

Ch 1

Key Richardson: IR is the art of working collectively @ workplace for productivity, efficiency, human well being + progress

(1)
①

- involves both cooperation + conflict

4 day wks + mutual adjustment
highest productivity & lower wages & vice versa

- chess (in terms of zero-sum process)
① eco exchange process, ② social relationship

③ norms, values, rituals

≠ diff perceptions of IR by - psychol, IR, Eco, Soc, Polys

- features
- ① Employee bases
 - ② cooperation + conflict
 - ③ dimensions - Eco, Tech, Inst
 - ④ multi disciplinary
 - ⑤ exists at all levels

CHANGES - be indepe

union decaying / worker exploited / state didn't inter

Post independent
flourished
state interfered by facilitator, labour laws
pressure on managers

Before LPG
- Negative face due to close shop behavior, violence

After
- state role & internal control by managers
- easy of labour laws

(revolt Bouvarism)

Scope → short term
- day to day issues: grievance, redressal + indiscipline
- relation direct + personal wages, raised work/life

long term
- career, technology, market share
- emerging issues automation, casualisation
- active role of state, media, NGO's etc

Objectives of IR

- ① promote better relations
- ② ensure industrial democracy

③ Industrial harmony & avoid strike

Pre-requisites of

- ① strong TUM
- ② +ve attitude of managers
- ③ state should play just role
- ④ parties men. interference

- ⑤ effective grievance redressal mech
- ⑥ CBM/WPMA
- ⑦ low levels of poverty
- ⑧ mutual trust

State role?

- ① Model employee
- ② labour legislaⁿs
- ③ executive role (labour min)
- ④ judicial functions
- ⑤ facilitate through inst. mechanism (AWR, BOP)
- Eg: NPS for unorg worker, MNRE, A redressal depends of labourers in rural areas

HRM v/s IR

HRM	IR
<ul style="list-style-type: none"> • Bipartite • Individualistic (unitary ^{fixed}) • <u>focus</u> - career, training, innovation, QWL • ^{main} Biz is people • on one employment contract every worker employ with unpre skill etc 	<ul style="list-style-type: none"> • multipartite • collective • <u>focus</u> - dispute settlement, negotiator bargaining • Labour is cost

Why?

- Influence of TUM ↓ + easy labour supply
 - ↑ white collar workers
 - world class HRM by MNC
 - informal sector ↑
 - Individual career focus
- Zor of demp biz
- Upper Mgmt.

New changing scope

- collectivism → individualism
- narrow focus (prevance) → long term view (career, train)
- bipartite → separate
- atypa/industri → negotiator/bargain
- emerging issues → env protec, tech, temporeg workers, media & public, automation, informal worker

(2) IR → HRM

After globalisation

- 1) Reducing state patronage
45 + KN - cost labour reform
- 2) IR → world class HRM (Modern mgmt practice)
- 3) TUM ↓ weakening
- 4) IR → world class HRM
- 5) Informal sector ↑
- 6) Casualisation of labour - Madras Rubber factory
- 7) Technology - downsizing
- 8) Anti Union culture brought by MNC

depolitic
values

- 1) failure of TUM to adapt to change
frequent strikes in agart modernisa
eg: BSNL IPO failed due to strikes resistance
- 2) Customer dominance

Ch-2 Trade Unionism

Sydney Beatrice Webb:

This is a collective association of wage earners for maintaining/improving working conditions

- emergence of permanent class workers
- ① separation of labour & capital \rightarrow exploit
 ② collective independence - VLS

Goals of TU

Short term
wages, work conditions, reduced work hours

Long term

- ① worker empowerment - control over industries
 ② guild socialism, syndicate
 ③ \uparrow in political power
 ④ \uparrow in social status of worker
 ⑤ estb of socialism
 Meaning: industry, assembly

F(x) of TUM

- ① CB
 ② Dispute settlement

- ③ Political f(x)
 ④ welfare f(x)

- ⑤ Strength of (member, finance)
 ⑥ other f(x) - research

Methods of TU

- ① collective bargaining
 ② political action - pressure govt
 ③ industrial action
 ④ welfare measure
 ⑤ collective measures

Formation of TU

Behav. aspects - Basis, Org, Leadership

TU Act 1926
related to formula, membership fee, subsidy

- ① 100/10th members apply

- ② Registry not compulsory but benefit

- ③ Perpetual org - with common seal

Basis - craft, industry, general union
 railway, Luddhiana iron & steel workers, diff prof

Org - lack of full time office bearers

Leadership - political leaders

TU recognition?

official acceptance that TU rights

check off, use of notice board, representation - disputes, collect membership fee

sole representative of workers
assets
 Bargain in good faith

Reasons behind poor recognition

- ① Lack of mgt will
- ② Lack of political coverage to indus. legisla.
- ③ Inter Union rivalry
- ④ admin lethargy + corrup.

→ will only serve purpose of 1 TU = 1 industry
- management often deceptively & exploitatively
Mng of work apts - deceptions / protest fields

Problems before TUM

- ① Political leadership rivalry, politicisation of interest, factional politics
- ② Lack of internal rank & file full time office bearers
- ③ inter union rivalry - poor unity / multi unionism
- ④ limited fin resources - outside dependence

- ⑤ Lack of constructive f(m)
- ⑥ Attitude of conflict
- ⑦ Lack of internal democracy run by ~~majority~~ minority than majority

OUTSIDE leadership

leadership from outside, not from internal indus.
has been dominant feature before independence
(social reforms, CR docs, Nehru, after freedom)

BMS - BJP
AITUC - Communist Party

Causes

low education, complexity of IR, Political domination, weak Fin Reserves
historical reason

Merits

- ① Stronger posⁿ vis legislative, exec.
- ② Stronger posⁿ vis mngmt
- ③ Welfare
- ④ TUM develops in less time
- ⑤ participatⁿ in govt bodies

Demerits

- ① politicisation of worker interest
- ② factional politics
- ③ limited knowledge of worker interest
- ④ factionalism
- ⑤ dispute

Inter Union Rivalry

double edged sword

To counter amendment in TUM 2001 - at least 1/2 from industry

- No member of COM - Union / state

MULTI-UNIONISM

existence of 2 or more at same unit / industry.

Merits: healthy democratic growth, mutual check on adoption of undemocratic policies, no complacency, promotes dynamism innovatⁿ for welfare

Demerits

① Usually - each tries to counteract efforts of another

② non cooperation, distrust

③ disputes.

major reason behind decline in 1960

Rank & file leadership

from internal, who understand worker problems
but need training (good step - Asian TV college @ Kolkata)

TU victimisation

efforts by employer to weaken TUM

yellow union, disunity, discriminate members

not bargaining in good faith, failure to implement agreed
recruitment new employees during strike

MR Kishore of Union of Network international organises
Indian IT workers as cyber coolies

TU vs IES sector

No TUM. needed coz foreign employees, long working hours, welfare
provision, lack of labour laws

however resisted coz: would class URM, professional resist idea,
affect competitiveness

Measures to strengthen TUM

1) Cooperation over conflict

① worker interest + long term survival of indst - COM/WPM.

2) Elimination of political leadership

3) Rank & file leadership + Training

4) Sound financial base

5) Multi unionism &

6) Cost unionism

7) Recognition of TUM.

Tappaytech

8) Clear objectives

9) constructive f(x)

welfare, training

eg: Bharat Electronics Employee
Union - provides funds to
subscribe shares

Tata tea gardens

women unionist - cs Venkataswami only 5-10% membership, restricted
fields Why? ① double burden ② societal perception ③ male domi-

nance ④ occupational segregation

⑤ Legal void - Sec 17A

eg: Anusuya, etc. Ben.

MAKAM

after unionism use of online, research, cellat, international,
breaks geographical borders

Worker participation

- for internal democracy,
- 1) Lack of educaⁿ/awareness
- 2) Political interest dominates

run by minority than majority
 3) Lack of trust, time
 Lack of parity

Unorganised workers

home based, self employed, wage workers, casual employment
 not covered by ID act, worker compensaⁿ act
 i) No security (reg + employment), poor working conditions, wages, abuse

to part measures

- NPE, RSBY, MNREGA, group insurance schemes
 security act, group insurance schemes
 sewa-streek vandan

FORMS

1) closed shop: only employed from members of TUM
 i) shop TUM -
 ii) entortion from new, banned by US, paradise of strike
 India - Railways

- 2) Open shop
- 3) Union shop
- 4) agency shop
- 5) vertical union
- 6) mafia unions

class ~~struggle~~ conflict

Conflict, cooperation - 2 opposite ends of same spectrum
 Karl Marx - conflict due to class difference - oppo^sing interests
 Gandhi - not necessary if employers - trusteeship
employees - satyagrah

50/50 shop

* Unions have failed to respond to changes in biz/industrial env
 → losing relevance → need structural reforms
 ex: BSNL IPO

Unit - 3

Industrial disputes

Technology & Union

- # Weakens DM - as difference b/w blue collar, white collar workers weaker
- # Employer
 - few DM has responded to changes progressively,
- # eg: Indian Alumn Co., supported mgt in modernisation at duygapur → CITU demanded modernisation
- success of tech dependent on willingness of workforce to adapt
- # ITES sector: non unionism
- # Trade Union can themselves make use of tech - cyber union
- eg: CITU cooperated with rice mill owners in Burdwan and cooperated for mini rice mills to cut down labour cost + leaving firm against cheap import of rice

Industrial dispute

As per ID act 1947, difference, disagreement b/w labour - mgt (worker-worker, mgt-worker...) on matter of employment, conditions of labour.

Weapons used in ID

- By workers - strike, picket, gherao, boycott
- By employees - employer's association, lockout, termination of services

Sources of ID

- eco, political, personnel cases, discipline
- Welfare measures
 - employee
 - employer
 - society

Preventive machinery

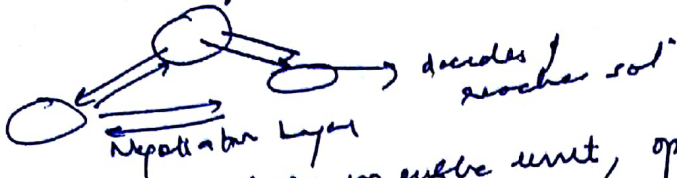
- ① Labour welfare officer - under factory act, >500 workers
- ② CB ③ WPM
- ④ Code of discipline (mutually agreed voluntary principle) ⑤ Standby order
- ep: no unilateral action, prior notice before strike
- ⑥ Separate bodies - ILC / SLU ⑦ Better HRM
- ⑧ gvt measures - gratuity PF cut
- ⑨ grievance procedure

Settlement machinery

- ① Works committee ② Court of enquiry
- ③ conciliation ④ Arbitration ⑤ Adjudication

Conciliation?

Use of 3rd party services for 6/10 disputants for reducing extent of differences + reach agreement.



as per IDA act 1947, compulsory in public unit, optional in other
conciliation free opt → time limit, powers of civil court
if fails referred to as tripartite body - RAC - 2mb

- ① lack of training of CO
- ② lack of initiative due to past members

- ③ considered as necessary hurdle
- ④ political interferences
- ⑤ delays

Court of enquiry
fact finding machinery - 6 months.

Arbitration

3rd party mutually & voluntarily by disputants, and settlement is binding



used by Gandhi, given legal recognition in 1956 (included in IDA act)
NARB set in 1967.

+ democratic, strengthens TUM, not effective, not lengthy, close to CB
- → hurdle, lack of recognition to enforce award, easy availability of adjudication.

Adjudication

of all methods fair - ~ in courts (IT, Labour court, National tribunal)
consented by disputants or compulsoy referred by CG (CA).

+ worker benefit

- costly, lengthy, inefficient incomplete implementation, VV give (atmosphere of concealed suppressed hostility & unconcealed triumph which doesn't lead to lasting peace)

strike - temporary cessation of work by workers work in industry.
primary strike - stay away tool down, pendown, catcall, phere
hunger strike

secondary strike - pressure on 3rd person

lockouts - shutting down of enterprise temporarily & refusal to provide workers work.

Grievance - feeling of dissatisfaction / personal injustice related to his employment.

Causes - ~ . leads to →

Managing grievances

~~Imp.~~ Why of embryo of bigger problem to come of accumulated leads to major explosion

$$G_1 + G_2 + G_3 + \dots = 10$$

therefore effective prompt redressal mechanism. Why? channel for emotional release, express discontent without jeopardizing job, ultim. mayo

majority ↑

steps

- ① nature of discontent
- ② get facts
- ③ analyze + reach sol
- ④ implement
- ⑤ follow up

Types - open door policy

step ladder process



Worlee
ISA 7510

Grievance procedure in India

As per Ind. Employt (SO) Act 1946, need to have means to address in SO

As per factories act 1948 - 500 workers - LWO

Model grievance procedure

developed by 16th ILC.

Background work - each worker to select 1 representative from his dept → member of Grievance committee

Procedure

- ① go to office apt
- ② unsatisfied → Dept head - time limit
- ③ grievance committee
- ④ chief executive
- ⑤ refer to arbit.

Principles - guiding

- ① simple flexible
- ② 2 way commut.
- ③ speedy
- ④ lowest level possible
- ⑤ not more than 2 levels
- ⑥ show restraint
- ⑦ feeling of satisfaction

Industrial unrest
Industrial peace

[conclusion - address root cause + consider it as opportunity]

Imp. Jurisprudence

Application of basic civil rights in industry ... (check)

ADR - rather than expensive to arbiters

arbitrator, conciliator, ombudsman, Collective Bargaining, Lok Adalat, CB

Qualities of conciliator

impartial, integrity, good listening, knowledge of labour laws, personal apt of releasing tension

Conciliation

- ① facilitate
- ② can bind
- ③ may/may not terminate dispute
- ④ informal
- ⑤ compromise

Arbitri

- ① gives award
- ② binding
- ③ leads to termination of dispute
- ④ formal
- ⑤ no avenue of compromise

VV Giri

- Preferred CB, Compulsory arbitration over Adjudication
- ① hits at root of TUM
- ② TUM cant be strengthened till...
- ③ Voluntary methods will not succeed...
- ④ win loss "situation": unconcealed / suppressed hostility
- ⑤ policeman - not lasty place
- ⑥ best solⁿ evolves from within

justice delayed is justice denied
due to poor eco condition of workers, time cost involved, low level of educaⁿ + admin

adjudicaⁿ

- 3rd party interveⁿ
- time consumⁿ + expens^e
- burdy
- win loss

- CB
- Bipartite
- cost effective
- democratic
- trust
- win win
- VV giri →
- ≠ preferred

WPM in India
 • A439, 1st FYP
 • WPM scheme in non dept undertaker
 • Educaⁿ of many @ IRI
 • But successful only at some places -
haveli
bil

IDA act 1947

- imp legislative instrument
- ↳ Restrictive → cant layoff, lockout, strike without proper notice
- ↳ Indecent - lay off compensaⁿ
- ↳ beneficial
- criticisms - Lack of reciprocity, over emphasis on adjudicaⁿ

Sec D-8.

CIPU VSShat will

Right to strike

- Paralyse
- SC in TK Rangarajan case - that fact workers no right
- IDA, 1947 - prohibits strike without notice
- CITU - claim imp right, available in every democratic country
- VV giri + GDH code supported
- But should be exercised carefully & responsibly - gandhu -
 but resist and non violent..

ID 7vc

- social - better std of living, benefits, dev of trade union
- Pro - productivity ↑
- Political - deepening of democracy

IDA, 1947

provisions

Obliga' of employers

- constitute works committee
- demand for declare illegal lockout
- pay lay off entitlement & closure compensation
- change to working cond- notes

Right

- declare lockout if illegal strike
- Retrench/layoff with statutory conditions

Obliga' of employees

- strike with notice
- cooperation

- receive lay off compensation
- receive notice for change in working conditions
- claim wages during pendency of appeal

Illegal strike

without proper notice, pendency of case, violent, strike as pronounced by workers in TK Rangasayan case - SC

WPM

participa' of workers in decision making. bridge operating & managing tasks. co-determination, joint mgmt.

WPM at diff levels → goal, plan, at decider best COA, Evaluation of cost

at f(n) level - I-PLA-DC

diffs share, problem share, Consultative Inst, Admin partic

decision make p, CB

2 forms - ascending participa' + descending participa' by electing their representative at higher level

descending participa'

at lower level - decide abt their own work

Katmāle - Moral, Power, Union, Eco, Political, Ind. democracy (Art 43a)

Forms

1) BoD - representation but T.O resist ① no difference ② inferior role

2) Ownership - sweat equity @ reduced prices - participate in GPM

3) Works committee at lower level. = represent' of M and W but ineffective due to regular meety, lack of trust, petty issues, inter-union rivalry -

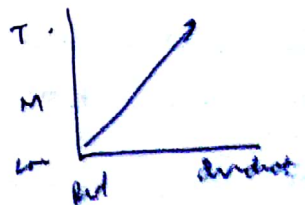
As per IDA act 1947, >100 workers compulsory

4) Joint mgmt council at higher level -

so, productiv' techniqs → TISCO

5) Supply scheme - Scanlon plan

Quality circles



future prospects need
 ① ind. democracy ② academic education ③ professionals ④ women, service sector prefer

⑤ to retain best talent ⑥ New tech ⑦ global age.

Ind. democracy - said need to law to provide WPM but WPM shouldn't lead to fragmentation of decision making.

Failure of WPM

- 1) Govt - no law to recognize W, despite schemes no implemented
- 2) Mgmt - (i) Against competitiveness (ii) Lack of democratic education (iii) Vested interests of worker leaders (iv) Socio-cultural gap (v) Takemata that participative (vi) Lack of autonomy in PSE (vii) Secrecy & trust
- 3) Workers and Union related
 - ① Poor econ condⁿ ② Oligarchic leadership in W ③ Unrecognized W.
 - ④ inter union rivalry

Measure for success in WPM

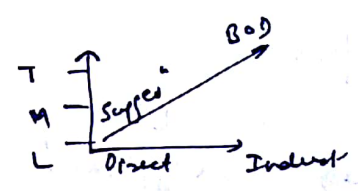
- democratic attitude of mgrs
- clarity of objectives
- training of workers
- recognized W
- Union

Inst. of WPM

- spirit of cooperation not mgmt → healthy workers → vent out pressure
- continuity in effort
- mutual trust

Industrial demoy

• mangery entered for the ppl by the people
 all imp stakeholders participate
 WPM pre-requisite of ID.



Shram awards in PSU, Leyhau Langhrike in market

-ve face of WPM

to mask self interests, inferior voice of workers

WPM v/s CB

workers prefer CB → conflict
 while managers - WPM

Both can mutually co-exist ex: In Japan, workers decide conditions of employment through shunto & also participate at enterprise level.

- cooperation - conflict
- set to problem | The
- open commt
- mistrust (-ve self interest)

Collective Bargaining

deciding TnC of employment through mutual negotiation rather than decided unilaterally by mgmt.
 result of industrial relations system collective bargaining
 IR - cond of employment ↓

unfavourable -
 jobs -
 - up
 (not ad hoc
 one time)

Principles/essential requirement of CB

- ① Democratize mgmt
- ② Strong UMW recognized, internalized rank & file

- ③ Instability of CB
- ④ Stable env.
- ⑤ fact finding approach, use of tech like industrial engineering
- ⑥ Cooperative bargaining (win-win) rather than adversarial.

Features of CB

disputative, flexible, continuous, voluntary

Approaches/types of CB

single plant L Multipoint
 [LEVEL]

L Multiple employer

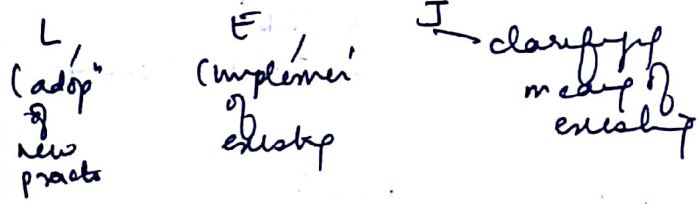
L Mixed bargaining

Bases of way out

formal
 for implementation of formal agreement

informal
 for emerging, recurrent frequent issues
 eg: discipline, extra working hours

L p(m)



No. of parties involved - unilateral, bilateral, single union, multiple union
 non unionized env

Forms of CB in India

- ① Binding concilia' (compulsory as per ID Act 1947)
- ② consent award - when pending before adjudicator, both included in award
- ③ Voluntary/Bipartite agreement - Desamachari
- ④ Sectoral bargaining - eg. where govt is a major player
 Eg: Bank (India Bank associa), Ports, Coal -

Factors responsible for poor CB

- ① Easy access to arbitrators
- ② Multi unionism
- ③ political leadership / govt interference
- ④ Lack of democratic rep of mngers
- ⑤ Poor implementation of agreement (ad hoc)
- ⑥ Unrecognized NRM

- ⑦ Sectoral bargaining in India ⑧
- but diff employees - diff issues
- ⑨ focus on small issues, narrow.

Conflict & cooperation

Role

Mgr of IR manager - anticipate demand, listen

principled negotia rather than hard bargaining procedure

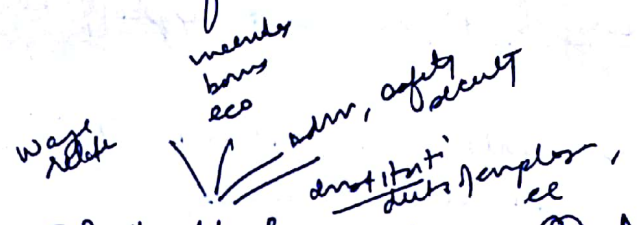
-ve of CB

Thought of rough exercise - based on mistrust, yield less earn more

- ① law & order
- ② Non-unionised firm reluctant
- ③ Inflation

Procedure

- ① Identify key areas for N
- ② Identify B issues
- ③ Negotiate
- ④ Reach agreement
- ⑤ Ratify
- ⑥ Implement



Differences in CB - dev v/s developing

- ① Demands - security, std of living, profit share due to better eco cond.
- violence ↓
- political interference less
- single union
- Not against intro of tech. (popula)

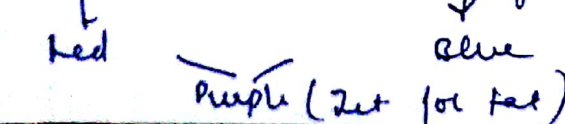
wages... security

hard bargaining v/s soft bargaining

adversarial goal is victory

goal is agreement, principled

Gov'n Kennedy - 3 kinds of behaviour



CB - rough & tough exercise

principled adversarial

Principled negotiation - win/win

reach agreement
rather
adversarial (win/loss)

- issues not personalized
- separate people from problem
- generate variety of possibilities - . . .
- fact finding
- win/win

Behav. theories of CB - Walton & McKersie

- ① Integrative - when goal not in conflict
- ② distributive - in conflict
- ③ Attitudinal - mutual trust
- ④ data - org

these 4 sub-processes help decide final outcome

Bargaining range theory by Pigeon - set upper & lower limit

Chamberlain model - willingness of other party to agree to your terms

$$\text{Union power} = \frac{\text{Marginal cost of disagreement}}{\text{agreed}}$$

other determinants like state of eco, industry etc

Hickian concession model

Both U, M at layoff table calculate costs & length of work stoppages

① ADVERSIAL - win/loss

CB tough exercise - mistrust, hostility, misrepresentation of facts, =

- ① unethical practices like violence, difficult to arrive at CMP.
- ② unexpected behaviour of parties, maximisation of interest - yield less gain more
- ③

In India - result of both voluntary & statutory push

- In Deemakuchi tea estate case, SC held voluntary agreements to be valid
- sectoral layoff
- consent awarded as part of arbitration -
- legally - 10 Oct 1947 as part of mediation