against the 'Dharma' that is expected from a Civil Servant have damaged the fabric of trust so assiduously built up over a long period in the State of Karnataka. 'Dharma' also means right behavior and respect for Social order that ought not to be disturbed without understanding the cause. It is a matter of pride that Karnataka amongst all other Southern States welcomes people from all over India with open arms and our actions have always conveyed our ethos. While the Hon'ble Prime Minister humbly calls himself as the 'Pradhan Sevak', the spirit of 'seva' should imbibe our actions including the actions of

the bureaucracy. Unbiased treatment of all by the bureaucracy is a legitimate expectation of both employers and employees. That should be Dharma of bureaucrats.

11) In view of all that is stated above, we are pained to request that immediate steps are taken to change the leadership in the Labour Department which in these difficult times has to play the role of an umbilical cord that connects the employers and employees rather than be an impediment in the harmonious relationship which is the need of the hour.

Thanking you,
For Karnataka Employers' Association
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Cc: Chief Secretary