

UNIT-I-Introduction to Industrial Relations

SYLLABUS

Industrial Relations – Concepts and Approaches – causes of poor Industrial Relations-Effects of poor Industrial Relations-Suggestions to improve Industrial Relations- Trends in India. Trade unionism –objectives - functions – structure.

INDUSTRIAL RELATIONS

Meaning

The relationship between the employers and employees and trade unions is called Industrial Relations. Harmonious relationship is necessary for both the employers and employees to safeguard the interests of both the parties of production.

A good industrial relation is necessary for better environment in the organization and for better production and performance.

The term ‘Industrial Relations’ comprises of two terms: ‘Industry’ and ‘Relations’. “Industry” refers to “any productive activity in which an individual (or a group of individuals) is (are) engaged”. By “relations” we mean “the relationships that exist within the industry between the employer and his employees.”

There are six main parties who are actively associated with any industrial relation system. They are the employees, employers, employer’s association, government, the trade union, and courts and tribunals.

Definitions

Industrial relations have been defined by some of the thinkers as follows:-

1. —Industrial relations and personnel management are almost synonymous term with the only difference the former places emphasis on the aspect of employer relationship rather than on the executive policies and activities that are set up to foster good relations.- E.F.L. Brec

2. —Industrial relations is that part of management which is concerned with the man power of the enterprise- whether machine operator, skilled worker or manager- **Ethel**,

3. 'Industrial relationship is the composite result of the attitudes and approaches the employers and employees towards each other with regard to planning, supervision, direction and co-ordination of the activities of an organization with a minimum of human efforts and friction, with an animating sprite of co-operation and with proper regard for the genuine well-being of all the members of the organization.

Objectives of Industrial Relations

1. To bring better understanding and cooperation between employers and workers.
2. To establish a proper channel of communication between workers and management.
3. To ensure constructive contribution of trade unions.
4. To avoid industrial conflicts and to maintain harmonious relations.
5. To safeguard the interest of workers and the management.
6. To work in the direction of establishing and maintaining industrial democracy.
7. To ensure workers' participation in decision-making.
8. To increase the morale and discipline of workers.
9. To ensure better working conditions, living conditions and reasonable wages.
10. To develop employees to adapt themselves for technological, social and economic changes.
11. To make positive contributions for the economic development of the country.

Importance of Industrial Relation

The healthy industrial relations are key to the progress and success. Their significance may be discussed as under –

Uninterrupted production – The most important benefit of industrial relations is that this ensures continuity of production. This means, continuous employment for all from manager to workers. The resources are fully utilized, resulting in the maximum possible production. There is uninterrupted flow of income for all. Smooth running of an industry is of vital importance for several other industries; to other industries if the products are intermediaries or inputs; to exporters if these are export goods; to consumers and workers, if these are goods of mass

consumption.

Reduction in Industrial Disputes – Good industrial relations reduce the industrial disputes. Disputes are reflections of the failure of basic human urges or motivations to secure adequate satisfaction or expression which are fully cured by good industrial relations. Strikes, lockouts, go-slow tactics, gherao and grievances are some of the reflections of industrial unrest which do not spring up in an atmosphere of industrial peace. It helps promoting co-operation and increasing production.

High morale – Good industrial relations improve the morale of the employees. Employees work with great zeal with the feeling in mind that the interest of employer and employees is one and the same, i.e. to increase production. Every worker feels that he is a co-owner of the gains of industry. The employer in his turn must realize that the gains of industry are not for him alone but they should be shared equally and generously with his workers. In other words, complete unity of thought and action is the main achievement of industrial peace. It increases the place of workers in the society and their ego is satisfied. It naturally affects production because mighty co-operative efforts alone can produce great results.

Mental Revolution – The main object of industrial relation is a complete mental revolution of workers and employees. The industrial peace lies ultimately in a transformed outlook on the part of both. It is the business of leadership in the ranks of workers, employees and Government to work out a new relationship in consonance with a spirit of true democracy. Both should think themselves as partners of the industry and the role of workers in such a partnership should be recognized. On the other hand, workers must recognize employer's authority. It will naturally have impact on production because they recognize the interest of each other.

Reduced Wastage – Good industrial relations are maintained on the basis of cooperation and recognition of each other. It will help increase production. Wastages of man, material and machines are reduced to the minimum and thus national interest is protected

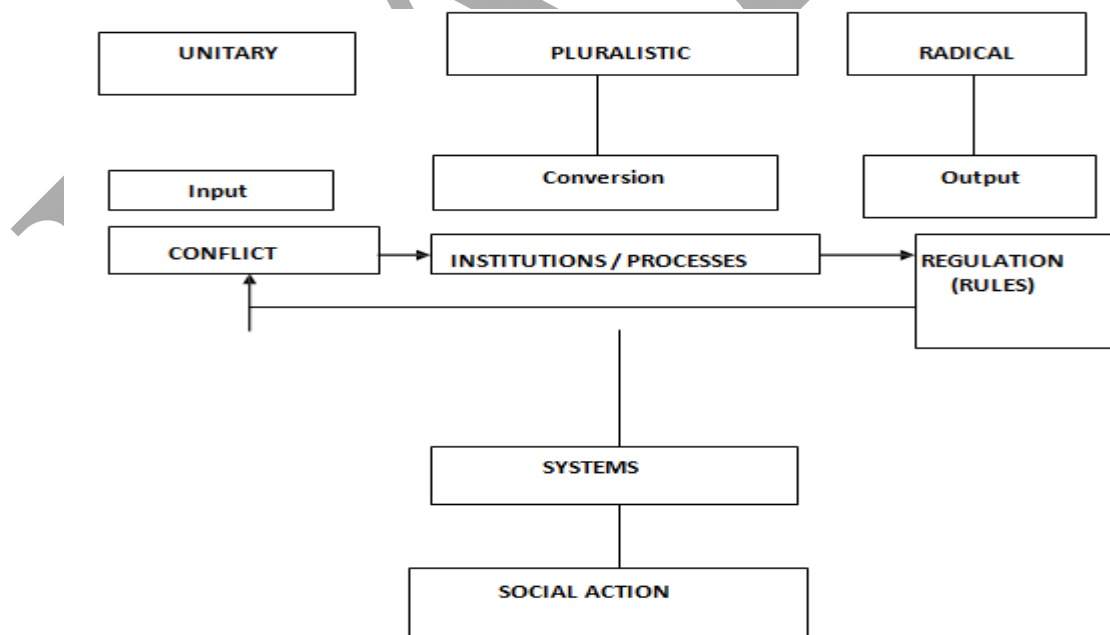
CONCEPTS AND APPROACHES

Concept of Industrial Relations

The term industrial relations have a broad as well as a narrow outlook. Originally, industrial relations were broadly defined to include the relationships and interactions between employers and

employees. From this perspective, industrial relations cover all aspects of the employment relationship, including human resource management, employee relations, and union-management (or labor) relations. Now its meaning has become more specific and restricted. Accordingly, industrial relations pertains to the study and practice of collective bargaining, trade unionism, and labor-management relations, while human resource management is a separate, largely distinct field that deals with nonunion employment relationships and the personnel practices and policies of employers. The relationships which arise at and out of the workplace generally include the relationships between individual workers, the relationships between workers and their employer, the relationships between employers, the relationships employers and workers have with the organizations formed to promote their respective interests, and the relations between those organizations, at all levels. Industrial Relations also includes the processes through which these relationships are expressed (such as, collective bargaining, workers' participation in decision-making, and grievance and dispute settlement), and the management of conflict between employers, workers and trade unions, when it arises.

APPROACHES TO INDUSTRIAL RELATIONS



Unitary Perspective

The unitary perspective is based on the assumptions that the organization is, or if it is not, then it should be, an integrated group of people with a single authority / loyalty structure and a set of common values, interests and objectives shared by all members of the organization.

In unitarism, the organization is perceived as an integrated and harmonious system, viewed as one happy family. A core assumption of unitary approach is that management and staff, and all members of the organization share the same objectives, interests and purposes; thus working together, hand-in-hand, towards the shared mutual goals. Furthermore, unitarism has a paternalistic approach where it demands loyalty of all employees. Trade unions are deemed as unnecessary and conflict is perceived as disruptive.

From employee point of view, unitary approach means that:

- Working practices should be flexible. Individuals should be business process improvement oriented, multi-skilled and ready to tackle with efficiency whatever tasks are required.
- If a union is recognized, its role is that of a further means of communication between groups of staff and the company.
- The emphasis is on good relationships and sound terms and conditions of employment.
- Employee participation in workplace decisions is enabled. This helps in empowering individuals in their roles and emphasizes team work, innovation, creativity, discretion in problem-solving, quality and improvement groups etc.
- Employees should feel that the skills and expertise of managers supports their endeavors.

From employer point of view, unitary approach means that:

- Staffing policies should try to unify effort, inspire and motivate employees.
- The organization's wider objectives should be properly communicated and discussed with staff.
- Reward systems should be so designed as to foster to secure loyalty and commitment.
- Line managers should take ownership of their team/staffing responsibilities.
- Staff-management conflicts - from the perspective of the unitary framework - are seen as arising from lack of information, inadequate presentation of management's policies.
- The personal objectives of every individual employed in the business should be discussed with them and integrated with the organization's needs.

Pluralistic-Perspective

In pluralism the organization is perceived as being made up of powerful and divergent sub-groups - management and trade unions. This approach sees conflicts of interest and disagreements between managers and workers over the distribution of profits as normal and inescapable. Consequently, the role of management would lean less towards enforcing and controlling and more toward persuasion and co-ordination. Trade unions are deemed as legitimate representatives of employees. Conflict is dealt by collective bargaining and is viewed not necessarily as a bad thing and if managed could in fact be channeled towards evolution and positive change. Realistic managers should accept conflict to occur. There is a greater propensity for conflict rather than harmony.

They should anticipate and resolve this by securing agreed procedures for settling disputes.

The implications of this approach include:

- The firm should have industrial relations and personnel specialists who advise managers and provide specialist services in respect of staffing and matters relating to union consultation and negotiation.
- Independent external arbitrators should be used to assist in the resolution of disputes.
- Union recognition should be encouraged and union representatives given scope to carry out their representative duties
- Comprehensive collective agreements should be negotiated with unions

Marxist Perspective

The Marxist approach looks at industrial relations from a societal perspective. It views industrial relations as a microcosm of the wider capitalist society. The basic assumption of this approach is that industrial relations under capitalism are an everlasting and unavoidable source of conflict. According to this approach, industrial conflicts are the central reality of industrial relations, but open conflicts are uncommon.¹⁵ The Marxist approach views industrial disputes as a class struggle and industrial relations as a politicized concept and an element of the class struggle. As per the Marxist approach, the understanding of industrial relations requires an understanding of the capitalized society, the social relations of production and the mechanism of capital accumulation.

The Marxist approach views the power relationship between the two classes, namely, the employer (capital) and the employee (labour), as the crux of the industrial relations. Both classes struggle hard to consolidate their respective positions so that they can have a greater leverage over the other in the process of bargaining. The proponents of this approach perceive that the employers can survive longer without labour than the employees can without work. As far as theory is concerned, the compensation payable to the employees is an outcome of the power struggle. For instance, the employers seek to maximize their profits by paying less compensation to the employees, while the latter resist such attempts, and this resistance results in industrial conflicts. However, the weakness of this theory is that it is narrow in approach as it views industrial relations as a product or outcome of the industrial conflict

CAUSES OF POOR INDUSTRIAL RELATIONS

The main causes of industrial disputes may be classified into four groups

1) Economic causes—Really, the most common causes of industrial disputes are economic causes.

These are as follows:

- a. Wages**—The demand for wage increase is the prime most cause of the industrial disputes. A large number of strikes are being organised to raise a voice against the rise in prices and cost of living. The real wages of the workers decline faster and they feel dissatisfied with their present emoluments and struggle for the improvement in wages. By having a cursory glance on the history of industrial disputes; it becomes clear that cause of most of the industrial disputes was wages. The Indian employer has no clear-cut and enlightened wage policy. Most of the industrial disputes were the result of a demand for higher wages.
- b. Dearness allowance and bonus**—Increase in cost of living was the main cause of the demand of dearness allowance by the workers to equate their wages with the rise of prices. Bonus also plays an important role as a cause of industrial dispute. Both the quantum and the method of bonus payment have led to a number of disputes. There is an increasing feeling among the workers that they should have a greater share in the profits of the concern and this fact has not been recognised

by the employees and non- acceptance of this fact has been a source of friction among employers and employees.

c. High industrial profits—During and after the world wars, prices of the commodities went up and the industrialists earned a huge profit. In order to get share in the prosperity of the industry it naturally led to the resentment on their part. The increased profits also led to the demands of higher wages and bonus. Now in the changing world, concept of labour has changed considerably. They think themselves as a partner of the industry and demand their share in the profits.

d. Working condition and working hours—The working conditions in Indian industries are not hygienic. There is not ample provision of water, heating, lighting, safety etc. Working hours are also greater. The demand of palatable working conditions and shorter hours of work are also responsible for labour disputes.

e. Modernization and Automation of Plant and Machinery—The attempt at modernization and introduction of automatic machinery to replace labour has been the major cause of disputes of India. Workers go on strike, off and on, to resist rationalization and automation. A strike in cotton textile industry in Kanpur in 1955 is an example of such disputes. Workers in Life Insurance Corporation went on strike recently against introducing computers in the corporation.

f. Demand for other facilities—Demand for other facilities for meeting out their basic needs such as medical, education, housing, etc. encourage the workers to resort to direct action because such facilities were denied by the employers.

(2) Managerial causes of industrial disputes—These causes include autocratic managerial attitude and defective labour policies etc.

a. Denial of recognition to trade unions—Failure on the part of the employer to recognize the trade unions or to recognize the rival union for representation, insult of trade union leaders by the employers are some of the examples of autocratic managerial attitude worth mentioning as the causes of industrial disputes. The attitude of employers towards the labour association had never been sympathetic. They want to divide them and rule.

b. Defective recruitment policies—The recruitment practices in Indian industries are defective. Recruitment is generally made by the contractors who exploit the workers and suppress their individuality. The defective promotion, demotion, transfer and placement policies encourage dissatisfaction among workers.

c. Irregular lay off and retrenchment—Lay-off and retrenchment are reasons to be mentioned for encouraging industrial disputes. Indian employers follow the policy of 'Hire and Fire'. As a matter of practice, workers are not made permanent for a pretty long time to deprive them of their legitimate rights.

d. Defiance of agreements and codes—The employers' regularly defy the provisions of collectives-bargaining agreements and code of conduct and code of discipline with a view to harass or exploit the employees and just encourage strife.

e. Defective leadership- Inefficient leadership is also one of the causes of disputes. Leadership from the management and from the workers are quite incompetent to induce the workers to get them worked. . Defective management leadership ignored the labour problems and inefficient labour leadership could not coordinate the efforts of their fellow members, so disputes arise.

f. Weak trade unions—In our country, trade unions are weak. According to labour Commission (1969), only 24% of all workers were members of trade unions. In some undertakings, there is no union and in some other undertakings, there are more than one union. Both the situations weaken the trade union movement. The workers in non-union undertakings resort to direct action instead of collective bargaining which can be a better course of action if there is a proper trade union.

(3) Political causes—The political environment also influenced the trade unions movement in India. All the four national unions are affiliated to one or the other political ideologies.

(4) Other causes—Apart from the reasons mentioned above there are several other reasons of industrial disputes worth-mentioning here such as sympathetic strike or in protest of police atrocities etc.

Industrial peace and collective bargaining—Collective bargaining is the process of discussion and negotiations between two parties to arrive at a decision for setting terms and conditions of service. It is one of the methods to be used for setting the industrial disputes between employer and employees. Both the parties, under this system, agree to follow a common agreement and thus disputes are resolved. Thus collective bargaining may help throughout the industrial dispute and restore industrial peace. Industrial peace and collective bargaining both are inter-related. Without recognizing the right of collective bargaining is not possible in absence of industrial peace. Mutual understanding is a must for collective bargaining which is possible only in an atmosphere of industrial peace.

EFFECTS OF POOR INDUSTRIAL RELATIONS

- **Effect on Workers:** (i) Loss of wages, (ii) Physical injury or death on account of violence during labour unrest, (iii) Excesses by employers, (iv) Economic losses, (v) Bitterness in relations, (vi) Adverse affect on career.
- **Effect on Employers / Industrialists:** (i) Less production, (ii) Less Profit, (iii) Bad affect on organisation, (iv) Bad effect on human relations, (v) Damage to machines and equipments, (vi) Adverse effect on development of companies, (vii) Burden of fixed expenses.
- **Effect on Government:** (i) Loss of revenue (less recovery of income tax. sales tax, etc.) (ii) Lack of order in society, (iii) Blame by different parties.
- **Effect on Consumers:** (i) Rise in prices, (ii) Scarcity of goods, (iii) Bad affect on quality of goods.
- **Other Effects:** (i) Adverse affect on International Trade (Fall in exports and rise in imports), (ii) Hindrance in Economic Development of the country, (iii) Uncertainty in economy.

SUGGESTIONS TO IMPROVE INDUSTRIAL RELATIONS

- 1) **Strong and Stable Union:** A strong and stable union in each industrial enterprise is essential for good industrial relations. The employers can easily ignore a weak union on the plea that it hardly represents the workers. The agreement with such a union will hardly be honored by a large section of workforce. Therefore, there must be strong and stable unions in every enterprise to represent the majority of workers and negotiate with the management about the terms and conditions of service.
- 2) **Mutual Trust:** Both management and labor should help in the development of an atmosphere of mutual cooperation, confidence and respect.
- 3) **Workers' Participation in Management:** The participation of workers in the management of the industrial unit should be encouraged by making effective use of works committees, joint consultation and other methods. This will improve communication between managers and workers, increase productivity and lead to greater effectiveness.
- 4) **Mutual Accommodation.** The employers must recognize the right of collective bargaining of the trade unions. In any organization, there must be a great emphasis on mutual

accommodation rather than conflict or uncompromising attitude. One must clearly understand that conflicting attitude does not lead to amicable labor relations; it may foster union militancy as the union reacts by engaging in pressure tactics. The approach must be of mutual “give and take rather than “take or leave.” The management should be willing to co-operate rather than blackmail the workers.

- 5) **Sincere Implementation of Agreements.** The management should sincerely implement the settlements reached with the trade unions. The agreements between the management and the unions should be enforced both in letter and spirit. If the agreements are not implemented then both the union and management stop trusting each other. An environment of uncertainty is created. To avoid this, efforts should be made at both ends to ensure the follow up of the agreements.
- 6) **Sound Personnel Policies:** The following points should be noted regarding the personnel policies. The policies should be:
 - Formulated in consultation with the workers and their representatives if they are to be implemented effectively.
 - Clearly stated so that there is no confusion in the mind of anybody.
 - Implementation of the policies should be uniform throughout the organization to ensure fair treatment to each worker.
- 7) **Government's Role:** The Government should play an active role for promoting industrial peace. It should make law for the compulsory recognition of a representative union in each industrial unit. It should intervene to settle disputes if the management and the workers are unable to settle their disputes. This will restore industrial harmony.
- 8) **Progressive Outlook:** There should be progressive outlook of the management of each industrial enterprise. It should be conscious of its obligations and responsibilities to the owners of the business, the employees, the consumers and the nation. The management must recognize the rights of workers to organize unions to protect their economic and social interests.
- 9) **Others**
 - Both management and unions should develop constructive attitudes towards each other – Constructive Attitude.

- All basic policies and procedures relating to Industrial Relation should be clear to everybody in the organization and to the union leader. The personnel manager must make certain that line people will understand and agree with these policies.
- The personnel manager should remove any distrust by convincing the union of the company's integrity and his own sincerity and honesty. Suspicious, rumors and doubts should all be put to rest.
- The personnel manager should not vie with the union to gain workers 'loyal to both the organization. Several research studies also confirm the idea of dual allegiance. There is strong evidence to discard the belief that one can owe allegiance to one group only.
- Management should encourage right kind of union leadership. While it is not for the management to interfere with union activities, or choose the union leadership, its action and attitude will go a long way towards developing the right kind of union leadership.
- "Management gets the union it deserves" is not just an empty phrase.

Principle of Good Industrial Relations

- The willingness and ability of management and trade unions to deal with the problems freely, independently and with responsibility.
- Recognition of collective bargaining.
- Desirability of associations of workers and managements with the Government while formulating and implementing policies relating to general economic and social measures affecting industrial relations.
- Fair redressal of employee grievances by the management
- Providing satisfactory working conditions and payment of fair wage.
- Introducing a suitable system of employees education and training.
- Developing proper communication system between management and employees.
- To ensure better working conditions, living conditions and reasonable wages.
- To develop employees to adapt themselves for technological, social and economic changes.
- To make positive contributions for the economic development of the country.

TRENDS IN INDIA

For Unions:

- Organizing the unorganized? Not that easy. The question of unionizing IT sector workers: hugely problematic.
- Opposing privatization: early 1990s yes (telecom, banks, airlines) but now, not that easy given that consumers have tasted more choices
- Have to contend with consumer capitalism (choice, free press).
- Judicial activism (strikes OK but total shutdowns unconstitutional)

For Employers:

- Fewer labour laws but better enforcement.
- Employers should have the right to adjust employment level to maintain and improve competitiveness (learn from China, Vietnam, etc).
- Present conditions not suitable to 'secret ballot' (leads to IR conflict)

For Government:

- Balancing efficiency & equity: not easy
- Job reservation in the private sector: Effects on Labour Markets & IR?
- Any chance of comprehensive labour law reforms?
- Massively improving human capital formation (schooling & health care)
- How to deal with widening regional disparities in labour market & IR outcomes?

TRADE UNIONISM

Trade union is a voluntary organisation of workers formed to protect and promote their interests through collective action. These may be formed on plant basis, industry basis, firm basis, regional basis or national basis.

The trade union is an association, either of employees or employers or of independent workers. It is a relatively permanent combination of workers and is not temporary or casual. It is an association of workers engaged in securing economic benefits for its members.

Definition

- (i) Trade Union is a “continuous association of wage earners for the purpose of maintaining and improving the conditions of their working lines.” -**Webb**
- (ii) “A labour union or trade union is an organisation of workers to promote, protect and improve, through collective action, the social, economic and political interests of its members.” - **Edwin B. Flippo**

OBJECTIVES OF TRADE UNION

1. Wages salaries
2. Working conditions
3. Discipline
4. Personnel policies
5. Welfare
6. Employee-employer relation
7. Negotiating machinery
8. Safeguarding organizational health and interest of the industry
9. Education and training.
10. Legal assistance.
11. Financial discounts.
12. Welfare benefits.

FUNCTIONS OF TRADE UNIONS

Functions

- Functions relating to members
- Functions relating to organization
- Functions relating to the union; and
- Functions relating to the society.

Functions relating to trade union members

1. To safeguard workers against all sorts of exploitation by the employers, by union leaders and by political parties.

2. To protect workers from the atrocities and unfair practices of the management.
3. To ensure healthy, safe and conducive working conditions, and adequate conditions of work.
4. To exert pressure for enhancement of rewards associated with the work only after making a realistic assessment of its practical implications.
5. To ensure a desirable standard to living by providing various types of social service – health, housing, educational, recreational, cooperative, etc. and by widening and consolidating the social security measures.
6. To guarantee a fair and square deal and social security measures.
7. To remove the dissatisfaction and redress the grievances and complaints of workers.
8. To encourage worker's participation in the management of industrial organization and trade union, and to foster labour-management cooperation.
9. To make the workers conscious of their rights and duties.
10. To impress upon works the need to exercise restraint in the use of rights and to enforce them after realistically ascertaining their practical implications.
11. To stress the significance of settling disputes through negotiation, joint consultation and voluntary arbitration.
12. To raise the status of trade union members in the industrial organization and in the society at large.

Functions relating to industrial organization

1. To highlight industrial organization as a joint enterprise between workers and management and to promote identity of interests.
2. To increase production quantitatively and qualitatively, by laying down the norms or production and ensuring their adequate observance.
3. To help in the maintenance of discipline.
4. To create opportunities for worker's participation in management and to strengthen labour-management cooperation.
5. To help in the removal of dissatisfaction and redressal of grievances and complaints.
6. To promote cordial and amicable relations between the workers and management by settling disputes through negotiation, joint consultation and voluntary arbitration, and by avoiding litigation.

7. To create favourable opinion of the management towards trade unions and improve their status in industrial organization.
8. To exert pressure on the employer to enforce legislative provision beneficial to the workers, to share the profits equitably, and to keep away from various types of unfair labour practices.
9. To facilitate communication with the management.
10. To impress upon the management the need to adopt reformative and not punitive, approach towards workers' faults.

Functions relating to trade unions organization

1. To formulate policies and plans consistent with those of the industrial organization and society at large.
2. To improve financial position by fixing higher subscription, by realizing the union dues and by organizing special fund-raising campaigns.
3. To preserve and strengthen trade union democracy.
4. To train members to assume leadership position.
5. To improve the network of communication between trade union and its members.
6. To curb inter-union rivalry and thereby help in the creating of unified trade union movement.
7. To resolve the problem of factionalism and promote unity and solidarity within the union.
8. To eradicate casteism, regionalism and linguism within the trade union movement.
9. To keep away from unfair labour practices.
10. To save the union organization from the exploitation by vested interests –personal and political.
11. To continuously review the relevance of union objectives in the context of social change, and to change them accordingly.
12. To prepare and maintain the necessary records.
13. To manage the trade union organization on scientific lines.
14. To publicise the trade union objectives and functions, to know people's reaction towards them, and to make necessary modifications.

Functions relating to society

1. To render all sorts of constructive cooperation in the formulation and implementation of plans and policies relating to national development.
2. To actively participate in the development of programmes of national development, e.g., family planning, afforestation, national integration, etc.
3. To launch special campaigns against the social evils of corporation, nepotism, communalism, casteism, regionalism, linguism, price rise, hoarding, black marketing, smuggling, sex, inequality, dowry, untouchability, illiteracy, dirt and disease.
4. To create public opinion favourable to government's policies and plans, and to mobilize people's participation for their effective implementation.
5. To create public opinion favourable to trade unions and thereby to raise their status.
6. To exert pressure, after realistically ascertaining its practical implications, on the government to enact legislation conducive to the development of trade unions and their members.

TRADE UNIONS STRUCTURE

In India, the structure of trade union consists of three levels: plant/shop or local, the state and the centre. It is generally from the central level that the ideology of the important central federations of labour in India percolates down to the state and local levels. Every national or central federation of labour in India has state branches, state committees or state councils, from where its organization works down to the local level.

There are two types of organizations to which the trade unions in India are affiliated:

- (i) National Federations, and
- (ii) The Federations of Unions

1. The National Federations have all the trade unions in a given industry as their affiliated members. Every trade union, irrespective of the industry to which it belongs, can join a general national federation. Such federations are the apex of trade union policies a national character.

The central union organizations are national federations of labour based on different political ideologies. Because of their political leanings, the affiliated trade unions in the field of labour relations follow either a militant policy or a policy of cooperation with the employers and the government, or a policy of continuous strife and litigation.

The trade union leadership to these national organizations is generally provided by the politicians. Such leaders are found leading a dozen or more unions in a particular state. These unions may be in the petroleum industry, the transport industry, electricity supply undertakings or craft unions, such as the rickshaw pullers' union or taxi drivers' union. Some of the trade union leaders and MPs and MLAs, corporators of city corporations and members of important committees dealing with the labour policy of the country.

2. Federations of Unions: These are combinations of various unions for the purpose of gaining strength and solidarity. They can resort to concerted action, when the need for such action arises, without losing their individuality. Such federations may be local, regional, state, national and international. There are a few organizations which are local in character, such as the Bharatiya Kamgar Sena, the Labour Progressive Federation, Chennai, the National Front of Indian Trade Unions and the Co-ordinating Committee of Free Trade Unions.

Many Unions are affiliated to one or the other type of the following central organizations of workers:

- (1) The Indian National Trade Union Congress
- (2) The All-India Trade Union Congress
- (3) The Hind Mazdoor Sabha
- (4) The United Trade Union Congress
- (5) The Centre of India Trade Unions
- (6) Bharatiya Mazdoor Sangh
- (7) The National Front of India Trade Unions
- (8) The United Trade Union Congress (LS)
- (9) The National Federation of Independent Trade Unions
- (10) The Trade Union Co-ordination Committee
- (11) Indian Confederation of Labour
- (12) Hind Mazdoor Kisan Panchayat
- (13) National Labour Organization

Besides the affiliated unions and their federations, there are a large number of associations and

federations which have not joined any one of the central workers' organizations. Some of these are:

- (1) The All India Bank Employees' Association;
- (2) The All India Bank Employees' Federation;
- (3) The All India Insurance Employees' Association;
- (4) The All India Defence Employees' Federation;
- (5) The All India Railway men's Federation;
- (6) The National Federation of Posts and Telegraphs Employees;
- (7) The National Federation of Indian Railway men;
- (8) All India Pvt. Employees Federation;
- (9) All India Electricity Employees Federation;
- (10) All India Port and Dock Workers Federation;
- (11) All India Defence Workers Federation;
- (12) All India Chemical and Pharmaceutical Employees Federation.

TYPES OF TRADE UNION

Trade unions may, for the purpose of analysis, be divided into a number of categories, as follows:

- a. **Craft union:** The earliest form of trade union, one whose membership is restricted to a particular category of skilled or craft **workers**, for instance, printers, carpenters and so on. Membership of craft unions is usually restricted to those who have completed the recognized qualification for the craft or skill in question, frequently an apprenticeship. Being closed unions (see below), craft unions may be quite small: for example, the National Union of Sheet Metal Workers of Ireland has 720 members as of January 1992, and the Cork Operative Butchers' Society 149 members at the same date.
- b. **General union:** A trade union which has no form of restriction on categories of worker who may join. There are no limits on the industrial or occupational area of recruitment. As such, general unions are open unions (see below), and tend to be fairly large. The largest general union in Ireland, the Services, Industrial, Professional and Technical Union (SIPTU), has 190,500

members in the Republic of Ireland as of December 1992 and amounts to 43 per cent. of the Republic's total ICTU affiliated trade union membership. As some trade unions move away from their original areas of recruitment, so they may become more like general unions; for example, the British-based union EETPU (now amalgamated with the engineering union AEU to become AEEU) which was originally a craft union, has now moved into a number of other sectors and recruited many semiskilled workers, thus having become closer to a general union than a craft union. Similarly, the retail and distributive union IDATU has widened its areas of recruitment.

- c. **Industry union** : A union which confines its recruitment to one particular industry or industrial sector, and aims to recruit all workers at all grades in that area. There are very few "pure" industrial unions in Ireland, but the Communications Workers' Union is the most prominent union in the postal and telecommunications sector, and the non-ICTU National Bus workers' Union competes with SIPTU in recruiting workers in the two CIE bus companies. In attempting to recruit all grades of workers in the industry, industry unions are therefore vertical unions; however, the existence of the Communication Managers' Union blocks the CWU's attempts to recruit managerial staff.
- d. **Occupational union**: A union which confines its recruitment to particular occupational areas, many of which may require the holding of certain qualifications in the same way as craft unions. Occupational unions mainly exist in the white-collar area: for teachers, civil servants, police, bank employees and so on. Many Irish occupational unions are structured along the lines of grade or type of staff: for example, membership of civil service unions is highly structured according to grade, and the four teaching unions respectively represent primary, secondary, vocational and university teachers. Occupational unions also exist for workers in the health services, but these are more commonly referred to as professional unions.
- e. **Professional unions**: Unions whose membership is restricted to members of the same or similar professional areas. Professional unions are thus another form of craft union, but members of these unions would regard themselves as being of a higher status. Examples of professional unions are the National Union of Journalists and unions representing health professionals, such as those for doctors or nurses, and teaching unions. Most health unions are not affiliated to the ICTU, with the exception of the Irish Nurses' Organization which affiliated in 1990.

- f. **Vertical union:** A union which recruits vertically through grades; in other words, workers from the lowest "**shop-floor**" grade up to management are recruited. Many professional unions are vertical: for example, those representing nurses and teachers, among others. The difficulty with vertical unions is the potential they contain for conflict between the grades, which may be manifested in different views on what union policy should be in a particular area, or even in cases where the management structure means that the workers in dispute and the managers against whom the dispute is taken are in the same union.
- g. **White-collar union:** A union which recruits primarily white-collar workers, in other words, non-manual workers. White-collar unions represent general clerical workers and workers from the services sector, including financial services. The main expansion in trade union membership since the 1960s has been in this area. The largest white-collar union is the MSF, although the general unions have a large proportion of white-collar workers in membership, and trade unions representing clerical grades in the civil service and local government may also be classed as white-collar.

TRADE UNION IN INDIA

Functions of Trade Unions in the India

As per the Indian Trade Union Act, 1926, the primary function of a trade union is to protect and promote the interests of the workers and the conditions of their employment. They can also have other objectives, which are not inconsistent with this primary purpose or opposed to any law.

In India, trade unions generally undertake the following functions:

- To achieve higher wages and better working and living conditions for the members.
- To acquire control over running of the industry by workers.
- To minimize the helplessness of the individual workers by making them stand-up unitedly and increasing their resistance power through collective bargaining; protecting the members against victimization and injustice by employers.
- To raise the status of the workers as partners in industry and citizens of society by demanding an increasing share for them in the management of industrial enterprises.
- To generate self-confidence among the workers.

- To encourage sincerity and discipline among workers.
- To take up welfare measures for improving the morale of the workers.

The National Commission on Labour has underscored certain basic functions to which trade unions have to pay greater attentions such as:

- To secure fair wages for workers.
- To safeguard the security of tenure and improve conditions of service.
- To enlarge opportunities for promotion and training.
- To improve working and living conditions.
- To provide for educational, cultural and recreational facilities.
- To cooperate and facilitate technological advancement by broadening the understand.
- To promote identity of interests of the workers with their industry.
- To offer responsive cooperation in improving levels of production and productivity, discipline and high standards of quality.
- To promote individual and collective welfare.
- Besides these basic functions of trade unions, the Commission enjoined the following responsibilities upon the unions:
 - (i) Promotion of national integration.
 - (ii) Generally, influencing the socio-economic policies of the community through the active participation in their formulation at various levels.
 - (iii) Instilling in their members a sense of responsibility to industry and the community.

The First Five Year Plan while spelling out the role of trade unions emphasized that they should:

- (a) Present plans to workers so as to create enthusiasm among them for the plans.
- (b) Exercise the utmost restraint in regard to work stoppage.
- (c) Formulate wage demands which are attuned to the requirements of economic development and are in keeping with considerations of social justice.
- (d) Assume greater responsibility for the success of the productive

At present there are twelve Central Trade Union Organizations in India:

KARPAGAM ACADEMY OF HIGHER EDUCATION, COIMBATORE

Class: II MBA

Course Name: Industrial Relations

Course Code: 17MBAPH401A

Unit 1

Semester: IV

Year: 2017-19 Batch

- All India Trade Union Congress (AITUC)
- Bharatiya Mazdoor Sangh (BMS)
- Centre of Indian Trade Unions (CITU)
- Hind Mazdoor Kisan Panchayat (HMKP)
- Hind Mazdoor Sabha (HMS)
- Indian Federation of Free Trade Unions (IFFTU)
- Indian National Trade Union Congress (INTUC)
- National Front of Indian Trade Unions (NFITU)
- National Labor Organization (NLO)
- Trade Unions Co-ordination Centre (TUCC)
- United Trade Union Congress (UTUC) and
- United Trade Union Congress - Lenin Sarani (UTUC)

Part A (ONE Mark)

Multiple Choice Questions

Online Examination

Part B (2 Marks)

1. Define Industrial Relations.
2. Explain any two concepts of Industrial Relations.
3. Describe any two causes of poor Industrial Relations.
4. Provide some Suggestions to improve Industrial Relations.
5. Define trade Union

Part C (8 Marks)

1. Discuss various functions of trade union in India.
2. Describe in detail about the conditions of good industrial relation.
3. What are the causes of poor industrial relation? Give your suggestions to improve industrial relations in our country.
4. Describe the trade union structure in detail.
5. What are the causes of poor industrial relation? Give your suggestions to improve industrial relations in our country.
6. Elucidate the concept of trade union and its structure.
7. Discuss the condition of good industrial relation and its various approaches.
8. What is trade union? Explain trade union structure in India.
9. Describe the structure and functions of trade unionism in India.
10. Explain the effects of poor industrial relations and what are the suggestions to improve relations?

| UNIT - I | | | | | |
|--|---------------------------|---------------------------|----------------------------|---------------------------|---------------------------|
| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
| The relationship between the employers and employees and trade unions is called | Industrial Conflict | Industrial Relations | Industrial disputes | Industrial resolution | Industrial Relations |
| ----- refers to “any productive activity in which an individual (or a group of individuals) is (are) engaged”. | Company | Firm | Business | Industry | Industry |
| By “relations” we mean “the relationships that exist within the industry between the -----” | Employer , Employees | Employer , Trade union | Trade Union , Employees | Trade union , Competitors | Employer , Employees |
| There are ____ main parties who are actively associated with any industrial relation system. | Five | Four | Three | Six | Six |
| The healthy industrial relations are key to the ----- | Profit | progress | progress & success | success | Progress & success |
| What is the apt term that refers to the benefit of industrial relations is that this ensures continuity of production? | Interrupted production | Uninterrupted profit | Uninterrupted productivity | Uninterrupted production | Uninterrupted production |
| ----- are reflections of the failure of basic human urges or motivations to secure adequate satisfaction. | Conflict | Disputes | Morale | Union | Disputes |
| Good industrial relations improve the ----- of the employees | Productivity | Production | morale | Profit | Morale |
| The main object of industrial relation is a complete ----- of workers and employees. | Mental revolution | Work | Job | Work schedule | Mental revolution |
| Good industrial relations are maintained on the basis of ----- | Cooperation & recognition | Cooperation & reward | Competition & recognition | Reward & recognition | Cooperation & recognition |
| Who has coined the term Industrial Democracy? | Karl Marx | Sydney and Beatrice Webbs | Peter F. Drucker | John Dunlop | Sydney and Beatrice Webbs |
| First National Commission on Labour (NCL) submitted its report in the year | 1969 | 1958 | 1999 | 1947 | 1969 |
| In ----- the organization is perceived as an integrated and harmonious system, viewed as one happy family. | Unitarism | Collectivism | Monotony | Pluralism | Unitarism |
| Who has given the systems Theory of Industrial Relation? | Elton Mayo | John Dunlop | Karl Marx | Roethlisberger | John Dunlop |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|--|--------------------------------|-------------------------------|-------------------------------|---------------------------------|---------------------------------|
| Who are the actors of Industrial Relations? | Employers | Employees and Unions | Employers and employees | Employers , employees and union | Employers , employees and union |
| In pluralism the organization is perceived as being made up of powerful and divergent sub-groups ----- and ----- | Management and trade unions | Employer & Employees | Employer & Trade union | Trade Union & Employees | Management & trade unions |
| A System of Industrial Relations where social and labour issues are discussed between Trade Unions and Management at enterprise level is | Bipartism | Tripartism | Social Dialogue | Social Dialogue Bipartism | Bipartism |
| ----- should anticipate and resolve this by securing agreed procedures for settling disputes | Expertise managers | Realistic managers | Leading managers | Innovative managers | Realistic managers |
| Expand CITU | Centre of Indian Tariff Unions | Centre of Indian Trade Unions | Centre of Indian Trade Unions | Centre of Indian Trade Unions | Centre of Indian Trade Unions |
| Second National Commission on Labour (NCL) submitted its report in which year | 1999 | 2000 | 1998 | 1988 | 1999 |
| Who is chairmanship of Second National Commission on Labour (NCL) ? | Ravindra Varma | John Dunlop | B.P. Wadia | VV.Giri | Ravindra Varma |
| The ----- approach looks at industrial relations from a societal perspective. | Karl Max | John Dunlop | Marxist | VV.Giri | Marxist |
| Which one is not machinery for settlement of Industrial Disputes? | Industrial Tribunal | National Tribunal | Labour court | Panchayat court | Panchayat court |
| Based on Marxist employer and employee refer to ----- | Capital and cost | Labour and Cost | Capital and profit | Capital and Labour | Capital and Labour |
| Which among the options are not causes of poor industrial relations. | Wages | Working conditions | Interrelationship | Denial of recognition | Interrelationship |
| Indian employers follow the policy of '-----' as a irregular layoff and retrenchment. | Hire and Fire | Lockout | Job rotation | Dismissal | Hire and Fire |
| According to the labour commission act what percent of labours can be members of trade union? | 14% | 24% | 23% | 20% | 24% |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|--|-------------------------|----------------------------|---------------------------|------------------------|-------------------------|
| The process of discussion and negotiations between two parties to arrive at a decision for setting terms and conditions of service is | Redressal | Conflict Resolution | Collective bargaining | Trade Unisom | Collective bargaining |
| In our country, trade unions are -----s a voluntary organization of workers formed to protect and promote their interests through collective action. | Moderate | Weak | Strong | Normal | Weak |
| -----s a voluntary organization of workers formed to protect and promote their interests through collective action. | Bargaining | Conflict | Disputes | Trade union | Trade union |
| The ----- must recognize the rights of workers to organize unions to protect their economic and social interests. | Management | Employer | Employee | Union Represent ative | Managemen t |
| Trade Union is a voluntary organisation of workers formed to protect and promote their interests through ----- | Collective action | Individual action | Group action | Represent in Union | Collective action |
| Education and training is an objective of ----- | Business | Trade union | Service Organization | Industry | Trade union |
| In India what are the 3 levels of trade union? | Local, state and centre | District, state and centre | local, District and State | local, state and union | local, state and centre |
| The healthy industrial ----- are key to the progress and success | Relations | Unions | Negotiation | Laws | Relations |
| ----- have all the trade unions in a given industry as their affiliated members. | Central Federations | Local Federations | National Federations | State federation s | National Federations |
| ----- are combinations of various unions for the purpose of gaining strength and solidarity. | Federations of Unions | Federations of state | Federations of central | Federatio ns of local | Federations of Unions |
| The United Trade Union Congress (LS) is one of the central organizations of ----- | Employers | Workers | Union | Managem ent | Workers |
| A trade union which has no form of restriction on categories of worker who may join is ----- | Specific union | Ancillary union | Primary union | General union | General union |
| The largest trade union belong to which country? | Ireland | Germany | Spain | China | Ireland. |
| What is the member count of the Republic of Ireland as of December 1992? | 2,00,000 | 190,500 | 185000 | 195500 | 190,500 |
| ----- confines its recruitment to one particular industry or industrial sector, and aims to recruit all workers at all grades in that area. | Company union | Industry union | Specific union | member union | Industry union |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|---|---|---|--|--|
| ----- confines its recruitment to particular occupational areas | Occupational union | Craft union | Professional union | General union | Occupational union |
| Unions whose membership is restricted to members of the same or similar professional areas. | Craft union | General union | Occupational union | Professional union | Professional unions |
| Irish Nurses' Organization was affiliated to ICTU in which year? | 1991 | 1990 | 1992 | 1989 | 1990 |
| A union which recruits workers from the lowest "shop-floor" grade up to management is called ----- | Vertical union | Horizontal union | Diagonal union | General union | Vertical union |
| A union which recruits primarily non-manual workers are called ----- | Black-collar union | Blue-collar union | Red-collar union | White-collar union | White-collar union |
| The Indian trade union act was formed in the year -----. | 1936 | 1926 | 1946 | 1947 | 1926 |
| Expand AITUC | All India Trade Union Congress | All India Trade Union Council | All India Trade Union Committee | All India Trade Union Concept | All India Trade Union Congress |
| IFFTU stands for ----- | Indian Fundamental of Free Trade Unions | Indian Federation of Free Tariff Unions | Indian Federation of Freedom Trade Unions | Indian Federation of Fundamental Tariff Unions | Indian Federation of Free Trade Unions |
| How many Central Trade Union Organizations are there in India: | 13 | 12 | 11 | 10 | 12 |
| NLO is the acronym for | National Legal Organization | National Local Organization | National Labor Organization | National Law Organization | National Labor Organization |
| Who's primary function is to protect and promote the interests of the workers and the conditions of their employment. | Factory workers | Trade union | Child labour | Female labour | Trade union |
| ----- is an example of trade unions that stays with the original areas of recruitment | Urguvey-based union | Indian - based union | British-based union | American-based union | British-based union |
| Expand CITU | Centre of Indian Trade Unions | Centre of International Trade Unions | Common Indian Trade Unions | Centre of Indian Tariff Unions | Centre of Indian Trade Unions |
| At present there are ----- Central Trade Union Organizations in India | Twelve | Nine | Ten | Eleven | Twelve |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|-----------------------|-------------------|---------------------|---------------------|-----------------------|
| Occupational unions mainly exist in the ----- | Black-collar union | Blue-collar union | Red-collar union | White-collar union | White-collar union |
| The earliest form of trade union is | Craft union | Occupation union | General union | Industry union | Craft union |
| In India, the structure of trade union consists of ----- levels | Two | Three | Four | Five | Three |
| Mutual understanding is a must for | collective bargaining | Trade union | Conflict resolution | Disputes settlement | Collective bargaining |

UNIT-II - Industrial Conflicts

SYLLABUS

Industrial Conflicts – industrial disputes –Types - causes –handling and settling disputes – employee grievances – steps in grievance handling – Employee discipline-causes-types-kinds of punishment-procedure for taking disciplinary action.

Industrial Conflict

Industrial conflict can be defined as the ‘total range of behaviours and attitudes that express opposition and divergent orientations between industrial owners and managers, on the one hand, and working people and their organisations on the other’

Different forms of conflict

Organised conflict:

- Collective in nature, involves groups of employees or trade unions
- Open (or overt), obvious to all that it is occurring
- takes the form of:
 - ✓ strikes
 - ✓ lockouts
 - ✓ overtime bans, working to rule, restrictions on output
 - ✓ political action

Unorganised conflict:

- Individual in nature, only involves single employees
- Hidden (or covert), not obvious it is occurring
- takes the form of
 - ✓ absenteeism
 - ✓ labour turnover
 - ✓ low productivity

INDUSTRIAL DISPUTES

Industrial Disputes mean any dispute or difference between employers and employees, or between employers and workmen or between workmen and workmen, which is connected with the employment or non – employment or term of employment or with the conditions of labour of any person.

Definition

According to the Industrial Disputes Act, 1947, Section 2(k); –Industrial Disputes mean any dispute or difference between employers and employees, or between employers and workmen or between workmen and workmen, which is connected with the employment or non – employment or term of employment or with the conditions of labour of any person.

TYPES OF INDUSTRIAL DISPUTES

Forms of Disputes

Strikes, lockouts and gheraos are the most common forms of disputes.

1. Strike

“Strike” means a cessation of work by a body of persons employed in any industry acting in combination; or a concerted refusal or a refusal under a common understanding or an number of persons who are or have been so employed to continue to work or to accept employment.

The following points may be noted regarding the definition of strike:

- Strike can take place only when there is a cessation of work or refusal to work by the workmen acting in combination or in a concerted manner.
- A concerted refusal or a refusal under a common understanding of any number of persons to continue to work or to accept employment will amount to a strike. A general strike is one when there is a concert of combination of workers stopping or refusing to resume work. Going on mass casual leave under a common understanding amounts to a strike.
- If on the sudden death of a fellow-worker, the workmen acting in concert refuse to resume work, it amounts to a strike (National Textile Workers’ Union Vs. Shree Meenakshi Mills (1951) II L.L.J. 516).
- The striking workman, must be employed in an ‘industry’ which has not been closed down.

- Even when workmen cease to work, the relationship of employers and employees is deemed to continue albeit in a state of belligerent suspension.

Types of Strike

(i) Economic Strike:

Under this type of strike, members of the trade union stop work to enforce their economic demands such as wages, bonus, and other conditions of work.

(ii) Sympathetic Strike:

The members of a union collectively stop work to support or express their sympathy with the members of other unions who are on strike in the other undertakings.

(iii) General Strike:

It means a strike by members of all or most of the unions in a region or an industry. It may be a strike of all the workers in a particular region of industry to force demands common to all the workers. It may also be an extension of the sympathetic strike to express general protest by the workers.

(iv) Sit Down Strike:

When workers do not leave their place of work, but stop work, they are said to be on sit down or stay in strike. It is also known as tools down or pen down strike. The workers remain at their work-place and also keep their control over the work facilities.

(v) Slow Down Strike:

Employees remain on their jobs under this type of strike. They do not stop work, but restrict the rate of output in an organised manner. They adopt go- slow tactics to put pressure on the employers.

2.Lockout

Section 2(1) of the Industrial Disputes Act, 1947 defines “lockout” to mean the temporary closing of a place of employment or the suspension of work, or the refusal by an employers to continue to employ any number of persons employed by him, lockout, thus, is the counterpart of strike – the corresponding weapon the hands of employer to resist the collective demands of workmen or to enforce his terms. It has been held by the courts that the suspension of work as a disciplinary

measure does not amount to lockout. Similarly, temporary suspension of work called lay-off is not lock-out.

3. Gherao

The term 'Gherao' denotes a collective action initiated by a group of workers under which members of the management of an industrial establishment are prohibited from leaving the business or residential premises by the workers who block their exit through human barricade.

Regulation of strikes and lock-outs

Employees do not have an unfettered right to go on strike nor do employers have such right to impose lockout. The Industrial Disputes Act lays down several restrictions on the rights of both the parties. A strike or lockout commenced or continued in contravention of those restriction is termed illegal and there is serve punishment provided for the same.

Illegal strikes and lockout are of two types:

- Those which are illegal from the time of their commencement; and
- Those which are not illegal at the time of commencement but become illegal subsequently.

Section 22 and 23 of the IDA provide for certain restriction which if not followed make strikes and lockouts illegal from their very commencement.

According to this section, no person employed shall go on strike in breach of contract-

- Without giving notice of strike to the employer, as here matter provided, within 6 week before striking; or
- Within fourteen days of giving such notice; or
- Before the expiry of the date of strike specified in any such notice as aforesaid; or
- During the pendency of any conciliation proceedings before a Conciliation Officer and seven days after the conclusion of such proceedings.

Consequences of illegal strikes and lock-outs.

1. *Penalty for illegal strikes [Sec.26(1)]:* Any workman who commences, continues or otherwise acts in furtherance of a strike which is illegal, shall be punishable with imprisonment for a term which may extend to 1 month, or with fine which may extend to Rs. 50, or with both.

2. *Penalty for illegal lock-out [Sec.26(2):* Any employer who commences, continues or otherwise acts in furtherance of a lock-out which is illegal, shall be punishable with imprisonment for a term which may extend to 1 month, or with fine which may extend to Rs. 1,000 or with both.
3. *Penalty for instigation, etc. [Sec. 27]:* Any person who instigates or incites others to take part in, or otherwise acts in furtherance of, a strike or lock-out which is illegal, shall be punishable with imprisonment for a term which may extend to 6 months, or with fine which may extend to Rs. 1,000 or with both.
4. *Penalty for giving financial aid for illegal strikes and lock-outs [Sec. 28] :* Any person who knowingly expends or applies any money in direct furtherance or support of any illegal strike or lock-out shall be punishable with an imprisonment for a term which may extend to 6 months, or with fine which may extend to Rs. 1,000 or with both.

CAUSES OF INDUSTRIAL DISPUTES

The causes of industrial conflict or disputes have been much varied. These may be described partly a psychological or social and partly political, but predominantly economic. Some important factors responsible for industrial conflict and poor industrial relations may be briefly stated as follows:

(A) Industry-related factors:

- Under this category, some of the causes of a dispute may be: The Industry - related factors pertaining to employment, work, wages, hours of work, privileges, the rights and obligations of employees and employers, terms and conditions of employment, including matters pertaining to:
 - Dismissal or non-employment of any person;
 - Registered agreement, settlement or award; and
 - Demarcation of the functions of an employee.
- An industrial dispute which connotes a difference which has been fairly defined as is of real substance; i.e. a matter in which both parties are directly and substantially interested; or which is a grievance on the part of a worker which the employer is in a position to redress; or which is such as the parties are capable of settling between themselves or referring

it to adjudication.

- Disputes often arise because of: relatively higher working population and labour force. There is sharp increase in the quantum of unemployment from one plan period to another. A high quantum of job-seekers in the employment market would create serious industrial relations problems. Further, the policy of liberalization that calls for the adoption of high tech in industries would further complicate the problem by reducing employment.
- The trade unions at large have failed to safeguard the interest of working class on account of reasons like:
 - The growing inter-union rivalry and multiplicity of trade unions have destroyed the solidarity of the working class;
 - Non-recognition of some trade unions as –bargaining agents of their members;
- Increasing compulsory adjudication of disputes has made trade unions indifferent to the wages and working conditions of industrial employees which can now be determined by courts, tribunals and wage boards;
 - The trade unions generally do not bother about any aspect of the lives of industrial labour except their wages;
 - The trade union leaders who are not themselves industrial workers have become eye-sore.
 - The trade unions generally are organized on the basis of caste, language or communal considerations, which –divide rather than –unify workers.

(B) Management Related Factors: The management-related factors that lead to disputes are:

- a. Management generally is not willing to talk over any dispute with the employees or their representatives or refer it to arbitration even when trade unions want it to do so. This enrages the workers.
- b. The management's unwillingness to recognize a particular trade union and the dilatory tactics to which it resorts while verifying the representative character of any trade union have been a very fruitful source of industrial strife.
- c. Even when the representative trade unions have been recognized by employers, they do not, in a number of cases, delegate enough authority to their officials to negotiate with their workers, even though the representatives of labour are willing to commit

themselves to a particular settlement.

- d. When, during negotiations for the settlement of a dispute, the representatives of employers unnecessary and unjustifiably take the side of the management, tensions are created, which often lead to strikes, go-slow or lockouts.
- e. The management's insistence that it alone is responsible for recruitment, promotion, transfer, merit awards, etc. and there is no need to consult employees in regard to any of these matters, generally annoys workers who in turn become un-co-operative and unhelpful and often resort to strikes.
- f. The services and benefits offered by the management to its workers in most of the cases is far from satisfactory, which invariably leads to conflict.
- g. The decisions of managements to change their working methods, resulting in surplus of which employees are to be thrown out of employment and some-times close the establishment for various reasons.

(C) Government-Related Factors:

The various Government-related factors that breed disputes are as under:

- a. The changes in economic policies also create many dispute situations.
- b. Though, there exists a plethora of enactments for the promotion of harmonious industrial relations, yet their ineffective or unsatisfactory working causes conflicts, a few instances of which are:
 - Most of the labour laws have lost their relevance in the context of the changed industrial climate/culture;
 - Improper and inadequate implementation of labour laws by most of the employers; and
 - Inherent difficulties in monitoring the working of various labour laws.
- c. The growing irrelevance of Government's conciliation machinery because:
 - both the employees and the employers have little faith in it;
 - both have become litigation-minded;
 - it is inadequate, poor the number of disputes referred to it are very large and the personnel dealing with them is hopelessly inadequate, particularly because in addition to labor

- disputes, it is called upon to see to it that labor laws are properly implemented: and
- the officers associated with conciliation proceedings have very little training in handling the problems or
 - disputes which are referred to them.

(D) Other Causes:

Among these may be included the following:

- a. The trade union movement is highly influenced by politics.
- b. Quite often, politicians and political parties –engineerll strikes, gheraos and bandhs to demonstrate their political strength, invariably, the political party which is in power favours that trade union organization which is affiliated to it, as a result of which a number of disputes often arise. The political instability and sometimes the strained centre- state relations are reflected in industry, resulting n industrial conflicts.
- c. The tense inter-union rivalry among less important and dominant trade union invariably sparks off disputes.

HANDLING AND SETTLING DISPUTES

Industrial peace

Industrial peace is not merely a negative concept signifying the absence of industrial unrest, or the reconciling of hostile forces in order to avoid ruinous strife, but it also signifies the active presence of harmonious and good industrial relations generating amity and goodwill between the partners in an industry – a condition which is both the cause and effect of fruitful co – operation

1. Strong trade union with democratic norms
2. Employers should have progressive outlook
3. Employers should recognize the rights of the workers\
4. Both (workers and management) should faith in collective bargaining and settlement disputes.
5. Encouragement of workers participative management.
6. Two communication between both the parties

7. Govt should play an active role for promoting industrial peace. It should make law for the compulsory recognition of a representative union in each industrial unit.

2.6 Government machinery

The various methods and machinery under the industrial disputes act can be classified as under the following heads:

(I) Conciliation

- a. Conciliation officer
- b. Board of conciliation

(II) Arbitration

- a. Court of inquiry

(III) Adjudication

- b. Labour court
- c. Industrial tribunal and
- d. National tribunal

(I) Conciliation:

Conciliation, is a form of mediation. Mediation is the act of making active effort to bring two conflicting parties to compromise. Mediation, however, differs from conciliation in that whereas conciliator plays only a passive and indirect role, and the scope of his functions is provided under the law, the mediator takes active part and the scope of his activities are not subject to any statutory provisions.

Conciliation is the –practice by which the services of a neutral party are used in a dispute as a means of helping the disputing parties to reduce the extent of their differences and to arrive at an amicable settlement of agreed solution.

The Industrial Disputes Act, 1947 provides for conciliation, and can be utilised either by appointing conciliation officers (permanently or for a limited period) or by constituting a board of conciliation. This conciliation machinery can take a note of a dispute or apprehend dispute either on its own or when approached by either party.

With a view to expediting conciliation proceeding, time-limits have been prescribed—14 days in

the case of conciliation officers and two months in the case of a board of conciliation, settlement arrived at in the course of conciliation is binding for such period as may be agreed upon between the parties or for a period of 6 months and with continue to be binding until revoked by either party. The Act prohibits strike and lock- out during the pendency of conciliation proceedings before a Board and for seven days after the conclusion of such proceedings.

a. Conciliation Officer:

The law provides for the appointment of Conciliation Officer by the Government to conciliate between the parties to the industrial dispute. The Conciliation Officer is given the powers of a civil court, whereby he is authorised to call the witness the parties on oath. It should be remembered, however, whereas civil court cannot go beyond interpreting the laws, the conciliation officer can go behind the facts and make judgment which will be binding upon the parties.

On receiving information about a dispute, the conciliation officer should give formal intimation in writing to the parties concerned of his intention to commence conciliation proceedings from a specified date. He should then start doing all such things as he thinks fit for the purpose of persuading the parties to come to fair and amicable settlement of the dispute.

Conciliation is an art where the skill, tact, imagination and even personal influence of the conciliation officer affect his success. The Industrial Disputes Act, therefore, does not prescribe any procedure to be followed by him.

The conciliation officer is required to submit his report to the appropriate government along with the copy of the settlement arrived at in relation to the dispute or in case conciliation has failed, he has to send a detailed report giving out the reasons for failure of conciliation.

The report in either case must be submitted within 14 days of the commencement of conciliation proceedings or earlier. But the time for submission of the report may be extended by an agreement in writing of all the parties to the dispute subject to the approval of the

conciliation officer.

If an agreement is reached (called the memorandum of settlement), it remains binding for such period as is agreed upon by the parties, and if no such period is agreed upon, for a period of six months from the date on which the memorandum of settlement is signed by the parties to the dispute, and continues to be binding on the parties after the expiry of the period aforesaid, until the expiry of two months from the date on which a notice in writing of an intention to terminate the settlement is given by one of the party or parties to the settlement.

b. Board of Conciliation:

In case Conciliation Officer fails to resolve the differences between the parties, the government has the discretion to appoint a Board of Conciliation. The Board is tripartite and ad hoc body. It consists of a chairman and two or four other members.

The chairman is to be an independent person and other members are nominated in equal number by the parties to the dispute. Conciliation proceedings before a Board are similar to those that take place before the Conciliation Officer. The Government has yet another option of referring the dispute to the Court of Inquiry instead of the Board of Conciliation.

The machinery of the Board is set in motion when a dispute is referred to it. In other words, the Board does not hold the conciliation proceedings of its own accord. On the dispute being referred to the Board, it is the duty of the Board to do all things as it thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement. The Board must submit its report to the government within two months of the date on which the dispute was referred to it. This period can be further extended by the government by two months.

(II) Arbitration

On failure of conciliation proceedings, the conciliation officer may persuade the parties to refer the dispute to a voluntary arbitrator. Voluntary arbitration refers to getting the disputes settled through an independent person chosen by the parties involved mutually and voluntarily.

In other words, arbitration offers an opportunity for a solution of the dispute through an arbitrator

jointly appointed by the parties to the dispute. The process of arbitration saves time and money of both the parties which is usually wasted in case of adjudication.

Voluntary arbitration became popular as a method of settling differences between workers and management with the advocacy of Mahatma Gandhi, who had applied it very successfully in the Textile industry of Ahmedabad. However, voluntary arbitration was lent legal identity only in 1956 when Industrial Disputes Act, 1947 was amended to include a provision relating to it.

The provision for voluntary arbitration was made because of the lengthy legal proceedings and formalities and resulting delays involved in adjudication. It may, however, be noted that arbitrator is not vested with any judicial powers.

He derives his powers to settle the dispute from the agreement that parties have made between themselves regarding the reference of dispute to the arbitrator. The arbitrator should submit his award to the government. The government will then publish it within 30 days of such submission. The award would become enforceable on the expiry of 30 days of its publication.

Voluntary arbitration is one of the democratic ways for settling industrial disputes. It is the best method for resolving industrial conflicts and is a close supplement to collective bargaining. It not only provides a voluntary method of settling industrial disputes, but is also a quicker way of settling them.

It is based on the notion of self-government in industrial relations. Furthermore, it helps to curtail the protracted proceedings attendant on adjudication, connotes a healthy attitude and a developed outlook; assists in strengthening the trade union movement and contributes for building up sound and cordial industrial relations.

- a) **Voluntary Arbitration:** In voluntary arbitration the arbitrator is appointed by both the parties through mutual consent and the arbitrator acts only when the dispute is referred to him.
- b) **Compulsory Arbitration:** Implies that the parties are required to refer the dispute to the arbitrator whether they like him or not. Usually, when the parties fail to arrive at a settlement

voluntarily, or when there is some other strong reason, the appropriate government can force the parties to refer the dispute to an arbitrator.

Advantages of Arbitration:

1. It is established by the parties themselves and therefore both parties have good faith in the arbitration process.
2. The process is informal and flexible in nature.
3. It is based on mutual consent of the parties and therefore helps in building healthy Industrial Relations.

Disadvantages:

1. Delay often occurs in settlement of disputes.
2. Arbitration is an expensive procedure and the expenses are to be shared by the labour and the management.
3. Judgment can become arbitrary when the arbitrator is incompetent or biased.
4. There are two types of arbitration:

a. Court of Inquiry:

In case of the failure of the conciliation proceedings to settle a dispute, the government can appoint a Court of Inquiry to enquire into any matter connected with or relevant to industrial dispute. The court is expected to submit its report within six months. The court of enquiry may consist of one or more persons to be decided by the appropriate government.

The court of enquiry is required to submit its report within a period of six months from the commencement of enquiry. This report is subsequently published by the government within 30 days of its receipt. Unlike during the period of conciliation, workers' right to strike, employers' right to lockout, and employers' right to dismiss workmen, etc. remain unaffected during the proceedings in a court of enquiry.

A court of enquiry is different from a Board of Conciliation. The former aims at inquiring into and revealing the causes of an industrial dispute. On the other hand, the latter's basic objective is to promote the settlement of an industrial dispute. Thus, a court of enquiry is primarily fact-finding machinery.

III. Adjudication

The ultimate remedy for the settlement of an industrial dispute is its reference to adjudication by labour court or tribunals when conciliation machinery fails to bring about a settlement. Adjudication consists of settling disputes through intervention by the third party appointed by the government. The law provides the adjudication to be conducted by the Labour Court, Industrial Tribunal or National Tribunal.

A dispute can be referred to adjudication if not the employer and the recognised union agree to do so. A dispute can also be referred to adjudication by the Government even if there is no consent of the parties in which case it is called ‘_compulsory adjudication’. As mentioned above, the dispute can be referred to three types of tribunals depending on the nature and facts of dispute in questions.

These include:

- (a) Labour courts,
- (b) Industrial tribunals, and
- (c) National tribunals.

The procedure, powers, and provisions regarding commencement of award and period of operation of award of these three bodies are similar. The first two bodies can be set up either by State or Central Government but the national tribunal can be constituted by the Central Government only, when it thinks that the adjudication of a dispute is of national importance. These three bodies are into hierarchical in nature. It is the Government’s prerogative to refer a dispute to any of these bodies depending on the nature of dispute.

(a) Labour Court:

A labour court consists of one person only, who is normally a sitting or an ex-judge of a High Court. It may be constituted by the appropriate Government for adjudication of disputes which are mentioned in the second schedule of the Act.

The issues referred to a labour court may include:

- The propriety or legality of an order passed by an employer under the Standing

Orders.

- The application and interpretation of Standing Orders.
- Discharge and dismissal of workmen and grant of relief to them. (iv) Withdrawal of any statutory concession or privilege.
- Illegality or otherwise of any strike or lockout.
- All matters not specified in the third schedule of Industrial Disputes Act, 1947. (It deals with the jurisdiction of Industrial Tribunals).

(b) Industrial Tribunal:

Like a labour court, an industrial tribunal is also a one-man body. The matters which fall within the jurisdiction of industrial tribunals are as mentioned in the second schedule or the third schedule of the Act. Obviously, industrial tribunals have wider jurisdiction than the labour courts.

Moreover an industrial tribunal, in addition to the presiding officer, can have two assessors to advise him in the proceedings; the appropriate Government is empowered to appoint the assessors.

The Industrial Tribunal may be referred the following issues:

- Wages including the period and mode of payment.
- Compensatory and other allowances.
- Hours of work and rest intervals.
- Leave with wages and holidays.
- Bonus, profit sharing, provident fund and gratuity.
- Shift working otherwise than in accordance with the standing orders.
- Rule of discipline.
- Rationalisation.
- Retrenchment.
- Any other matter that may be prescribed.

(c) National Tribunal:

The Central Government may constitute a national tribunal for adjudication of disputes as mentioned in the second and third schedules of the Act or any other matter not mentioned therein provided in its opinion the industrial dispute involves –questions of national importance

or –the industrial dispute is of such a nature that undertakings established in more than one state are likely to be affected by such a dispute.

The Central Government may appoint two assessors to assist the national tribunal. The award of the tribunal is to be submitted to the Central Government which has the power to modify or reject it if it considers it necessary in public interest.

It should be noted that every award of a Labour Court, Industrial Tribunal or National Tribunal must be published by the appropriate Government within 30 days from the date of its receipt. Unless declared otherwise by the appropriate government, every award shall come into force on the expiry of 30 days from the date of its publication and shall remain in operation for a period of one year thereafter.

EMPLOYEE GRIEVANCES

A grievance is any dissatisfaction or feeling of injustice having connection with one's employment situation which is brought to the attention of management. Speaking broadly, a grievance is any dissatisfaction that adversely affects organizational relations and productivity.

In short, grievance is a state of dissatisfaction, expressed or unexpressed, written or unwritten, justified or unjustified, having connection with employment situation.

Definition

According to Michael Jucious, 'grievance is any discontent or dissatisfaction whether expressed or not, whether valid or not, arising out of anything connected with the company which an employee thinks, believes or even feels to be unfair, unjust or inequitable'.

Causes of Grievances:

Grievances may occur due to a number of reasons:

1. Economic:

Employees may demand for individual wage adjustments. They may feel that they are paid less when compared to others. For example, late bonus, payments, adjustments to overtime pay,

perceived inequalities in treatment, claims for equal pay, and appeals against performance- related pay awards.

2. Work environment:

It may be undesirable or unsatisfactory conditions of work. For example, light, space, heat, or poor physical conditions of workplace, defective tools and equipment, poor quality of material, unfair rules, and lack of recognition.

3. Supervision:

It may be objections to the general methods of supervision related to the attitudes of the supervisor towards the employee such as perceived notions of bias, favouritism, nepotism, caste affiliations and regional feelings.

4. Organizational change:

Any change in the organizational policies can result in grievances. For example, the implementation of revised company policies or new working practices.

5. Employee relations:

Employees are unable to adjust with their colleagues, suffer from feelings of neglect and victimization and become an object of ridicule and humiliation, or other inter- employee disputes.

6. Miscellaneous:

These may be issues relating to certain violations in respect of promotions, safety methods, transfer, disciplinary rules, fines, granting leaves, medical facilities, etc.

Effects of Grievance:

Grievances, if not identified and redressed, may adversely affect workers, managers, and the organization.

The effects are the following:

1. On the production:

- a. Low quality of production
- b. Low productivity
- c. Increase in the wastage of material, spoilage/leakage of machinery
- d. Increase in the cost of production per unit

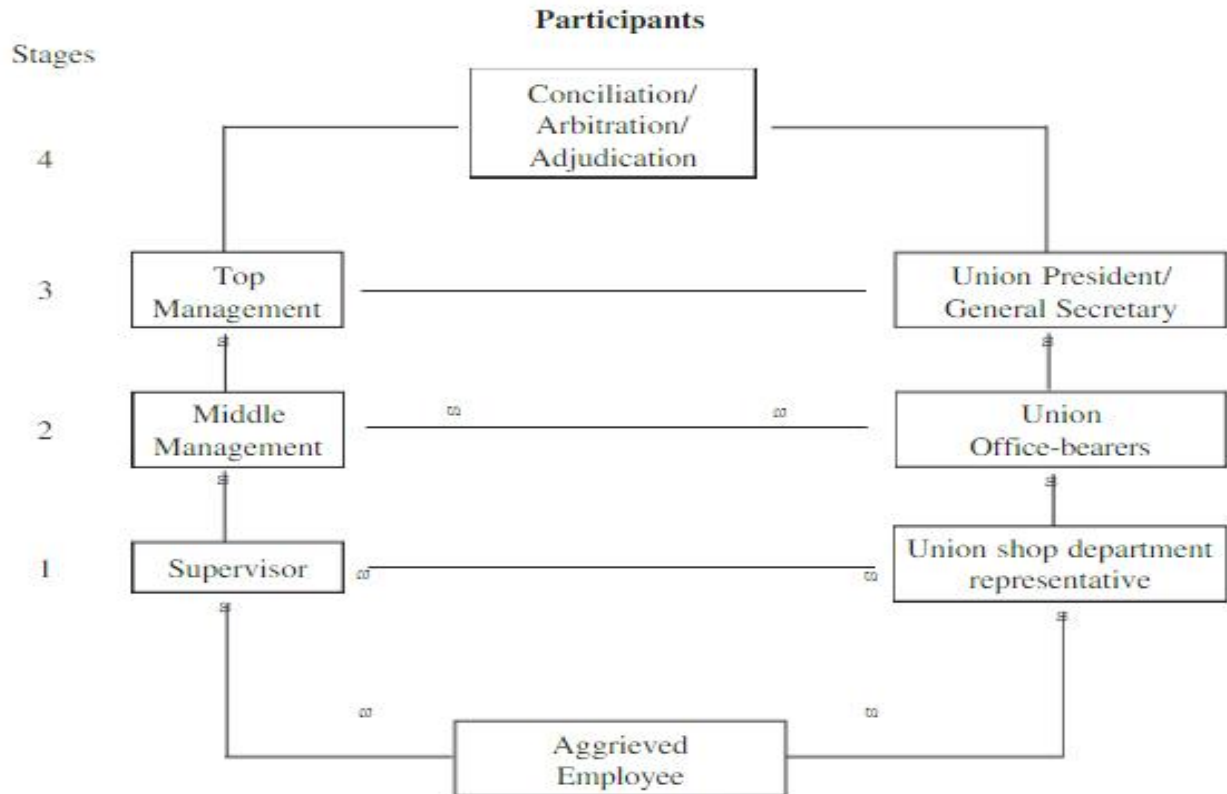
2. On the employees:

- a. Increase in the rate of absenteeism and turnover
- b. Reduction in the level of commitment, sincerity and punctuality
- c. Increase in the incidence of accidents
- d. Reduction in the level of employee morale.

3. On the managers:

- a. Strained superior-subordinate relations.
- b. Increase in the degree of supervision and control.
- c. Increase in indiscipline cases
- d. Increase in unrest and thereby machinery to maintain industrial peace

STEPS IN GRIEVANCE HANDLING



EMPLOYEE DISCIPLINE

In simple words, the word discipline connotes orderly behaviour by the members/employees. In other words, discipline implies behaving in a desired manner. By that we mean that employees confirm to the rules and regulations framed by the organisation for an acceptable behaviour. Following definitions of discipline will make its meaning more clear.

According to **Dessler**, “discipline is a procedure that corrects or punishes a subordinate because a rule of procedure has been violated.”

Discipline is the regulation and modulation of human activities to produce a controlled performance. The real purpose of discipline is quite simple. It is to encourage employees to confirm to established

standards of job performance and to behave sensibly and safely at work. Discipline is essential to all organized group action

TYPES OF DISCIPLINE

1. Positive Discipline:

This is also called 'self-imposed discipline'. It involves creation of an atmosphere in the organisation through rewards, appreciation, incentive payment, promotion, constructive support etc. to motivate employees to work willingly to accomplish the set goals.

In essence, positive discipline emphasises the concept of self-discipline or self-control. Thus, it reduces the need for personal supervision to make employees conform to organisational rules, regulations, procedures and standards.

According to William R. Spriegel, "Positive discipline does not replace reason but applies reason to the achievement of a common objective. Positive discipline does not restrict the individual but enables him to have a greater freedom in that he enjoys a greater degree of self-expression in striving to achieve the group objective, which he identifies as his own"

Evidences suggest that self-disciplined person tends to be a better worker than one who is not. Self-discipline, when developed from within, leads to building up morale and esprit de corps that is the desideratum of the time to run organisations successfully.

2. Negative Discipline:

It is also called 'enforced discipline'. In case of negative discipline, employees are forced to obey orders and abide by rules and regulations that have been laid down, failing which penalties and punishment would be imposed on them. Thus, the objective of using punitive or coercive discipline is to ensure that employees do not violate rules and regulations formed by the organisation.

In other words, the purpose of negative discipline is to scare other employees and to ensure that they do not indulge in undesirable behaviour. It is worth mentioning here that negative discipline cannot eliminate the undesirable behaviour of the employees, but can merely suppress it.

Punishment is not pleasant. It causes resentment and hostility on the part of employees. That is why this kind of discipline results in only the minimum standards of performance on the part of employees. This is precisely the reason why it is rarely used in the organisations.

Because punitive discipline leads to resentment, it needs to be exercised in a progressive, sequential and chronological manner. A progressive system of discipline generally contains five steps, viz., an oral reprimand, a written reprimand, a second written warning, temporary suspension and dismissal or discharge.

KINDS OF PUNISHMENT

A. Oral Reprimand: An oral statement by the supervisor to a subordinate employee, usually pointing out an unsatisfactory element of job performance, and is intended to be corrective or cautionary. An oral reprimand informally defines the area of needed improvement, sets up goals for the achievement of improvement, and informs the employee that failure to improve may result in more serious actions.

- i. The oral reprimand shall, when reasonably possible, be delivered confidentially and not in the presence of other persons. The supervisor will record the date and content of the oral reprimand, but no record shall be placed in the employee's personnel file.
- ii. The employee receiving an oral reprimand shall be given the opportunity, at the time of the reprimand, to voice objections to the reprimand and/or offer evidence in mitigation of the actions leading to the reprimand.

B. Written Reprimand: This is the first level of formal discipline. The written reprimand is issued by the supervisor with approval of the department head and copies are sent to the city manager and director. The director's copy shall be placed in the employee's personnel file.

- C. Salary Reduction:** A department head may recommend a salary decrease of one or more steps within the limits of the pay range established for a class as a disciplinary measure, for a period of at least one pay period and not more than one year. The city manager's approval is required. Salary reductions shall be processed in accordance with Sections 3.16.050 and 3.16.060 of this chapter.
- D. Disciplinary Demotion:** A department head may recommend the movement of an employee from one class to a class of work having lower responsibilities, skills, performance requirements and maximum rate of pay. However, no employee shall be demoted to a position for which the minimum qualifications are not possessed. The city manager's approval is required. Disciplinary demotions shall be processed in accordance with Sections 3.16.050 and 3.16.060 of this chapter.
- E. Suspension:** A department head may suspend an employee without pay at any time for cause up to the equivalent of five consecutive working days or two and one-half work shifts for 24-hour assignments. Suspensions of a longer duration require prior approval by the city manager. Suspensions without pay shall not exceed 30 consecutive working days or 15 shifts.
- i. Short Term. An employee suspended for up to five working days, or up to two and one-half shifts for 24-hour shift employees, shall be notified in writing, by first class mail to the employee's last known address or in person, at least three business days/shifts prior to the effective date of the action.
 - ii. Long Term. An employee suspended for six or more working days or three or more 24-hour shifts must be notified in writing at least five business days prior to the action.
 - iii. Emergency Suspension. Under certain circumstances, it may be necessary to immediately restrict an employee from performing duties at the work site. The circumstances usually involve potential danger to the employee, coworkers, or the public, or the employee's inability to discharge assigned duties satisfactorily. Because of the need for immediate action, the decision to suspend an employee is typically the responsibility of the supervisor. In these situations, the following procedure shall be followed:

- iv. The supervisor taking the action to suspend an employee will immediately notify the department head and, as soon as possible, prepare a written statement of the action taken and the reasons for such action.
- v. The department head shall notify the director of the action, and schedule a conference for the purpose of evaluating and preparing the statement of charges and documenting supporting evidence.
- vi. As soon as possible after the initial action, but not later than three business days, the department head shall prepare written notification to the affected employee.
- vii. In no event shall the use of paid leave be allowed during a period of suspension without pay. Should a paid holiday occur during a period of suspension without pay, the suspension period shall be extended by the number of holidays occurring during the suspension period.

F. Leave Reduction:

- i. A department head may reduce an employee's vacation, compensatory time and/or holiday time for up to 40 hours, or 60 hours for 24-hour shift personnel, as a method of disciplinary action. Reductions of time in excess of the limits stated above may be imposed with the approval of the employee. Absent employee approval, the department head may choose another form of discipline to supplement the leave reduction.
- ii. An employee who has suffered a leave reduction may substitute other forms of accumulated time off to enable him or her to take any previously scheduled time off.

G. Dismissal: A department head may recommend the dismissal of a regular employee from city service at any time for cause. The city manager's approval is required. Dismissal shall be processed

PROCEDURE FOR TAKING DISCIPLINARY ACTION

To start with, based on any misconduct committed by the employee or complaint, a preliminary enquiry is called for. Then disciplinary authority has to initiate action. The following authorities are laid by the organization for various levels of employees:

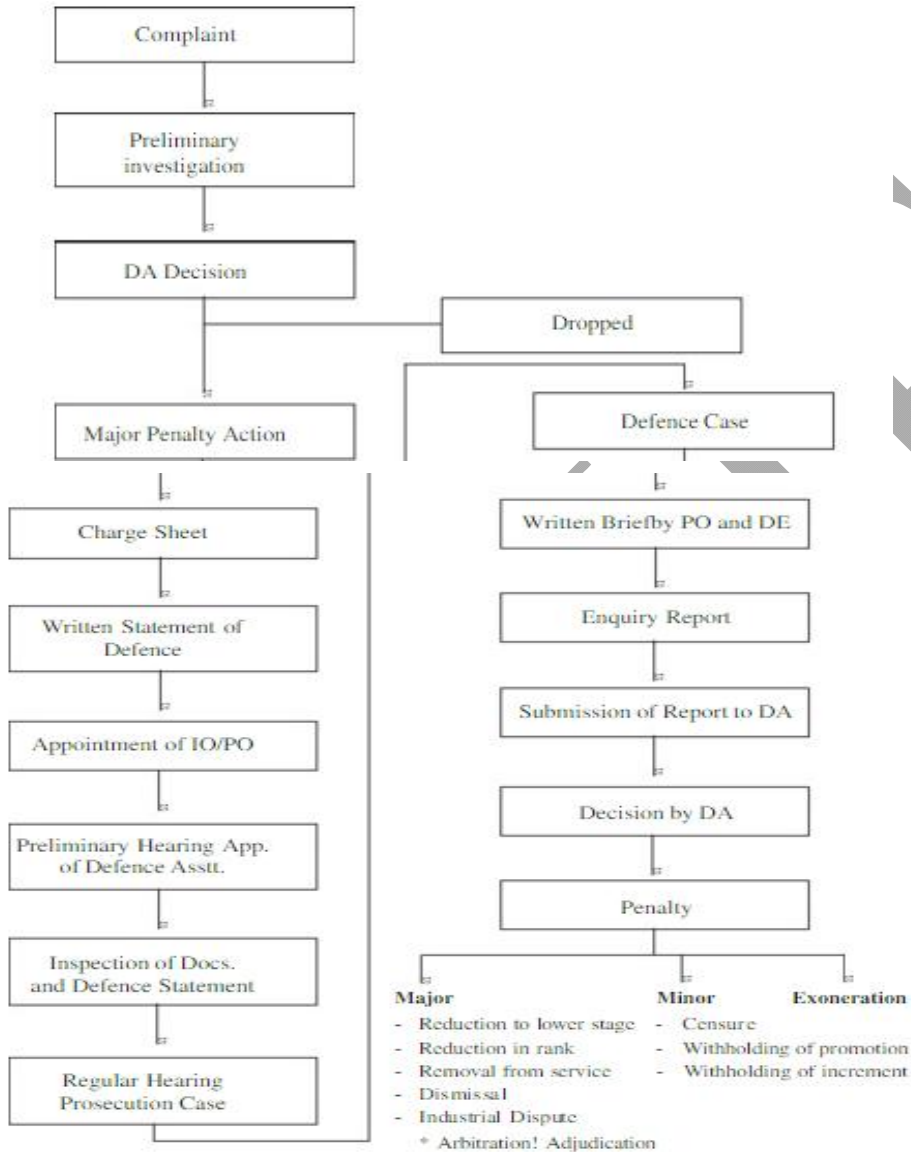
- a)Disciplinary authority;
- b)Appellate authority; and
- c) Reviewing authority.

Based on judicial pronouncement, elaborate procedure have been evolved which has to be followed to avoid infirmities in the disciplinary action.

Various stages involved are briefly indicated as under:

- Preliminary enquiry,
- Framing and serving of charge sheet,
- Holding of domestic enquiry,
- Report of the enquiry officer,
- Consideration of the report of the enquiry officer by disciplinary authority,
- Order of punishment and its communication, and
- Appeal

Stages of Disciplinary Proceedings



Stages of Disciplinary Action Proceedings

1) Issue of the Charge-Sheet

Delinquent employee is to be issued a charge-sheet call him to submit his explanation within a specified period of time. This charge-sheet should be drafted in a clear and unambiguous language so that the workman does not have any difficulty in understanding the charges that he has to answer. Wherever possible, the relevant clause of the company's standing orders should be mentioned in a charge-sheet. If the charge relates to an incident, the date, time and place of the occurrence should

be mentioned. Proper care should be taken in framing the charge-sheet, for the validity of the punishment would depend on the enquiry of the misconduct mentioned in the charge-sheet. The charge-sheet should be in the local language.

2) Suspension Pending Enquiry

In a case where the charges levelled against a workman are of serious nature and it is considered by the disciplinary authority that his physical presence might endanger the safety of other workmen, or if it is apprehended that he might intimidate others or tamper with the evidence, he may be suspended. During the period of suspension pending enquiry, the workman will get subsistence allowance as per rules.

3) Consideration of the Explanation

After a charge-sheet has been served on a workman for reply he may submit his explanation:

- Admitting the charges and requesting for mercy, or
- Denying the charges and requesting for an enquiry, or
- Not submitting any explanation at all, or
- Requesting for more time to submit explanation.

In a case where the workman admits the charge which is of a minor nature and begs for mercy, no enquiry is held and decision is taken accordingly on the charge-sheet. If, however the misconduct is serious enough to warrant discharge or dismissal, the management should still arrange to hold a proper enquiry, the admission of the charges notwithstanding. In a case where the workman submits an explanation mentioning that the charges leveled against him are false, baseless, motivated, concocted, etc. A proper enquiry as per procedure should be held before awarding any punishment. When the workman fails to submit any explanation within the specified time limit, the management should take steps to hold a proper enquiry. When the workman concerned makes a bonafide request on reasonable grounds for extension of time to submit explanation, the same should be granted.

4) Notice for Holding the Enquiry

After consideration of the explanation of the charge-sheeted workman or when no reply is received within the specified time limit, the disciplinary authority should issue an order appointing an enquiry officer or an enquiry committee to hold the enquiry of the charge-sheet. The enquiry officer can be

an official of the company, or even an outsider, but care should be taken to appoint only such a person as enquiry officer who is neither a witness nor is personally interested in any way in the matter for which the charge-sheet has been issued. It should also contain the name of the management representative. There after, the enquiry officer should issue a notice of enquiry. This notice of enquiry should clearly mention the date, time and place of enquiry. It should ask the workman to present himself with his witnesses/documentary evidence, if any, for the enquiry. It should also be mentioned in the notice of enquiry that if the workman fails to attend the enquiry on the appointed date and time, the same will be held ex-parte. A reasonable period of time should be given to the workman for preparing his defence before the enquiry is held.

5) Holding of the Enquiry

The object of holding an enquiry is to find out whether the workman is guilty of the charges levelled against him in the charge-sheet, or not. In doing so, the enquiry officer gives the workman a reasonable opportunity to defend himself by cross-examining the witnesses/documentary evidence/exhibits produced against him and by examining the witnesses/documentary evidence in his defence. The workman concerned can also make statement in his defence apart from what is stated in reply to the charge-sheet. It should be clearly understood that it is for the management's representative, i.e., evidence officer to prove the charges against a workman by adducing evidence during the enquiry and it is not the workman who has to prove his innocence. Unless management side has been able to prove the case against the workman, he should not be considered guilty.

6) The Enquiry

On the appointed date and time, fixed for the enquiry, the following persons should be present apart from the enquiry officer.

a. Presenting Officer: He is the person who will lead the case from the management's side by producing witnesses and relevant documentary evidence in support of the charge. He may himself be a witness, in which case he is the first person to be examined. The presenting officer has a right to cross-examine a charge-sheeted workman as well as the witness/documentary evidence produced by him.

b. Delinquent Employee: No enquiry can be said to have been held as per procedure in the absence of the charge-sheeted employee. However if he refuses to take part in the enquiry after

presenting himself, or when he does not report for the enquiry despite receiving the notice to him, the enquiry may proceed ex-parte, provided in the notice of the enquiry a specific mention to that effect had been made. Also, if during the enquiry, the delinquent employee withdraws himself, the same may be held ex-parte. In such a case, it is not advisable to postpone the enquiry and give another opportunity to the delinquent employee rather than holding ex-parte enquiry. In a case, where the delinquent employee turns up for the enquiry after some witnesses have been examined, it would be proper for the enquiry officer to allow him to participate in the enquiry after recording this fact in the proceedings. The enquiry officer should recall the witnesses who have already been examined in the absence of the delinquent employee so that he get an opportunity to cross-examine such witnesses.

c. Representative of the Delinquent Employee: If the delinquent employee writes to the charge-sheet or makes a subsequent request that he should be allowed to take a knowledgeable co-worker of his choice to assist him in the enquiry, the same should normally be allowed. In some companies, union committee member of the recognised trade union is allowed to attend an enquiry on the specific request of the workman, to either assist him or play the role of an observer as per procedure.

d. The Procedure of Enquiry: At the commencement of the enquiry, if the delinquent employee is present, the enquiry officer should record the date, time and place of enquiry, names of the persons present and obtain their signatures on the order-sheet.

e. Ex-parte Enquiry: If, on the day fixed for the enquiry, the delinquent employee does not turn up, an ex-parte enquiry may be held by following the usual procedure. In such an enquiry, the presenting officer has to lead the evidence against the charge-sheeted workman. The enquiry officer, by putting questions to the witnesses, get facers to come to reasonable conclusion about the validity or otherwise of the charges. As stated earlier, it is advisable to fix another date of enquiry, instead of holding an ex-parte enquiry on the first sitting itself.

The Enquiry Report:

After the enquiry is over the enquiry officer makes an appreciation of the evidence on record and comes to his conclusion. If there is no corroborative evidence on a particular point, the enquiry officer

has to give his own reasons for accepting or rejecting the evidence of such a witness. The enquiry report is a document which should clearly indicate whether the charges levelled against the delinquent employee are proved or not. The conclusion of the enquiry officer should be logical and based only on evidence brought out during the enquiry. The enquiry officer may record clearly and precisely his conclusions with reasons for the same. There is no place for any conjecture or surmises in the enquiry report. It should be such that as per the evidence on record, any impartial man, not connected with the case, should be able to come to the same conclusion as that of the enquiry officer.

7) Final Decision of the Disciplinary Authority

The enquiry report is submitted to the Disciplinary Authority. Before he takes a decision on the findings of the enquiry officer, he is required to furnish a copy of the enquiry officer's report to the concerned employee. If he agrees with the findings of the enquiry officer, after considering the gravity of the misconduct and the past record of the delinquent employee equitable treatment with precedents of action taken, etc., he may pass an order on the quantum of punishment after recording his reasons for the same in writing. An order in writing is passed to that effect and is communicated to the delinquent employee. In case the disciplinary authority decides to punish the employee for his misconduct, the following are the punishments, which he can impose, depending upon the severity of the misconduct. There are two kinds of punishment:

i) Minor Punishments

- Warning or Sensor;
- Fine (keeping the provisions of Section 8 of Payment of Wages Act in view); and
- Withholding of increment (either with cumulative effect or non-cumulative effect).

ii) Major Punishments

- a) Demotion;
- b) Discharge; and
- c) Dismissal

A letter communicating the order of discharge/dismissal should set out clearly the charge(s) proved against the delinquent employee and the date from which the order is to become effective. Normally,

the order of discharge/dismissal should be effective from the date of the order, unless there is an express provision in the standing orders to the contrary

8) Appeal

An employee can appeal against an order imposing upon him any of the penalties. The appellate authority may confirm, enhance, reduce or set-aside the penalty.

9) Conclude

It is the employer's right to direct its internal administration and maintain discipline. However, before passing an order of discharge or dismissal, the employer has to arrange for a fair and proper enquiry in consonance with the principles of natural justice. The reason is that its decision may not be reversed by the adjudicator at a later date, if the workman raises an industrial dispute challenging the order.

Part A (ONE Mark)

Multiple Choice Questions

Online Examination

Part B (2 Marks)

1. Mention few types of industrial disputes.
2. Define Industrial Conflict.
3. Explain the steps to handle dispute.
4. What are the types of discipline?
5. Explain the principle of maintaining discipline.

Part C (8 Marks)

1. Explain clearly the machinery provided under the industrial dispute act 1947 for the prevention and settlement of industrial dispute.
2. Write a detailed note on settlement of grievances in Indian industry.
3. List out the causes of indiscipline. Explain the types of discipline in detail.
4. Elaborate the types of punishment.
5. How are grievances redressed in Indian Industry?
6. Discuss the various forms of voluntary labour welfare measures adopted in India.
7. Describe the various kinds of punishment which are inflicted on a worker for misconduct.
8. Why are grievances caused in an organization? How can these be redressed?
9. Elucidate the different types of industrial discipline in detail.

| UNIT - II | | | | | |
|--|-----------------------|---------------------|--------------------|-----------------------|---------------------|
| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
| ----- the total range of behaviours and attitudes that express opposition between industrial owners and managers | Industrial conflict | Industrial disputes | Industrial union | Industrial resolution | Industrial conflict |
| ----- is collective in nature, involves groups of employees or trade unions | Un organised conflict | Organised conflict | General conflict | Specific conflict | Organised conflict |
| ----- conflict is hidden (or covert), not obvious it is occurring. | Organized | Un organised | Moderate | Silimar | Unorganised |
| ----- means any dispute or difference between employers and employees | Conflict | Fight | Dis opinion | Industrial Disputes | Industrial Disputes |
| In which year industrial disput act was established? | 1957 | 1947 | 1974 | 1937 | 1947 |
| Strikes, lockouts and gheraos are the most common forms of ----- | Disputes | Conflict | Strikes | Union | Disputes |
| ----- means a cessation of work by a body of persons employed in any industry acting in combination | Lockout | Lay off | Retrenchment | Strike | Strike |
| Which strike enforce their economic demands such as wages, bonus, and other conditions of work. | Sit down strike | Economic Strike | Slow down strick | Common strike | Economic Strike |
| In which union members of a union collectively stop work to support or express their sympathy | Economic Strike | Sit down strike | Sympathetic Strike | Slow down strick | Sympathetic Strike |
| When workers do not leave their place of work, but stop work is called | Sit down strike | Economic Strike | Slow down strike | Common strike | Sit Down Strike |
| Employees do not stop work, but restrict the rate of output in an organised manner is ----- | Sympathetic Strike | Sit down strike | Economic Strike | Slow down strike | Slow Down Strike |
| ----- is the temporary closing of a place of employment or the suspension of work | Lock out | Layoff | Strikes | Retrenchment | Lock out |
| Which is the collective act of prohibition from leaving the business or residential premises by the workers | Gherao | Lock out | Layoff | Strikes | Gherao |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|--|--|--|--|------------------------------|--|
| Which of the options are not causes of industrial disputes? | Industry related | Management related | Government related | Company related | Company related |
| The trade union movement is highly influenced by ----- | Government | Politics | Laws | Regulations | Politics |
| Which is referred as a condition which is both the cause and effect of fruitful co – operation | Industrial peace | Working | Disputes settlement | Conflict resolution | Industrial peace |
| The industrial disputes act can be classified as ----- | Conciliation, Association and Adjudication | Federation, Arbitration and Adjudication | Conciliation, Arbitration and Adjudication | Arbitration and Adjudication | Conciliation, Arbitration and Adjudication |
| The act of making active effort to bring two conflicting parties to compromise | Advice | Compromise | Settlement | Mediation | Mediation |
| Who is given the powers of a civil court, whereby he is authorised to call the witness the parties on oath. | Employer | Trade union representative | Conciliation Officer | Government | Conciliation Officer |
| The conciliation officer is required to submit his report within how many days. | 20 days | 14 days | 13 days | 12 days | 14 days. |
| In case Conciliation Officer fails to resolve the differences between the parties, the government has the discretion to appoint? | Board of Conciliation. | Board of Adjudication | Board of Arbitration | Board of Council | Board of Conciliation. |
| What is the process of getting the disputes settled through an independent person | Compulsory arbitration | Voluntary arbitration | Labour court | Management conciliation | Voluntary arbitration |
| Who had applied the voluntary arbitration very successfully in the Textile industry of Ahmedabad. | Mahatma Gandhi | Nehru | Rajiv Gandhi | Indira Gandhi | Mahatma Gandhi |
| In which year the voluntary arbitration was lent legal identity. | 1955 | 1956 | 1946 | 1947 | 1956 |
| Voluntary arbitration is one of the democratic ways for settling ----- | Strike | Industrial disputes | Problems | Conflict | Industrial disputes |
| In voluntary arbitration the ----- is appointed by both the parties through mutual consent | Union member | Adjudicator | Conciliator | Arbitrator | Arbitrator |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|--------------------------------------|---------------------------------------|--|--|--|
| The process that implies the parties are required to refer the dispute to the arbitrator whether they like him or not | Tribunals | Compulsory Arbitration | Voluntary arbitration | Court of Inquiry | Compulsory Arbitration |
| What is the referred to settling disputes through intervention by the third party appointed by the government. | Adjudication | Conciliation | Arbitration | Trade union | Adjudication |
| What is ITNT. | Indian Tribunal of National Tribunal | Industrial Trade of National Tribunal | Industrial Tariff of National Tribunal | Industrial Tribunal of National Tribunal | Industrial Tribunal of National Tribunal |
| A labour court consists ----- persons ,who normally is an ex-judge of a High Court. | Two | Only one | Three | None | Only one |
| In addition to the presiding officer, how many assessors does the industrial tribunal have to advise him in the proceedings. | Three | Four | Five | Two | Two |
| Any dissatisfaction or feeling of injustice having connection with one's employment situation which is brought to the attention of management. | Grievance | Problems | Quarrel | Fight | Grievance |
| According to whom - grievance is any discontent arising out of anything connected with the company which an employee thinks, believes or even feels to be unfair. | Karl max | Michael Jucious | John Dunlop | Marxist | Michael Jucious |
| Tribunal must be published by the appropriate Government within ----- from the date of its receipt | 25 days | 30 days | 45 days | 60 days | 30 days |
| Like a labour court ----- is also a one-man body. | Industrial tribunal | Company tribunal | Arbitration tribunal | Collective tribunal | Industrial tribunal |
| If not identified and redressed, whom does grievances may not adversely affect? | Union | Workers | Managers | Organization | Union |
| Who said that discipline is a procedure that corrects or punishes a subordinate | Michael Jucious | John Dunlop | Marxist | Dessler | Dessler |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|--|--------------------------------------|-----------------------------------|--------------------------------|---|---|
| ----- is the regulation and modulation of human activities to produce a controlled performance. | Discipline | Punishment | Rules | Laws | Discipline |
| What are the 2 types of discipline? | Pessimistic & negative discipline | Positive & Neutral discipline | Positive & negative discipline | Popular and Negative discipline | Positive & negative discipline |
| Which emphasises the concept of self-discipline or self-control. | Positive motivation | Positive discipline | Positive Approach | Positive Appraisal | Positive discipline |
| Which is referred to as 'enforced discipline'. | Positive discipline | Negative conduct | Negative approach | Negative discipline | Negative discipline |
| Which is the first level of formal discipline | Written reprimand | Disciplinary demotions | oral reprimand | Suspensions | Written reprimand |
| The supervisor issues ----- with approval of the department head and copies are sent to the city manager and director. | Suspensions | Oral reprimand | Written reprimand | Disciplinary demotions | Written reprimand |
| It is necessary to immediately restrict an employee from performing duties at the work site is called | Emergency Suspension | Punishment | Salary Reduction | Leave reduction | Emergency Suspension |
| Which of the following authorities are laid by the organization for various levels of employees? | Disciplinary and Reviewing authority | Appellate and Reviewing authority | Disciplinary authority | Disciplinary, Appellate and Reviewing authority | Disciplinary, Appellate and Reviewing authority |
| What procedure should be held before awarding any punishment. | Interview | Proper enquiry | Data collection | Observation | Proper enquiry |
| Who is neither a witness nor is personally interested in any way in the matter for which the charge-sheet has been issued. | Manager | Employee | Supervisor | Enquiry officer | Enquiry officer |
| Who will lead the case from the management's side by producing witnesses and relevant documentary evidence in support of the charge. | Manager | Union representative | Presenting Officer | Enquiry officer | Presenting Officer |
| Who publishes the inquiry report? | Union leader | Management | Enquiry officer | Presenting officer | Enquiry officer |
| To whom the enquiry report is submitted?. | Disciplinary Authority | Management | Court | Conciliation officer | Disciplinary Authority |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|--|---------------------------|---------------------------------|--------------------------------------|--|
| What are the two types of punishment? | Legal & illegal | Financial & Non-financial | Direct & Indirect | Major & minor | Major & minor |
| An employee can appeal against an order imposing upon him any of the ----- | Penalties | Punishment | Fine | Result | Penalties |
| Who may confirm, enhance, reduce or set-aside the penalty. | Appellate authority | Disciplinary authority | Presenting authority | Management | Appellate authority |
| Before passing an order of discharge or dismissal, who has to arrange for a fair and proper enquiry in consonance with the principles of natural justice. | Union leader | Management | Supervisor | Employer | Employer |
| Which of the following are minor punishments? | Warning, fine & Withholding of increment | Warning & fine | fine & Withholding of increment | Penalties & Withholding of increment | Warning, fine & Withholding of increment |
| A lock-out which is illegal, shall be punishable with imprisonment for a term which may extend to ----- month | 1 | 2 | 3 | 6 | 1 |
| The Conciliation Officer is given the powers of a | High court | Civil court | Supreme court | Criminal court | Civil court |
| On ----- of conciliation proceedings, the conciliation officer may persuade the parties to refer the dispute to a voluntary arbitrator | Failure | Success | With held | Cancellation | Failure |
| Voluntary arbitration is one of the ----- ways for settling industrial disputes | Democratic | Social | Voluntary | Natural | Democratic |
| The court is expected to submit its report within----- months | Ten | Five | Three | Six | Six |

UNIT-III - Collective Bargaining

SYLLABUS

Collective Bargaining:-Concept – function and importance – Principles and forms of collective bargaining – Procedure – conditions for effective collective bargaining – worker's participation in management:- Role and methods of worker's participation – Management participation in Trade Union

Collective Bargaining is a process in which representatives of two groups (employers and employees) meet and try to negotiate an agreement which specifies the nature of future relationship (pertaining to employment) between the two.

DEFINITION

According to Beach, –Collective Bargaining is concerned with the relations between unions representing employees and employers (or their representatives). It involves the process of union organization of employees; negotiation, administration and interpretation of collective agreements covering wages, hours of work and other conditions of employment; engaging in concerted economic action; and dispute settlement procedures.

According to Dale Yoder, –Collective Bargaining is the term used to describe a situation in which the essential conditions of employment are determined by bargaining process undertaken by representatives of a group of workers on the one hand and of one or more employers on the other.

In the words of Flippo, –Collective Bargaining is a process in which the representatives of a labour organization and the representatives of business organization meet and attempt to negotiate a contract or agreement, which specifies the nature of employee employer-union relationship.

CONCEPT OF COLLECTIVE BARGAINING

1. Marketing Concept

The marketing concept views collective bargaining as the means by which labour is bought and sold in the market place.

In this context, collective bargaining is perceived as an economic and an exchange relationship. This concept focuses on the substantive content of collective agreement on the pay hours of work, and fringe benefits, which are mutually agreed between the employers and trade union representatives on behalf of their members.

2. Governmental Concept

The governmental concept of collective bargaining, on the other hand, regards the institution as constitutional union representatives.

Here collective bargaining is seen as a political and power relationship.

3. Industrial Relations or Managerial concept

In this concept collective bargaining view the institution as a participative decision-making between the employees and employers, on matters in which both the parties have vital interest.

FUNCTION OF COLLECTIVE BARGAINING

Collective bargaining plays an important role in preventing industrial disputes, settling these disputes and maintaining industrial peace by performing the following functions:

- o Increase the economic strength of employees and management.
- o Establish uniform conditions of employment.
- o Secure a prompt and fair redressed of grievances.
- o Lay down fair rates of wages and other norms of working conditions.
- o Achieve an efficient functioning of the organisation.
- o Promote the stability and prosperity of the company.
- o It provides a method of the regulation of the conditions of employment of those who are directly concerned about them.
- o It creates new and varied procedures for the solution of the problems as and when they arise – problems which vex industrial relations; and its form can be adjusted to meet new situations.
- o It provides a flexible means for the adjustment of wages and employment conditions to economic and technological changes in the industry, as a result of which the changes for conflicts are reduced.
- o As a vehicle of industrial peace, collective bargaining is the most important and significant

aspect of labour-management relations, and extends the democratic principle from the political to the industrial field.

- o It builds up a system of industrial jurisprudence by introducing civil rights in the industry. In other words, it ensures that the management is conducted by rules rather than by arbitrary decisions.

IMPORTANCE OF COLLECTIVE BARGAINING

Collective Bargaining not only includes negotiation, administration and enforcement of the written contracts between the employees and the employers, but also includes the process of resolving labour-management conflicts. Thus, collective bargaining is a legally and socially sanctioned way of regulating in the public interest the forces of power and influence inherent in organized labour and management groups.

Importance of Employees

Collective Bargaining helps the employees:

- a. To develop a sense of self-respect and responsibility among the employees.
- b. To increase the strength of the workers. Their bargaining capacity as a group increases.
- c. To increase the morale and productivity of employees.
- d. To restrict management's freedom for arbitrary action against the employees.
Unilateral actions by the management are discouraged.
- e. To strengthen the trade union movement.

Importance to Employers

- a. The workers feel motivated as they can talk to the employers on various matters and bargain for higher benefits. As a result, their productivity increases.
- b. It is easier for the management to resolve issues at the bargaining table rather than taking up complaints of employees individually.
- c. Collective bargaining promotes a sense of job security among the employees and thereby tends to reduce cost of labour turnover to management, employees as well as the society at large.
- d. Collective bargaining opens up the channels of communications between the top and bottom levels of organization which may be difficult otherwise.

Importance to society

- a. To attain industrial peace in the country.
- b. To establish a harmonious industrial climate which supports the pace of a nation's efforts towards economic and social development since the obstacles to such development can be largely eliminated or reduced. As a vehicle of industrial peace or harmony, collective bargaining has no equal.
- c. To extend the democratic principle from the political to the industrial field. It builds up a system of industrial jurisprudence by introducing civil rights in industry and ensures that management is conducted by rules rather than by arbitrary decisions.
- d. To check the exploitation of workers by the management.
- e. To distribute equitably the benefits derived from industry among all the participants including the employees, the unions, the management, the customers, the suppliers and the public.

PROCEDURE FOR COLLECTIVE BARGAINING

There are two stages in collective bargaining, viz.,

1. The negotiation stage and
2. The stage of contract administration.

1. Negotiation

a. Identification of Problem

The nature of the problem influences the whole process whether the problem is very important that is to be discussed immediately or it can be postponed for some other convenient time, whether the problem is minor that it can be solved with the other party's acceptance on its presentation and does not need to involve the long process of collective bargaining process etc.

b. Collection of Data

Both labour and management initially spend considerable time collecting relevant data relating to

- ☐ Grievances,
- ☐ Disciplinary actions,
- ☐ Transfers and promotions,
- ☐ Lay-offs,
- ☐ Overtime,

- ☐ Former agreement copying
 - o Wages.
 - o Benefits,
 - o Working conditions and
 - o Current economic forecasts,
 - o Cost of living trends,
 - o Wage rate in a region across various
- ☐ Occupations,
- ☐ Competitive terms offered by rivals in the field etc.

c. Selection of Negotiators

The success of collective bargaining depends on the skills and knowledge of the negotiators.

Effective negotiators should have a

- ☐ Working knowledge of trade unions principles,
- ☐ Operations,
- ☐ Economics,
- ☐ Psychology and
- ☐ Labour laws.

Timing is important. Effective speaking debating skills are essential.

d. Preparing for negotiations

When it becomes necessary to solve the problem through collective bargaining process, both the parties prepare themselves for negotiations.

e. Negotiations of agreement

Usually, there will be chief negotiator who is from the management side. He directs over the process.

The chief negotiator presents the problem, its intensity and nature and the views of both the parties.

When a solution is reached at, it is put on the paper, taking concerned legislations into consideration.

Both the parties concerned, sign the agreement which, in turn, becomes a binding contract for both the parties.

2. Contract Administration

Implementation of the contract is as important as making a contract. Management usually distributes the printed contract, its terms and conditions throughout the organisation.

The union takes steps to see that all the workers understand the contract and implement it.

CONDITIONS FOR EFFECTIVE COLLECTIVE BARGAINING

- Be sure to set clear objectives for bargaining item, and be sure you understand the reason for each.
- Do not hurry.
- When in doubt, caucus with your associates.
- Be well prepared with firm data supporting your position.
- Always strive to keep some flexibility in your position.
- Don't concern yourself just with what the other party says and does; find out why.
- Respect the importance for face saving for the other party.
- Be alert to the real intentions of the other party – not only for goals, but also for priorities.
- Be a good listener.
- Build a reputation for being fair but firm.
- Learn to control your emotions and use them as a tool.
- As you make each bargaining move, be sure you know its relationship to all other moves.
- Measure each move against your objectives.
- Pay close attention to the wording of every clause negotiated; they are often a source of grievances.
- Remember that collective bargaining is a compromise process; there is no such thing as having all the pie.
- Try to understand people and their personalities.
- Consider the impact of present negotiation on those in future years.

WORKERS PARTICIPATION IN MANAGEMENT

Introduction

Participative management is also referred to as workers' participation in management. The concept of workers participation in management is considered as a mechanism where workers have a say in the decision-making process of an enterprise formally. The concept of

Quality Circles (QC) provides informal involvement of employees in the decision-making and implementation process.

Definition

According to **Davis**, “it is a mental and emotional involvement of a person in a group situation which encourages him to contribute to goals and share responsibilities in them.”

Within the orbit of this definition, a continuum of men management relationship can be conceived:



Objectives of Workers' Participation in Management

The main objectives of Workers' Participation in Management include:

1. To promote increased productivity for the advantage of the organisation, workers and society at large;
2. To provide a better understanding to employees about their role and place in the process of attainment of organisational goals;
3. To satisfy the workers' social and esteem needs;
4. To strengthen labour management co-operation and thus maintaining industrial peace and harmony.
5. To develop social education for effective solidarity among the working community and for aping latent human resources.
6. An ideological point of view to develop self-management in industry.
7. An instrument for improving efficiency of the company and establishing harmonious industrial relations.
8. To build the most dynamic human resources and
9. To build the nation through entrepreneurship and economic development.

FORMS OF WPM / METHODS OF WORKER'S PARTICIPATION

The forms of WPM vary from industry to industry and from country to country. The important forms are:

- i. Labour-Management Consultation and Co-operation,
- ii. Joint Consultation and Model of Participation (U.K),
- iii. Union-Management Co-operation (USA),
- iv. Co-determination Scheme (West Germany),
- v. Joint Management Plan,
- vi. Joint Decision-Making Model,
- vii. Workers' Control Model and
- viii. Self-Management or Auto Management Scheme.

The forms of Workers' Participation Management in India are:

- i. Works Committee;
- ii. Joint Management Councils;
- iii. Joint Councils and
- iv. Shop Councils.

Works Committee

The Industrial Disputes Act, 1949, provides for the setting up of work committees as a scheme of workers' participation in management which consists of representative of employers and employees.

The act provides for these bodies in every undertaking employing 100 or more workmen.

Objectives

- To promote measures for maintaining harmonious relations in the work place
- To sort out differences of opinion in respect of matters of common interest to employers and employees.

The Bombay Industrial Relations Act, 1946, also provides for these bodies, but under the provisions of this Act, they can be set up only in units which have a recognised union and they are called joint committees.

Functions

These work committees / joint committees are consultative bodies. Their functions include

- ☐ Discussion of conditions of work like
- ☐ Lighting,

- ☐ Ventilation,
- ☐ Temperature,
- ☐ Sanitation etc.,
- ☐ Amenities like
- ☐ Water supply for drinking purposes,
- ☐ Provision of canteens,
- ☐ Medical services,
- ☐ Safe working conditions,
- ☐ Administration of welfare funds
- ☐ Educational and recreational activities and
- ☐ Encouragement of thrift and savings.

To promote measures for securing and preserving amity and good relations between the employers and to comment upon matters of their common interest or concern. The President is a nominee of the employer and Vice-President is the workers' representatives. The tenure of these bodies is two years. The total strength of these bodies should not exceed 20. The employees' representatives have to be chosen by the employees. These committees functioned actively in some organizations like

- Tata Iron Steel Company,
- Indian Aluminium Works at Belur and
- Hindustan Level.

Joint Management Councils

The Second Five Year Plan recommended the setting up of joint councils of management consisting of representatives of workers and the management. The Government of India deputed a study group (1957) to study the schemes of worker's participation in management in countries like UK, France, Belgium and Yugoslavia.

The report of the study group was considered by the Indian Labour Conference (ILC) in its 15th session in 1957 and it made certain recommendations:

- i. The workers' participation in management schemes should be set up in selected undertakings on a voluntary basis.
- ii. A sub-committee consisting of representatives of employers, workers and government should be set up for considering the details of workers participation in management

schemes.

Objectives

The objectives of Joint Management Councils are as follows:

- (i) To increase the association of employers and employees thereby promoting cordial industrial relations;
- (ii) To improve the operational efficiency of the workers;
- (iii) To provide welfare facilities to them;
- (iv) To educate workers so that they are well equipped to participate in these schemes; and
- (v) To satisfy the psychological needs of workers.

Joint Management Council

The Joint Management Councils for the whole unit and its membership remains confined to those who are actually engaged in the organisations.

- The tenure of the joint councils is for two years.
- The Chief Executive of the unit becomes its Chairman.
- Workers' members of the council nominate the Vice Chairman.
- The Joint Council appoints the Secretary who is responsible for discharging the functions of the council.
- The joint councils will meet once in four months, but the periodicity of the meeting varies from unit to unit, it may be once in a month, quarter etc.
- The decisions taken at the joint council meetings are by the process of consensus and the management shall implement the decisions within one month. The scheme was implemented by the major units of the Central and State Governments.

Objectives

The objectives of JMC are as follows:

1. To increase the association of employers and employees, thereby promoting cordial industrial relations.

2. To improve the operational efficiency of the workers.
3. To provide welfare facilities to them.
4. To educate workers so that they are well prepared to participate in these schemes and
5. To satisfy the psychological needs of workers.

A tripartite sub-committee was set up as per the recommendations of Indian Labour Conference which laid down certain criteria for selection of enterprises where the JMCs could be introduced. They are:

- The unit must have 500 or more employees;
- It should have a fair record of industrial relations;
- It should have a well organised trade union;
- The management and the workers should agree to establish JMCs;
- Employers (in case of private sector) should be members of the leading Employers' Organisation; and
- Trade unions should be affiliated to one of the central federations.

Shop Councils

- The shop council represents each department or a shop in an unit. Each shop council will consist of an equal number of representatives of employers and workers.
- The employer representatives will be nominated by the management and must consist of persons from within the unit concerned.
- The workers' representative will be from among the workers of the department or shop concerned.
- The number of members of each council may be determined by the employers in consultation with the recognized union.
- The total number of members, however, may not generally exceed twelve.
- The decision of the shop council are to be taken on the basis of consensus but not by Voting

Management of the shop councils meet at least once in a month. Management nominates the Chairman at least once in a month. Management nominates the Chairman of the shop council whereas workers' members of the council elect the vice-Chairman of the council.

WORKER'S PARTICIPATION IN MANAGEMENT

The word participation means sharing the decision-making power with the lower ranks of the organization in an appropriate manner. Participation has a unique motivational power and a great psychological value.

It promotes harmony and peace between workers and management. When workers participate in organizational decisions, they are able to see the big picture clearly, i.e., how their actions would contribute to overall growth of the company.

1.Reduced industrial unrest: Industrial conflict is a struggle between two organized groups which are motivated by the belief that their respective interests are endangered by the self-interested behaviour of the other. Participation cuts at this very root of industrial conflict. It tries to remove or at least minimize the diverse and conflicting interests between the parties, by substituting in their place, cooperation, homogeneity of objects and common interests. Both sides are integrated and decisions arrived at becomes —ours rather than —theirs.

2. Reduced misunderstanding: Participation helps dispelling employee's misunderstanding about the outlook of management in industry.

3. Increased organization balance: If worker are invited to share in organizational problems, and to work towards common solutions, a greater degree of organizational balance occurs because of decreased misunderstanding of individual and group conflict. Participation leads to increased understanding throughout the organization. People learn that others have problems beside themselves.

4. Higher productivity: Increased productivity is possible only when there exists fullest co-operation between labour and management. It has been empirically tested that poor labour management relations' do not encourage the workers to contribute anything more than the minimum desirable to retain their jobs. Thus, participation of workers in management is essential to increase industrial productivity.

5. Increased Commitment: An important prerequisite for forging greater commitment is the individual's involvement and opportunity to express himself. Participation allows individuals to express themselves at the work place rather than being absorbed into a complex system of rules, procedures and systems. If an individual knows that he can express his opinion and ideas, a

personal sense of gratification and involvement takes place within him. This, in turn, fortifies his identification with the organization resulting in greater commitment.

6. Industrial democracy: Participation helps to usher in an era of democracy in industry. It is based on the principle of recognition of the human factor.

7. Development of Individuals: Participation enhances individual creativity and response to job challenges. Individuals are given an opportunity to facilitates individual growth.

8. Less resistance to change: when changes are arbitrarily introduced from above without explanation, subordinates tend to feel insecure and take counter measures aimed at sabotage of innovations. But when they have participated in the decision making process, they have had an opportunity to be heard.

Part A (ONE Mark)

Multiple Choice Questions

Online Examination

Part B (2 Marks)

1. What is the meaning of collective bargaining?
2. What is the importance of collective bargaining?
3. Explain the functions of collective bargaining.
4. Explain labor welfare.
5. Explain few methods to improve worker's participation.

Part C (8 Marks)

1. Narrate the principles and forms of collective bargaining in detail.
2. Explain the concept of workers management in India.
3. Discuss the function and importance of collective bargaining.
4. Explain the role and methods of workers participation with suitable example.
5. Explain the different forms of collective bargaining in detail.
6. List out principles of collective bargaining? Narrate the different forms of collective bargaining.
7. Write a detailed note on methods of workers participation in management.

| UNIT - III | | | | | |
|---|---|--|---|-----------------------------------|--|
| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
| What is the process in which representatives of employers and employees meet and try to negotiate an agreement which specifies the nature of future relationship between the two. | Collective power | Collective Bargaining | Resolution | Decision making | Collective Bargaining |
| Who said Collective Bargaining is concerned with the relations between unions representing employees and employers | Beach | Dale | Diming | Davis | Beach |
| The collective bargaining as the means by which labour is bought and sold in the market place is ----- | marketing concept | Philosophy | Social Concept | Economic concept | marketing concept |
| Collective bargaining is perceived as an economic and an ----- - relationship. | Intrr | Intra | Mutual | Exchange | Exchange |
| Collective bargaining plays an important role in -----, settling these disputes and maintaining industrial peace | Industrial disputes | Industrial conflict | Industrial peace | Industrial relation | Industrial disputes |
| Collective Bargaining helps the employees to develop a sense of self-respect and responsibility among the ----- | Employees | Supervisors | Managemen t | Trade unions | Employees |
| What are the two stages of collective bargaining? | Negotiation stage and Concilation administrati on. | Negotiation stage and contract administrati on. | Introductio n stage and contract administrat ion. | Negotiation stage and Mediation | Negotiation stage and contract administrat ion. |
| Who initially spend considerable time colleting relevant data | labour and management | labouronly | Managemen t only | labour and Union | labour and managemen t |
| The success of collective bargaining depends on the----- of the negotiators. | Expertise | Skills & knowledge | Efficiency | Knowledge | Skills & knowledge |
| Effective negotiator should have the ----- options. | Social, Economics, Psychology | Operations, Physiologica l,Psychology | Operations & Economics | Operations, Economics, Psychology | Operations, Economics, Psychology |
| Who directs the process of negotiator? | Labour negotiator | Managemen t representativ e | Supervisor | Chief negotiator | Chief negotiator |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|--|--------------------------|-------------------------|--------------------------|----------------------------|---------------------------|
| To whose side the chief negotiator belong to? | Management side | Union side | Employee Side | Common to all | Management side |
| Who takes the steps to see that all the workers understand the contract and implement it. | Union | Management | Supervisor | Manager | Union |
| Pay close attention to the wording of every clause negotiated, they are often a source of ----- | Negotiation | Grievances | Information | Disputes | Grievances |
| Collective bargaining is referred to as -----? | Compromise process | Problem solving process | Decision making process | Dispute redressal | Compromise process |
| The concept of workers participation in management is considered as a mechanism where workers have a say in the ----- --process of an enterprise formally. | Decision-making | Problem solving process | Disputes settlement | Relationship maintenance | Decision-making |
| What does QC refer to? | Quality concept | Quality circles | Quantity circle | Quantity concept | Quality circles |
| In which year the Bombay Industrial Relations Act was formed? | 1946 | 1945 | 1956 | 1957 | 1946 |
| Who does the employer nominate? | Manager | CEO | MD | President | President |
| Who nominates the Vice president? | Workers | Management | Stake holders | Trade Union | Workers |
| What does JMC stand for? | Joint management Council | Joint manager Council | Joint management Concept | Joint management Committee | Joint management Council |
| The whole unit and its membership remains confined to those who are actually engaged in the organisations. What does it refer? | Shop council | Executive council | Joint management Council | Joint council | Joint Management Councils |
| Who becomes the Chairman of JMC? | Chief Executive | President | MD | Executive officer | Chief Executive |
| Who appoints the Secretary who is responsible for discharging the functions of the council. | Shop council | Floor council | Joint Council | Management council | Joint Council |
| Collective bargaining was considered as apex of IR system is concerned with | Gandhian approach | Systems approach | Oxford approach | Traditional approach | Gandhian approach |
| Temporary closing down the undertaking with the intention of forcing workers to accept the demand of the employer is called | Lockout | Layoff | Strike | Retrenchment | Retrenchment |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|--|-----------------------|-------------------------------|---|---|---|
| The phrase collective bargaining was first coined by | Dale | Sydney and Beatrice web | U.K. | Davis | Sydney and Beatrice web |
| Workers participated in management is highlighted in | Article 43A | Article 42 A | Article 43A and 42A | Article 44 A | Article 43A and 42A |
| Workers participated in management has ----- objectives | Psychological | . Economic | Psychological & Economic | Social | Psychological & Economic |
| Which of the following matters are usually brought under collective bargaining | Working conditions | Labour welfare | Working conditions & Organizational matters | Working conditions, Labour welfare & Organizational matters | Working conditions, Labour welfare & Organizational matters |
| Which of the following is not the most important aspects of the process of collective bargaining | Negotiations | Confrontations | Compromise | Discussions | Confrontations |
| Who of the following is not associated with concept of industrial relations system | Frederick Taylor | R.A. Lestler | Dale yoder | Prof. Dunlop | Frederick Taylor |
| ----- is used to denote the collective relationship between management and workers | Industrial relation | Personal relation | Family relation | Social relation | Industrial relation |
| ----- with the rules , laws and agreement through executive and judicial machinery influences and shapes industrial relation | Society | Industry | Government | Company | Government |
| ----- is a consultative body comprising of 100 or more persons , which aims at giving greater participation to workers | Work committees | Advisory committee | Managing committees | Joint committee | Work committees |
| ----- are the rules and regulations which govern the conditions of employment of workers | Standing orders | Policies | Advice | Rules | Standing orders |
| ----- are the bodies comprising representatives from employers and employees | Management committees | Joint councils and committees | Works Committee | Discipline committees | Management committees |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|--------------------------|-------------------------------|----------------------------------|----------------------------|-------------------------------|
| The person appointed by the government to settle the dispute presented in labour court is known as | Officiate | Presiding officer | Arbitrator | Substitute officer | Presiding officer |
| The decision given by Arbitrator is called | Degree | Award | Sentence | Reward | Degree |
| ----- is the international organization responsible for drawing up and overseeing international labor standards | Indian labor congress | Hind mazdoor Sabh | International Labor Organization | Indian Labour Organixation | Indian labor congress |
| When employees resort to unauthorized strike in violation of the labor contract agreement it is called | Pen down | Wild cat strike | Tools-down | Sit in Strike | Wild cat strike |
| “One party gains at the expense of another” norm refers to which type of collective bargaining | Distribute bargaining | Integrative bargaining | Centralized bargaining | Collective disputes | Distribute bargaining |
| The word----- means sharing the decision-making power with the lower ranks of the organization in an appropriate manner | Bargaining | Participation | Compensation | Settlement | Participation |
| When workers participate in ----- they are able to see the big picture clearly | Brainstroming | Organizational decisions | Union | Suggestion scheme | Organizational decisions |
| The ----- represents each department or a shop in an unit | Shop council | Management council | Floor council | Committee | Shop council |
| Each shop council will consist of an ----- number of representatives of employers and workers. | Equal | Uneven | Higher | Lower | Equal |
| The first organized trade union in India named as -----was formed in the year 1918 | Delhi labor union | Bombay labor union | Madras Labor Union | Cochin Labor Union | Madras Labor Union |
| The main functions of i -----is resolve the difference existing between the management and the workers | Co-operation | Collective bargaining | Agitations | Conciliation | Collective bargaining |
| Which of the following method had not been given a statutory form in India | Conciliation | Mediation | Voluntary arbitration | Adjudication | Mediation |
| The concept of unions came in to existence as a result of employees | Problem of communication | Dissatisfaction among workers | Longing for belongingness | Change in technology | Dissatisfaction among workers |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|--------------------------|---------------------------------|-----------------------|-------------------------|--------------------------|
| It is one of the ----- function to protect labor against victimization and injustice | Trade unions | Social groups | Government | Management | Trade unions |
| ----- refers to the kind of rivalry present within the establishment as there is provision in law of being more than one union in a plant | Intraunion rivalry | Unionism | Socialism | Individualism | Intraunion rivalry |
| Workers committee is to be constituted in an industry which is employing- _____ or more employees | 75 | 90 | 100 | 500 | 100 |
| Any communications and notices concerning registered trade union may be addressed to its | Head office | Government | President | Management | Head office |
| ----- denotes the absence of an employee when he is scheduled to work | Labor turnover | Absenteeism | Leave | Layoff | Absenteeism |
| ----- is another name of compulsory arbitration | Adjudication | Amortization | Dissolution | Fraction | Adjudication |
| ILC stands for | Indian Labour Conference | International Labour Conference | Indian Labour Council | Indian Labour Committee | Indian Labour Conference |
| The tenure of the joint councils is for ----- years | 3 | 2 | 1 | 5 | 2 |
| The total strength of these bodies should not exceed ----- | 20 | 30 | 40 | 50 | 20 |
| All India Trade Union Congress (AITUC) has political link with | CPI | CPI(M) | BJP | Congress | CPI |

UNIT-IV - Industrial Safety

SYLLABUS

Industrial Safety – Causes of accidents – Prevention – Safety Provisions – Industrial Health and Hygiene – Importance and Problems – Occupational hazards – Diseases – Psychological problems – counseling.

INDUSTRIAL SAFETY - CAUSES OF ACCIDENTS

Industrial accidents are unforeseen incidents that are not scheduled or planned and cause injury to employees.

Industrial Accident: According to Worker's Compensation Act, 1923, -An occurrence mishap or untoward event which is not expected or designed for and arising out of and in the course of employment of an industrial worker.

Industrial Injury: According to Factories Act, 1948, -A Personal Injury to an employee which has been caused by an accident or an occupational disease and which arises out of or in the course of employment and which could entitle such employee to compensation under Workers Compensation Act, 1923.

➤ ***Human Error***

Most industrial accidents occur because of human error. A worker does not follow the proper safety procedures or is attempting to accomplish a task without the proper equipment. According to the Bureau of Labor Statistics, as of 2009, 74.8 percent of these injuries occurred in the service-related industry. Most of these injuries were caused because an employee worked on equipment without the proper tools, damaging the industrial equipment and creating a safety hazard.

➤ ***Training***

Many industrial accidents occur because an employee is not trained properly on the use of the equipment or the safety procedures used during the operation and maintenance of the equipment. The manufacturing industry reported 4.3 industrial accidents occurring for every 100 workers during the 2009 work year. Most of these accidents occurred because of lack of

training of the employee. The equipment must have qualified operators and these operators must know what to do if something happens to the equipment.

➤ ***Manufacturing Defect:***

Industrial accidents also occur because of a manufacturing defect in a piece of equipment or material. During the course of manufacturing several quality-control steps are taken to ensure the equipment is within safety tolerances. Because most of these quality controls are handled by humans, there is a chance that a piece of equipment can have a defect that is missed during the process. The equipment is installed, operated and then fails, causing an industrial accident that can injure or even kill an employee.

➤ ***Maintenance***

One of the common causes for industrial accidents is improper maintenance procedures or the lack of preventive maintenance programs. Equipment cannot run without having maintenance performed on a scheduled basis. Most equipment manufacturers publish a recommended preventive maintenance schedule for the equipment, but the companies and their maintenance personnel are responsible for carrying out these preventive maintenance programs. Like an automobile that does not regularly get fuel, oil or the brakes replaced, a piece of equipment not maintained fails -- at times with consequences

Most Common Causes of Workplace Accidents

1. **Shortcuts:** Humans are notoriously lazy, so taking shortcuts is a rather common practice in all walks of life, not necessarily work alone. However, when workers take shortcuts at work, especially when they are working around dangerous machinery or lethal chemicals, they are only exposing themselves to a potential catastrophe. Simply put, shortcuts that are taken on the job are not actually shortcuts. They are simply increasing your risk of injury, or worse, death.
2. **Overconfidence:** Confidence is always a great thing to have, but there is also such a thing as too much confidence. When workers walk into work everyday with the attitude that, -It will never happen to me, they are setting an attitude that leads to incorrect procedures, methods, and tools while working. Be confident, but remember that you are not invincible.
3. **Poor, or Lack of Housekeeping:** Whenever someone walks through your workplace, they can

get a pretty good idea of your attitude towards workplace safety by just looking at how well you've kept up your area. Housekeeping is one of the most accurate indicators of the company's attitude towards production, quality, and worker safety. A poorly kept up area leads to hazards and threats everywhere. Not only does good housekeeping lead to heightened safety, but it also sets a good standard for everyone else in the workplace to follow.

4. **Starting a Task before Getting All Necessary Information:** The quickest way to get a job done is to do it right the first time. To do it right the first time, you need to make sure that you have any and all pertinent information relating to the task you will be performing. Workers who begin a job with just half the information, or half the instructions, are essentially doing the job while blind. Remember this; it's not stupid to ask questions, it is stupid not to.
5. **Neglecting Safety Procedures:** This is probably the worst thing that any employee at any level in the organization can do. Deliberately neglecting set safety procedures in the workplace doesn't just endanger yourself, but it endangers the workers around you as well as the company as a whole. Casually following safety procedures doesn't work either.
6. **Mental Distractions:** Everyone has a life outside of the workplace, and sometimes life can take dips and turns that affect your emotions and your mood negatively. However, as harsh as it sounds, workers cannot let mental distractions from their personal lives affect their performance at work. Not only will they become less aware of their surroundings and less safe, but they will also become less productive, costing the company time and money.

Types of Industrial Accidents

Industrial accidents can occur in many different industries. From mining to construction, each industry has its unique challenges and hazards. Even with strict state and federal regulations, workplace safety can often depend on individual employers and how seriously they take safety in the workplace.

- ◎ **Construction Accidents :** Construction sites are one of the most dangerous places to work. Despite strict regulations, workers are often seriously injured.
- ◎ **Chemical Plant Accidents:** Industrial plants often house combustible chemicals that are either the byproducts of manufacturing, or the basis for creating new chemicals. Regardless, exposure to chemicals is a real and everyday danger that plant workers face.

Click here to read more about plant accidents.

- ◎ **Industrial Plant Accidents:** Industrial plants such as fertilizer plants have been in the news of late for huge explosions that have resulted in numerous fatalities. Safeguarding every aspect of these plants is an expensive proposition, and oftentimes employers cut corners at the expense of employee safety.
- ◎ **Mining Accidents:** Mines are notoriously dangerous places to work. Not only are miners more to collapses and the injuries that can result, but they are also subjected to dust, chemicals, and other hazardous materials.

PREVENTION

(1) Enhancement of Autonomous Safety and Health Activities

a. Enhancing the Implementation of “Investigation of Dangers or Harms, etc.”

- ***Enhancing Supports to Small and Medium-sized Workplaces, their Staff Cultivation, etc.***

In order to enhance the implementation of “Investigation of Dangers or Harms, etc.”, to provide the guidance mainly focused on small and medium-sized workplaces by experts, to prepare manuals, etc. for operations that are common to small and medium-sized workplaces or specified industrial sectors as well as to support dissemination activities by industry groups.

- ***Enhancement of Information Provision by Machine Manufacturers and Persons Who Transfer or Offer Chemical;***

Substances For machines, to investigate the system to enhance the indication on machines for which manufacturers carried out “Investigation of Dangers or Harms, etc.” and took measures, and the information provision for use when transferring machines including the results of “Investigation of Danger or Harm, etc.”

- ***Promoting the Information Provision, etc. for Enhancing “Investigation of Dangers or Harms, etc.”***

In order that “Investigation of Danger or Harm, etc.” is effectively implemented, to promote the information provision such as industrial accident cases, good practices of safety and health activities or improvements.

b. Utilization, etc. of the safety and health management system

To enhance the implementation of Investigation of Dangers or Harms, etc. and the autonomous introduction of the safety and health management system in workplaces. To encourage industrial

sectors to autonomously prepare manuals along with “The Guideline on the Safety and Health Management System (No. 53 of the Ministry of Labour Notification, 1999)”

c. Environmental Arrangement, etc. for Enhancing Autonomous Safety and Health Activities

- ***Enhancing the Environmental Arrangement that the Safety and Health is Prioritized at Enterprises***

To spread “the safety culture” this takes top priority on workers’ safety and health, to top management as well as the enterprise as a whole. To study the scheme that at businesses between enterprises the positive addressing to the safety and health is socially appreciated.

- ***Enhancing the Vitalization of the Safety and Health Committee, etc.***

To vitalize daily safety and health activities, such as safety patrol, etc. which seem inactive. In order to enhance the safety and health activities at workplaces, to enrich the information provision on the safety and health. To institutionalize the record keeping on industrial accidents at workplaces and thoroughly implement recurrence preventive measures by making use of these records.

d. Promotion, etc. of information commoditizing

To enrich the industrial accident preventive measures in enterprises, etc. by widely providing the information on industrial accident cases, dangers or harms of chemical substances, etc. so that the persons concerned are able to share the information and to enhance that industrial groups, enterprises, etc.

(2) Preventive Measures for Specific Accidents

a. Preventive Measures for Machine Accidents

- ***Enhancing the Implementation of “Investigation of Dangers or Harms, etc.” at Machine Design Stage, etc.***

To investigate the system of indicating on machines and enhancing the information provision for use of the machines when a machine manufacturer carried out the investigation.

- ***Enriching Measures for Machines of Frequent Accident Occurrence, etc.***

With regard to machines due to which accidents occur frequently or accidents with serious severity occur, to investigate to strengthen the preventive measure by each type of machines and to take necessary measures.

- ***Planned Review for Construction Codes***

From the viewpoint of technical development, performance oriented provisions, etc., to systematically review construction codes for machines, etc.

b. Preventive Measure for Fall Accidents

- ***Dissemination on Advanced Methods of Scaffold and Handrails***

To disseminate the advanced methods of handrails for the scaffold erecting or dismantling works and the advanced methods of scaffolds for low-rise house construction such as wooden house construction, etc.

- ***Enriching Preventive Measures for Fall Accident from Scaffold***

To make fully known the preventive measures for fall accidents based on the new safety measure under studying.

- ***Enriching Preventive Measures for Fall Accident from Buildings, Vehicles, etc.***

To study enriching the preventive measures for fall accidents from buildings or vehicles during cargo handling works other than in the construction industry and to take necessary measures.

c. Preventive Measures for Traffic Industrial Accident

- ***Thoroughness, etc. of the Guideline*** To keep thoroughly informed about the guideline for preventing traffic industrial accidents, taking into account the survey result on the relationship between actual driving conditions and Industrial accident occurrence.

- ***Developing and Disseminating the Real-time Remote Safety and Health Managing Method***

To develop “the Real-time Remote Safety and Health Managing Method” that obtains the travelling information of trucks at real-time basis by making use of the information technology and gives a driver the necessary indication for safety and health, and to widely disseminate its accomplishment.

- ***Cooperation with Relevant Administrative Bodies***

To thoroughly implement the preventive measure for traffic industrial accidents through cooperation with relevant administrative organizations, such as the Ministry of Land, Infrastructure, Transport and Tourism, the National Police Agency, etc.

d. Preventive Measures for Fire and Explosion Accidents

With regard to the fire and explosion accident caused by gas, vapor and dust, to thoroughly implement measures prescribed in the related legislation of the industrial safety and health and to enhance the dissemination of “Investigation of Dangers or Harms, etc.” related to chemical substances with making use of MSDS, etc.

(3) Measures for Industrial Sectors with Frequent Accident Occurrence***a. Measure for Manufacturing Industry***

- ***Enhancing the Implementation of Investigation of Dangers or Harms, etc.***

To enhance the proper implementation of investigation of dangers or harms, etc. In particular, to provide the guidance by experts mainly focused on small and medium-sized workplaces, prepare manuals for operations, etc. that are common to small and medium-sized workplaces and support the dissemination activities by industrial groups.

- ***Thorough Implementation of Measures in the Field Where Industrial Accidents such as Machine Accident, Fall Accident, etc.*** Occur frequently to study enriching the safety measures or machines with frequent accident occurrence, preventive measures for fall accident from building, etc., and to take necessary measures.

- ***Dissemination and Enhancement of Safety and Health Management Methods by Making Use of IT Technology***

- In order to cope with the loss of knowledge, techniques or know-how, or lowering of workers' skill, etc., to enhance the dissemination of the safety and health management methods by making use of IT technology, such as personal digital assistance (PDA), IC tag, etc. which enables the information provision, warnings, etc.

b. Measures for Construction Industry

- ***Enriching Overall Control by Principal Employers***

In order to prevent industrial accidents in construction industry with the multilayered structure, to continuously make sure of thorough implementation of the overall safety and health management by principal employers.

- ***Improving the Safety and Health Management Capability of Specialized Contractors***

In order to upgrade the self-directive safety and health management of specialized contractors, to enhance their implementation of “Investigation of Dangers or Harms, etc.” by making use of manuals by each specialized area.

- ***Enhancing Consideration to the Safety and Health by Orderers***

As enhancement measures of consideration of the safety and health by orderers, to ensure the safety and health expenses and to enhance the introduction of the system assessing how the safety and health management system, etc. is carried out at the procurement system of public works.

- ***Strengthening the Preventive Measures for Fall Accidents***

To disseminate the advanced scaffold method for low-rise house construction such as wooden house construction and advanced handrail method for scaffold erection and dismantling work, and to keep thoroughly informed about the preventive measures of fall accidents from scaffolds.

c. Measures for Land Transportation Industry

- ***Promoting Measures for Traffic Industrial Accident Prevention***

To keep thoroughly informed about the guideline for traffic industrial accident prevention. To develop “the Real-time Remote Safety and Health Managing Method” and to disseminate it. To thoroughly implement the preventive measures for traffic industrial accidents through cooperation with the relevant administrative organizations, i.e. the Ministry of Land, Infrastructure, Transport and Tourism, the National Police Agency, etc.

- ***Strengthening the Preventive Measure for Fall Accident of Cargo Handling Work***

To enhance the proper implementation of “Investigation of Dangers or Harms, etc.” by making use of manuals by each type of works. To study enriching of preventive measures for fall accident from trucks during cargo handling work and to make necessary measures.

d. Measures for Forestry Industry

To keep thoroughly informed about the safety measures for large-sized forestry machines such as high performance forestry machines, which have been introduced in recent years.

e. Measures for Tertiary Industry

- ***Promoting Measures for Industrial Sectors Where Industrial Accidents Occur Frequently***

With regard to industries with frequent occurrence of industrial accident, in which industrial accidents are increasing or with the high occurrence rate such as wholesale and retail industry, social welfare facilities, waste-disposal industry, etc.,

- ***Enhancing the implementation of “Investigation of Dangers or Harms, etc.”***

With regard to “Investigation of Dangers or Harms, etc.”, to provide the guidance by experts mainly focused on small and medium-sized workplaces, prepare manuals for operations, etc. that are to small and medium-sized workplaces and support dissemination activities by industrial groups.

- ***Promoting the Preventive Measures for Traffic Industrial Accidents***

To make fully known the guideline of traffic industrial accident prevention and provide necessary assistance for conducting operators’ education.

- ***Enhancing the Autonomous Safety and Health Activities by Making Use of Industrial Accident Cases***

To publish the safety and health information such as industrial accident cases, and to enhance autonomous safety and health activities at workplaces.

f. Measures for Other Industries

For harbor transportation industry, mining industry and other industries with frequent accident occurrence, to continuously promote the industrial accident preventive measures taking into account the actual situation of each industrial sector.

(4) Preventive Measures for Occupational Diseases (Excluding Those Related to Asbestos and Chemical Substances)

a. Preventive Measures for Health Impairment due to Dusts

To promote the integrated measure taking into account actual situations of health impairment due to dust while putting major emphasis on reviewed preventive measure for tunnel construction, arc welding work, metal grinding work, etc. in which many new abnormal findings are found. With regard to tunnel construction works, in order to ensure to reduce workers’ exposure to dusts, to thoroughly implement measures such as effective ventilation corresponding to dimensions, etc. of tunnels, measurement of the dust concentration based on “the Guideline on.

b. Preventive Measures for Lumbago

To study concrete methods for mitigating the load on lumbar such as introducing the appropriate nursing-care equipment etc. focusing on care works, etc. in which lumbagos occur frequently, review “Guideline for Lumbago Preventive Measures at Workshops (Labour Standards Bureau Notice No. 547, September 6, 1994)”, and to make it fully known.

c. Preventive Measures for Health Impairment due to Vibrations and Noises

With regard to preventing the health impairment due to vibrations, to enhance the dissemination of the preventive measures for health impairment due to vibrations including the work controlled.

d. Preventive Measures for Heat Disorder, Anoxia, etc.

With regard to preventing the heat disorder, to study its concrete preventive measures, prepare the guidelines based on the study and to enhance the dissemination of the preventive measures. In addition, focusing on sectors and timing in which heat disorders occur frequently to make fully known the preventive measures.

e. Preventive Measure for Other Occupational Diseases

With regard to new communicable diseases, such as new type of influenza, etc. that are worried about their occurrence, to promote to build the crisis-control structure for their occurrences by cooperation with relevant organizations.

(5) Preventive Measure for Asbestos Disorders***a. Thorough Enforcement, etc. of Total Ban***

To thoroughly implement the total ban of producing, etc.. With regard to the asbestos products for which the ban is exceptionally suspended however, to enhance substituting to non-asbestos products while taking into account ensuring safety and ultimately abolish the suspension.

b. Thorough Implementation of Exposure Preventive Measures at Demolition Work, etc. 13

To thoroughly implement the preventive measures for workers' exposure due to building demolition works, damages of asbestos, etc. sprayed on buildings and others.

c. Promotion of Health Management Measure for Job Leavers

With regard to the health management notebooks for asbestos, the requisites of which are revised, to make it fully known, upgrade the diagnosis techniques or expand medical organizations conducting

the medical examinations thus establish the implementation system of medical examinations and properly promote health care for job leavers.

(6) Measures for Chemical Substances

a. Preventive Measures of Industrial Accidents due to Chemical Substances

- ***Enhancing Dissemination of Investigation of Dangers or Harms, etc.***

To enhance the dissemination of Investigation of Dangers or Harms, etc. of chemical substances by making use of MSDS, etc.

- ***Though Implementation of Measures for Preventing Health Impairment due to Chemical Substances***

In order to prevent the health impairment due to chemical substances such as specified chemical substances, organic solvents, carbon monoxides, etc., to take necessary measures such as thorough appointment of operation chiefs, thoroughness of their tasks, thorough implementation of measures required by legislations and enhancing the safety and health education.

- ***Further Promotion of Working Environment Control***

In order to ensure good working environments by removing various harmful elements at working environments, to properly conduct the working environment measurement, evaluate its result, thoroughly take measure based on the evaluation, and thus further promote the working environment control.

b. Measures for Chemical Management

- ***Further Promotion of Chemical Management Based on Risk Evaluation***

With regard to the materials, etc. with carcinogenic potential, based on the report system on exposure works to harmful substances, to carry out the risk evaluation by the State, orderly enforce chemical substances, etc. with high risks and further promote chemical management by the appropriate combinations of enforcement and self regulation.

- ***Study and Promotion on the System of Chemical Management Taking into Account the International Trends***

With regard to the chemical management there is also a trend that they are to be dealt under the international cooperation as the global challenges. Therefore, With regard to the system

for chemical management, taking into account international trends such as the international agreements on long term based chemical management at the

(7) Measures for Mental Health and Preventing Health Impairment due to Overwork

a. Measure for Mental Health

With regard to the mental health at worksites, to enhance implementing the education or training to workers with mental ill health to make them early aware of their condition, establish the Consulting system, promote the cooperation with external resources and thus to promote the measures for returning to work.

- ***Establishing Consulting System***

In order to strengthening the consulting system at worksites, to enhance the education and/or training to managers, supervisors or health staff in all workplaces on finding workers with mental health, identification, improvement and consultation of working environments, protection of personal information and early detection and early treatment for depressive psychosis and thus establish the consulting system at workplaces.

- ***Enhancing Cooperation with Resources out of Workplaces***

With regard to the expert organizations of the mental health consultation as the external resource, to register and officially announce those complying with specific requirements and thus ensure external resources of good quality and positively make use of them.

- ***Promoting the Measures for Back-to-work***

To enrich “Guide for Back-to-work Assistance for Workers Who Were Absent from Works due to mental health” prepared by the Ministry of Health, Labour and Welfare in 2004, and to promote the measures so as to enhance back-to-work. Since it is inevitable to ensure the mutual cooperation between industrial physicians and psychiatrists for back-to-work, to strengthen network of industrial physicians and psychiatrists.

b. Measures Preventing Health Impairment due to Overwork

- ***Restraining Long Working Hours***

Taking into account medical evidences that overworks with long working hours are likely to be the most critical factor to the fatigue accumulation and are likely to relate with the occurrence of brain and/or heart diseases, to improve the setting of working hours, etc. in

order to avoid the overwork with long working hours such as reducing overtime working or work on day-off, taking annual paid holidays and thus to create the social momentum not to allow the long working hours.

- ***Thorough Implementation of Face-to-face Guidance***

In order to ensure the face-to-face guidance by a physician and measure to be taken according to its result for workers with the fatigue accumulation due to long working hours at all workplaces, to thoroughly implement the measures subsequent to the guidance at the workplaces that have the obligation to appoint industrial physicians and in order to ensure that the face-to-face guidance and subsequent measures are properly carried out at workplaces with workers of less than 50, that have no obligation appointing the industrial physician, to establish the face-to-face guidance system at district industrial health centers and make use of them.

(8) Industrial Health Activities, Health Promotion and Creating Comfortable Worksites

a. Vitalizing Industrial Health Activities

- ***Thorough Appointment of Industrial Physician, etc.***

Since activities by industrial physicians, health officers, etc. are important for ensuring workers' health, through fully explaining the advantageous effects on industrial health by their appointment to thoroughly implement the appointment of industrial physicians, health officers, etc. and their tasks.

- ***Enriching Industrial Health Activities***

Through the effective use of industrial health promotion centers that implement training, consultation, etc. to industrial health staffs such as industrial physicians, etc. and projects carried out by district industrial health centers that provide industrial health services to workplaces with workers of less than 50, and by ensuring the mutual cooperation, to vitalize the local based industrial health activities.

b. Measures for Health Promotion

In order to promote both mental and physical health for all workers, based on "Guideline for Maintaining and Improving Workers' Health (Officially Announced Guideline No. 1 of 1988)" which was revised so that the small and medium-sized workplaces can implement it, to further

implement the dissemination and the settlement of the health promotion by setting targets, clarifying evaluations and planned promotion on the health promotion measures.

c. Measures for Creating Comfortable Worksites

- ***Promotion to Make Worksites Comfortable***

To implement survey and research not only for engineering measures on the aerial environment, thermal conditions etc. but also for means to contribute to comfortable worksites from the view point of software such as human relation at worksites, and to study reviewing the comfortable worksites guideline for creating integrated comfortable worksites.

- ***Promoting Preventive Measures for the Secondhand Smoke***

To thoroughly implement the appropriate preventive measures for secondhand smoke, through making known the health effect due to secondhand smoke and disseminating effective measures for preventing secondhand smoke. In addition, taking into account the domestic and international trends, to study the enrichment of the preventive measures for secondhand smoke.

(9) Strengthening Measures for the Safety and Health Management

a. Effective Promotion, etc. of the Safety and Health Education

- ***Enhancing Handing-on of Knowledge, Techniques, etc. from Skilled Workers***

As it is concerned that due to the mass retirement of baby boom generations, the knowledge, techniques and know-how in the field of the safety and health are lost, to enhance and disseminate the safety and health management methods by making use of IT technology.

- ***Capacity-building and Evaluation, etc. to Persons in Charge of Safety and Health***

To enhance the capacity-building education to persons in charge of safety and health such as safety officers, etc. And through the capacity evaluation, etc. by voluntary based third parties for persons in charge of safety and health, to ensure the capacity-building and evaluation, and vitalization of the persons in charge of safety and health.

- ***Enhancing Resource Cultivation on “Investigation of Dangers or Harms, etc.”***

In order to disseminate “the Investigation of Dangers or Harms, etc.”, to enhance cultivating persons in charge of safety and health at workplaces and resource persons who conduct guidance, etc. to persons in charge at workplaces.

b. Promoting Measures for Small and Medium-sized Workplaces

To make small and medium-sized workplaces advance the awareness of the safety and health by taking every opportunity, to disseminate the safety and health measures aimed at small and medium-sized workplaces, and promote necessary supports.

- ***Promotion, etc. of Considerations to Safety and Health by Orderer***

Many of small and medium-sized workplaces carry out manufacturing, etc. based on the orders from other companies, and if the ordering companies consider the safety and health situation of the order-receiving companies it contributes to advance the recognition to the safety and health, the level of safety and health of order-receiving companies.

- ***Dissemination, etc. of Safety and Health Measures Aimed at Small and Medium-sized Workplaces***

To thoroughly implement the preventive measure for frequent occurring accidents for industrial sectors with the frequent accident occurrence in which many small and medium-sized workplaces are involved in, and to prepare manuals for small and medium-sized workplaces to enhance “Investigation of Dangers or Harms, etc.”, make dissemination and settlement for the health promotion measures which was revised so that the small and medium-sized workplaces can implement and make the capacity-building for persons in charge of chemical management.

- ***Cultivation, etc. of Internal Resources at Small and Medium-sized Workplaces***

To cultivate persons in charge for properly implementing “Investigation of Dangers or Harms, etc.”, conduct mental health educations to managers and/or supervisors, thus to enhance the resource cultivation at workplaces for promoting the safety and health measures of small and medium-sized workplaces.

- ***Promoting Information Provision***

Through promoting the provision on safety and health information such as industrial accident cases, etc., to enhance autonomous safety and health activities by making use of this information.

c .Measure for Diversification, etc. of Employment Pattern

- **Thorough Implementation of Educations at the Time of Employment, etc. and Enhancement of the Education Advancing the Sensibilities to Dangers**

In order to prevent industrial accident related to dispatched workers, contract workers and workers of short working hours, to thoroughly implement the educations at the time of employment or when the work contents are changed and to enhance the education advancing the sensibilities to dangers.

- ***Thorough Implementation of Liaison and Coordination among Works by Principal Employers of Manufacturing Industry***

At workplaces of manufacturing industry, to keep thoroughly informed about the measures based on the legislation such as liaison and coordination among works where contract workers, etc. are working together and “the Guideline for the Integrated Safety and Health Management by Principal Employers of Manufacturing Industry”. In addition, with regard to dispatched workers, to thoroughly implement legally required obligations of dispatching employers and receiving employers.

d. Promoting Measures for Aged Workers, etc.

Since along with utilizing aged workers and ensuring employment opportunities, ensuring the safety and health for aged workers is becoming important, to promote collecting actual examples, survey and research on physical features, etc. necessary for promoting the measures at workplaces while making cooperation with labour and management.

- ***Dissemination of Measures on Improvement, etc. of Working Environment, etc.***

The safety and health measures considering the physical features of aged workers are conducive to all workers too and further promotion is needed. In this regard, to enhance the working environment, improvement of work methods and creation of comfortable working

environment considering physical features of aged workers, and to collect good practice examples for them and officially announce them.

- ***Promotion, etc. of Survey and Research on Physical Features, etc. of Aged Workers***

Through promoting the survey and research on physical features of aged workers and widely providing their results, etc., to enhance the implementation of safety and health measures considering the physical features of aged workers, and taking into account their achievements to study effective safety and health measures for aged workers.

e. Globalization

- ***Promoting Measures Taking into Account International Trends***

In the case that in overseas countries, international organizations, etc. new evidences related to the safety and health were obtained or the new enforcement system was applied, to promptly gather the information and respond quickly and adequately.

- ***Promoting the International Cooperation and/or Cooperative Involvement***

While cooperating with relevant organizations such as Japan International Cooperation Agency (JICA), to positively promote the international cooperation in the field of the safety and health emphasizing in Asian region. In addition, with regard to the safety and health management system, to promote the cooperative involvement with overseas countries.

- ***Promoting Measures for Foreign Workers***

Through providing the safety and health information in Japan in foreign languages, to promote measures for resolving communication gaps, etc.

(10) Promoting Efficient and Effective Policy Measures

a. Enhancing Industrial Safety and Health Research

Since it is required that the safety and health measures is always promoted based on the new domestic and international knowledge, through cooperation with the survey and research organizations related to the industrial safety and health, to implement the survey and research on the industrial accident prevention, occupational disease prevention, etc., investigation and analysis of industrial accidents, the domestic and international information collection, etc., and thus to enrich and/or strengthen the safety and health measures according to knowledge obtained from them, and to widely promote the research of the safety and health.

b. Promoting Measures for Sectors with Frequent Accident Occurrence in Districts

In the case that due to the district industrial structure, etc., industrial sectors or groups of small and medium-sized workplaces with frequent accident occurrence exist in jurisdictions of Prefectural Labour Bureaus or Labour Standards Inspection Offices, to promote the industrial accident preventive measures with planned and effective manner aiming at them and thus to decrease industrial accidents.

c. Cooperation with Relevant Organizations

- ***Enhancing Activities by Industrial Accident Prevention Organizations, etc.***

To encourage safety and health organizations such as industrial accident prevention organizations etc. promote their own safety and health activities e.g. developing and implementing effective assistance services based on the needs of member workplaces.

- ***Cooperation with Relevant Administrative Organizations***

Since preventive measure, etc. of the traffic industrial accident and asbestos disorder can often be effectively promoted by the cooperation with other administrative policy measures such as safety, environment, health, etc., to have the close cooperation with other relevant administrative organization at each stage of the Ministry of Health, Labour and Welfare, Prefectural Labour Bureaus and Labour Standards Inspection Offices.

d. Analysis and Evaluation, etc. of Each Measure

To evaluate the progress, accomplishments, achieving targets, etc. of measures implemented based the Plan, and to make a review from time to time regarding contents of measures, methods, etc. in accordance with their results.

SAFETY PROVISIONS***Safety audit***

A safety audit subjects each area of a company's activity to a systematic critical examination with the object of minimizing loss. Every component of the total system is included. For example management policy, attitudes training, features of the process and of the design, layout and construction of the plant, operating procedures, emergency plans, personal protection standards, accident record etc.

Safety survey

A safety survey is a detailed examination in depth of a narrower field of activity. For example major key areas revealed by safety audits, individual plans and procedures, or specific problems common to a works as a whole. These surveys are followed by formal report, action plan and subsequent monitoring.

Safety inspection

A routine scheduled inspection of a unit or department, which may be carried out by someone (may be a safety representative) from within the unit, possibly accompanied by the safety advisor. The inspection would check maintenance standards, employee involvement, working practices, fire precaution, use of guards and adherence to safe working procedures etc, and be more immediate than the wide-reaching or in-depth approach taken by audits and surveys.

Safety tours

A safety inspection around a predetermined route or area of the work place carried out by any one-of a range of personnel from works directors to safety representatives to ensure that for example standards of housekeeping are at an acceptable level, or that obvious hazards are removed or to ensure that generally safety standards are observed. Typically tours last only fifteen minutes and are conducted at weekly intervals.

Safety sampling

A particular application of a safety inspection or tour design to check on one specific pre-elected safety aspect only, within the workplace or an agreed part of it. This focuses attention on the particular safety matter and highlights the observation of possible hazards. The safety sample chosen can be concerned with plant, equipment, guarding, methods of operation, lack of adherence to safe systems of work, non use of permit to work system, forklift truck driving and training or any other. Safety samples should be carried out regularly but with a random selection of the subject each time.

Hazard and operability study

The application of a formal critical examination to the process and engineering intentions of new facilities to assess the hazard potential from mal operational multifunction of individual items of equipment and the consequential effects on the facility as a whole. Remedial action can then be planned at a very early stage of the project with maximum effectiveness and at minimum cost. The

techniques can also be applied to existing plants and processes. Whilst unsuspected hazards may be revealed by any of the above techniques, the use of a formal checklist in project engineering design helps to ensure that the plant complies with statutory requirement, and that account is taken of the best current safety techniques and practices. Health and safety requirement should also be incorporated at the design stage rather than taken on as an afterthought once the plant or process is in full operation. The safety adviser has a contribution to make and should be a member of both the design and hazard and operability teams.

Fire:

Fire like industrial accident is rarely experienced by most individuals on the other hand fire is likely to affect directly large no: of people. The main causes of fire in industries are

- Smoking.
- Electrical equipment
- Gas equipments.
- Gas cutting and welding.
- Oil and petrol equipments.
- Rubbish burning.
- Spontaneous combustion. As per report of fire prevention association (FPA) THE 0.26% of total accidents was caused by the fire.

Fire Prevention and Control:

To prevent and control the accidents, it is necessary to act upon the following guidelines. Management must accept that a fire prevention policy must be set up and regularly revised. An estimate should be made of possible effects of fire in losing buildings, plant work in progress, workers, customers, plans and records. Identifying the fire risks, considering sources of ignition, combustion material and means where by fire could spread.

- Estimate the magnitudes of the risks to establish priorities.
- Establish clear lines of responsibilities for fire prevention.
- Appoint a fire officer responsible to the board.
- set up a fire protection drill for each development
- Set up a program which will be maintained at appropriate intervals.

Common Precautions

Following are the common precautions

- Daily at the start of the business the doors which may be used for escape purposes be unlocked and escape routes unobstructed.
- Daily at closing, down fire doors and fire shutters should be closed.
- All outside doors, windows and other means of access secured against intruders and replaced if broken.
- Heating apparatus and main switches turned off daily at close down.
- Furnaces and boilers safety out daily at close down.
- Inspection of whole premises, especially store rooms and other parts rarely visited daily at closedown.
- Smoking only is permitted where adequate no. of ash trays available and no smoking during last half hour of working day.
- Naked lights prohibited daily at closedown.
- Combustible materials kept well clear from heaters and other burning parts.

Safety equipment

There are following equipment are use in the industries for the safety purpose.

- Goggles
- Glasses
- Hand gloves
- Apron
- Safety shoes
- Anti fire gas cylinders

Statutory safety provisions

The statutory safety provisions as applicable to factories in India are found in sections 21 through 40 of the Factories Act, 1948. A detailed version of each of these sections are listed below. The number mentioned in the right hand extreme refers to the actual number of section as found in the Act.

1. **Fencing of machinery.** All dangerous machinery must be securely fenced e.g., moving parts-

- of prime movers and flywheels connected to every prime mover. electric generators. etc.-Sec. 21.
2. **Work on or near machinery in motion.** Work on or near machinery in motion must be carried out only by specially trained adult male workers wearing tightly fitting clothes.-Sec. 22.
 3. **Employment of young persons on dangerous machines.** No young person shall work at any dangerous machine' unless he has been specially instructed as to the dangers and the precautions to be observed. has received sufficient training about the work and is under the supervision of some person having thorough knowledge and experience of the machine.-Sec. 23.
 4. **Striking gear and devices for cutting off power.** In every factory suitable devices for cutting off power in emergencies from running machinery shall be provided and maintained in every workroom. Sec. 24.
 5. **Self-acting machines.** Moving parts of a self-acting machine must not be allowed to come within 45 cms of any fixed structure which is not part of the machine.-Sec. 25.
 6. **Casing of new machinery.** In all machinery installed after the commencement of the Act. Certain parts must be sunk, encased or otherwise effectively guarded e.g.. set screw bolt toothed gearing etc. -sec. 26.
 7. **Women and children near cotton Openers.** Women and children must not be allowed to work near cot/On openers, except In certain cases.-Sec. 27
 8. **Hoists, lifts, chains etc,** Every hoist and lift must be so constructed as to be safe. There are detailed rules as to how such safety is to be secured. There are similar provisions regarding lifting machines chains, ropes and lifting tackle Sec. 28. 29.
 9. **Revolving machinery.** Where grinding is carried on the maximum safe working speed of every revolving machinery connected therewith must be notified. Steps must be taken to see that the safe speed is not exceeded.-Sec. 30.
 10. **Pressure plant.** Where any operation is carried on at a pressure higher than the atmospheric pressure, steps must be taken to ensure that the safe working pressure is not exceed -sec. 31.
 11. **Floors, stairs and means of access.** All floors, steps, stairs, passage and gangways shall be of sound construction and properly maintained. Handrails shall be provided where necessary. Safe means of access shall be provided to the place where the worker will carry on

- any work.-Sec. 32.
12. **Pits, sumps openings in floors etc.** Pits, sumps openings in floors etc. must be securely covered or fenced.-Sec. 33.
13. **Excessive weights.** No worker shall be made to carry a load so heavy as to cause him injury.-Sec. 34.
14. **Protection of eyes.** Effective screen or suitable goggles shall be provided to protect the eyes of the worker from fragments thrown off in course of any manufacturing process and from excessive light if any.-Sec. 35.
15. **Precautions against dangerous fumes.** No person shall be allowed to enter any chamber tank etc. where dangerous fumes are likely to be present. Unless it is equipped with a manhole or other means of going out. In such space no portable electric light of more than 24 volts shall be used. Only a lamp or light of flame proof construction can be used in such space. For people entering such space suitable breathing apparatus, reviving apparatus etc. shall be provided. Such places shall be cooled by ventilation before any person is allowed to enter.-Secs. 36 and 36A.
16. **Explosive or inflammable gas etc.** where a manufacturing process produces inflammable gas, Dust, fume etc. Steps must be taken to enclose the machine concerned, prevent the accumulation of substances and exclude all possible sources of ignition. Extra precautionary measures are to be taken where such substances are worked at greater than the atmospheric pressure.-Sec. 37.
17. **Precaution in case of fire.** Fire escapes shall be provided. Windows and doors shall be constructed to open outwards. The means of exit in case of the fire shall be clearly marked in red letters. Arrangements must be made to give warning in case of fire -sec. 38
18. **Specifications of defectives etc. and safety of buildings and machinery.** If any building or machine is in a defective or dangerous condition, the inspector of factories can ask for the holding of tests to determine how they can be made safe. He can also direct the adoption of the measure necessary to make them safe. In case of immediate danger, the use of the building or machine can be prohibited. -Secs. 39 and 40.
19. **Maintenance of Buildings.** If the Inspector of Factories thinks that any building in a factory, or any part of it is in such a state of disrepair that it is likely to affect the health and welfare

of the workers. He may serve on the occupier or manager or both in writing specifying the measures to be done before the specified date. Sec.40A.

Safety Officers. The State Government may notify to the occupier to employ a number of Safety Officers in a factory (i) wherein one thousand or more workers are ordinarily employed. or (ii) wherein any manufacturing process or operation which involves the risk of bodily injury, poisoning, disease or any other hazard to health of the persons employed in the factory .-Sec. 40B.

Rules. The State Government may make rules providing for the use of such further devices for safety as may be necessary. Sec. 41.

INDUSTRIAL HEALTH AND HYGIENE

The Joint I.L.O AND W.H.O committee on organizational health held in 1950 defined organizational health as

- The promotion and maintenance of physical, mental and social well-being of workers in all occupations.
- Preventing among workers of ill health caused by the working conditions.
- Protection of workers in their employment from risk factors adverse to health.
- Placing and maintenance of worker in an occupational environment adapted to his physical and psychological equipment.

Importance of Industrial Health

- As the large member of workers spend a great deal of their time in an organization, their environment is not usually conducive to a health life.
- Malnutrition, insanity and psychological conditions and the stress and strain under which they work is very injurious to their health.
- The symptoms of bad health are a high rate of absenteeism and turnover and indiscipline, poor performance and low productivity.
- Industrial health programmes are very useful for reduction in the rate of labour turnover, absenteeism, accidents, lower performance and occupational diseases.

Provisions regarding the health of workers

Sections 11 to 20 of the Act contain certain provisions intended to ensure that the conditions under which work is carried on in factories do not affect the health of the workers injuriously. The summary of the provisions are explained below :

1. **Cleanliness.** Every factory shall be kept clean and free from dirt, and the outflow of drains etc. The floors must be cleaned. Drainage shall be provided. Inside walls, partitions and ceilings must be repainted at least once in five years. When washable water paint is used they must be painted once every three years and washed at least every period of six months.-Sec. 11,' as amended in 1976.

2. **Disposal of wastes and effluents.** The waste materials produced from the manufacturing process must be effectively disposed off-Sec. 12.

3. **Ventilation 'and Temperature.** There must be provision for adequate ventilation by the circulation of fresh air. The temperature must be kept at a comfortable level. Hot parts of machines must be separated and insulated.-Sec. 13.

4. **Dust and Fume.** If the manufacturing process gives off injurious or offensive dust and fume steps must be taken so that they are not inhaled or accumulated. The exhaust fumes of internal combustion engines must be conducted outside the factory.-
-Sec. 14.

5. **Artificial humidification.** The water used for this purpose must be pure. It must be taken from some source of drinking water supply. The State Government can frame rules regarding the process of humidification etc.-Sec. 15.

6. **Over Crowding.** There must be no overcrowding in a factory. In factories existing before the commencement of the Act there must be at least 350 c.ft. (~r 55 cubic metres) of space per worker. For factories built afterwards, there must be at least 500 c.ft. (or 75 cubic metres) of space. In calculating the space, an account is to be taken of space above 14 ft. (or 5 metres) from the floor.-Sec. 16.

7. **Lighting.** Factories must be well lighted. Effective measures must be adopted to prevent glare or formation of shadows which might cause eyestrain.-sec. 17.

8. **Drinking water.** Arrangements must be made to provide a sufficient supply of wholesome

drinking water. All supply' points of such water must be marked "drinking water". No such points shall be within 20 ft. (or 7.5 metres) of any latrine, washing place etc. Factories employing more than 250 workers must cool the water during the hot weather.-Sec. 18.

9. Latrines and Urinals. Every factory must provide' sufficient number of latrines and urinals. There must be separate provision for male and female workers. Latrine and urinals must be kept in a clean and sanitary condition. In factories. employing more than 250 workers, they shall be of prescribed sanitary types.--sec. 19.

INDUSTRIAL HYGIENE

Protecting the labour working in all the occupations from diseases

- Maintaining the highest standard of their physical, mental and social welfare
- Protecting the workers from diseases and accidents caused by their working conditions and its ill effects on their health
- Making adjustments between the work and the nature of individual

Principles of Industrial Hygiene:

- ☐ Environmental health hazards in the work place can be measured quantitatively
- ☐ Continuous surveillance
- ☐ Occupational exposure limits be adhered to
- ☐ The health effects of hazards in the workplace usually show a dose-response relationship

OCCUPATIONAL HAZARDS

A working condition that can lead to illness or death. Often, people in jobs which pose a high level of risk are paid more than similar but less risky jobs to compensate for the danger involved.

A worker may be exposed to five types of hazards, depending upon his/her occupation:

- Physical Hazards
- Chemical Hazards
- Biological Hazards
- Mechanical Hazards

- Psychosocial Hazards

A. Physical Hazards**1. Heat and Cold**

In India, the most common physical hazard is heat. The direct effects of heat exposure are burns, heat exhaustion, heat stroke and heat cramps; the indirect effects are decreased efficiency, increased fatigue and enhanced accident rates. Many industries have local “hot spots” – ovens and furnaces, which radiate heat. Radiant heat is the main problem in foundry, glass and steel industries, while heat stagnation is the principal problem in jute and cotton textile. High temperatures are also found in mines. Physical work under such conditions is very stressful and impairs the health and efficiency of the workers. For gainful work involving sustained and repeated effort, a reasonable temperature must be maintained in each work room.

Important hazards associated with cold work are chilblains, erythrocyanosis, immersion foot, and frostbite as a result of cutaneous vasoconstriction. General hypothermia is not unusual.

2. Light

The workers may be exposed to the risk of poor illumination or excessive brightness. The acute effects of poor illumination are eye strain, headache, eye pain, and lachrymation, congestion around the cornea and eye fatigue. The chronic effects on health include “miners’ nystagmus”. Exposure to excessive brightness or “glare” is associated with discomfort, annoyance and visual fatigue. Intense direct glare may also result in blurring of vision and lead to accidents. There should be sufficient and suitable lighting, natural or artificial, wherever persons are working.

3. Noise

Noise is a health hazard in many industries. The effects of noise are of two types:

- **Auditory effects** - which consist of temporary or permanent hearing loss
- **Non-auditory effects** – which consist of nervousness, fatigue, interference with communication by speech, decreased efficiency and annoyance.

The degree of injury from exposure to noise depends upon a number of factors such as intensity and frequency range, duration of exposure and individual susceptibility.

4. Vibration

Vibration, especially in the frequency range 10 to 500 Hz. May be encountered in work with pneumatic tools such as drills and hammers. Vibration usually affects the hands and arms. After

some months or years of exposure, the fine blood vessels of the fingers may become increasingly sensitive to spasm (white fingers). Exposure to vibration may also produce injuries of the joints, of the hands, elbows and shoulders.

5. Ultraviolet Radiation

Occupational exposure to ultraviolet radiation occurs mainly in arc welding. Such radiation occurs mainly affects the eyes, causing intense conjunctivitis and keratitis (welder's flash). Symptoms are redness of the eyes and pain; these usually disappear in a few days with no permanent effect on the vision or on the deeper structures of the eye.

6. Ionizing Radiation

Ionizing radiation is finding increasing application in medicine and industry, e.g. x-rays and radioactive isotopes. Important radio-isotopes are cobalt60 and phosphorus32. Certain tissues such as bone marrow are more sensitive than others and from a genetic standpoint; there are special hazards when the gonads are exposed. The radiation hazards comprise genetic changes, malformation, cancer, leukemia, depilation, ulceration, sterility and in extreme cases death. .

B. Chemical Hazards

There is hardly any industry which does not make use of chemicals. The chemical hazards are on the increase with the introduction of newer and complex chemicals. Chemical agents act in three ways: local action, inhalation and ingestion. The ill-effects produced depend upon the duration of exposure, the quantum of exposure and individual susceptibility.

1. Local Action

Some chemicals cause dermatitis, eczema, ulcers and even cancer by primary irritant action; some cause dermatitis by an allergic action. Some chemicals, particularly the aromatic nitro and amino compounds such as TNT and aniline are absorbed through the skin and cause systemic effects. Occupational dermatitis is a big problem in industry.

2. Inhalation

(i) Dusts – Dusts are finely divided solid particles with size ranging from 0.1 to 150 microns. They are released into the atmosphere during crushing, grinding, abrading, loading and unloading operations. Dusts are produced in a number of industries – mines, foundry quarry, pottery, textile, wood or stone working industries. Dusts have been classified into

- **Inorganic and organic dusts:** The inorganic dusts are silica, mica, coal, asbestos dust, etc.; the organic dusts are cotton, jute and the like
- **Soluble and insoluble dusts:** The soluble dusts dissolve slowly, enter the systemic circulation and are eventually eliminated by body metabolism. The insoluble dusts remain, more or less, permanently in the lungs. They are mainly the cause of pneumoconiosis. The most common dust diseases are silicosis and anthracosis

(ii) Gases – Exposure to gases is a common hazard in industries. Gases are sometimes classified as

- Simple gases (e.g. oxygen, hydrogen),
- Asphyxiating gases (e.g. carbon monoxide, cyanide gas, sulphur dioxide, chlorine) and
- Anesthetic gases (e.g. chloroform, ether, and trichloroethylene).

Carbon monoxide hazard is frequently reported in coal-gas manufacturing plants and steel industry.

(iii) Metals and their Compounds – A large number of metals and their compounds are used throughout industry. The chief mode of entry of some of them is by inhalation as dust or fumes. The industrial physician should be aware of the toxic effects of lead, antimony, arsenic, beryllium, cadmium, cobalt, manganese, mercury, phosphorus, chromium, zinc and others. The ill-effects depend upon the duration of exposure and the dose or concentration of exposure. Unlike the pneumoconiosis, most chemical intoxications respond favorably to cessation, exposure and medical treatment.

3. Ingestion

Occupational diseases may also result from ingestion of chemical substances such as lead, mercury, arsenic, zinc, chromium, cadmium, phosphorus, etc. Usually these substances are swallowed in minute amounts through contaminated hands, food or cigarettes. Much of the ingested material is excreted through faces and only a small proportion may reach the general blood circulation.

C. Biological hazards

Workers may be exposed to infective and parasitic agents at the place of work. The occupational diseases in this category are brucellosis, leptospirosis, anthrax, hydatidosis, psittacosis, tetanus, encephalitis, fungal infections, schistosomiasis and a host of others. Persons working among animal products (e.g. hair, wool, hides) and agricultural workers are specially exposed to biological hazards.

D. Mechanical hazards

The mechanical hazards in industry centre round machinery, protruding and moving parts and the like. About 10% of accidents in industry are said to be due to mechanical causes.

E. Psychosocial hazards

The psychosocial hazards arise from the workers' failure to adapt to an alien psychosocial environment. Frustration, lack of job satisfaction, insecurity, poor human relationships, and emotional tension is some of the psychosocial factors which may undermine both physical and mental health of the workers. The capacity to adapt to different working environments is influenced by many factors such as education, cultural background, family life, social habits and what the worker expects from employment.

The health effects can be classified in two main categories –

- **Psychological and behavioral changes** – including hostility, aggressiveness, anxiety, depression, tardiness, alcoholism, drug abuse, sickness absenteeism
- **Psychosomatic ill health** – including fatigue, headache; pain in the shoulders, neck and back; propensity to peptic ulcer, hypertension, heart disease and rapid aging.

The physical factors (heat, noise, poor lighting) play a major role in adding to or precipitating mental disorders among workers. The increasing stress on automation, electronic operations and nuclear energy may introduce newer psychosocial health problems in industry. Psychosocial hazards are therefore assuming more importance than physical or chemical hazards.

OCCUPATIONAL DISEASES

Occupational Diseases are the results of physical conditions and the presence of industrial poisonous and non-poisonous dust in the atmosphere. Raw material, products, by products, and waste products may enter the body to endanger the health of the workers.

- ☐ Silicosis
- ☐ Bagassosis
- ☐ Byssionosis
- ☐ Manganese poisoning
- ☐ Mercury poisoning
- ☐ Lead poisoning
- ☐ Phosphorous poisoning

- ☐ Anthrax
- ☐ Caisson disease

Protection against health hazards

- ☐ By substituting less toxic substances for the hazardous chemical by providing protecting clothing & safety education.
- ☐ In radiation industries insists their employees wear badges.
- ☐ By controlling noise in factories by segregating noisy equipment.
- ☐ To take necessary actions for optimum temperature, controlling dust, clothing and shields

Recommendations of the national commission on labour

- ☐ Protecting the workers against any health hazards which may arise out of their work.
- ☐ Contributing towards the workers, physical and mental adjustment in particular by the adoption of workers to the job for which they are suited.
- ☐ Contributing to the establishment and maintenance of the highest possible degree of physical and mental well being of the workers.

PSYCHOLOGICAL PROBLEMS

- **Depression** - This section describes the various types of depression, including major depression, dysthymic disorder, non-specific depression, adjustment disorder with depression and bi-polar depression.
- **Anxiety Disorders** - Different anxiety problems are reviewed including panic disorder, post traumatic stress, social anxiety, agoraphobia, generalized anxiety, obsessive compulsive disorder and specific phobias.
- **Schizophrenia** - Schizophrenia is a chronic, severe, and disabling brain disease. Here, you will find information about the causes and treatment of schizophrenia, including information about new medications being developed to combat this illness.
- **Childhood Disorders** - Childhood psychological problems related to behavioral control problems, including ADHD, conduct disturbance, and oppositional behavior are discussed. Separation anxiety, a common problem in young children, is also reviewed in this section.
- **Impulse Control Disorders** - Psychological problems involving loss of control are described

in this section. Anger control problems are usually diagnosed as intermittent explosive disorder by psychologists, and there is a separate discussion of Domestic Violence problems. These problems are described in this section: Pathological gambling, Intermittent Explosive Disorder, Domestic Violence, Kleptomania, Pyromania, Pathological Gambling, and Trichotillomania.

- **Personality Disorders** - General characteristics of all personality disorders will be summarized, with more detailed information about obsessive compulsive, narcissistic and borderline personality disorders.
- **Adjustment Disorders** - The general characteristics of adjustment disorders are explained, as well as presenting information about life stressors that lead to adjustment problems, such as marital conflict and job stress.
- **Family Problems** - Sometimes family conflicts occur because one or more family members has a psychological disorder, such as those described above. However, family conflicts also arise because of communication problems, parenting issues, school problems and sibling conflict. These issues are described in this section.

COUNSELING

Counseling is a dyadic relationship between two persons; a manager who is offering help (counselor) and an employee whom such help is given (counselee). It may be formal or informal. Formal counseling is a planned and systematic way of offering help to subordinates by expert counselors. Informal counseling is concerned with day to day relationship between the manager and his subordinates where help is readily offered without any formal plan.

Every manager has a responsibility to counsel his subordinates. When individual managers are unable to deal with specific problems, the counseling services of a professional body is required. An organization can either offer the services of a full-time in-house counselor or refer the employee to a community counseling service. Counseling occasionally is necessary for employees due to job and personal problems that subject them to excessive stress.

Counseling is discussion of a problem that usually has emotional content with an employee in order to help the employee cope with it better. Counseling seeks to improve employee's mental health. People feel comfortable about

themselves and about other people and able to meet the demands of life when they are good in mental health.

Objectives of Counseling

- Provide empathic atmosphere of genuine concern about his difficulties, tensions, worries, problems, etc., so that he can freely discuss and share his views with counseling.
- Increase his personal & interpersonal effectiveness by assisting him in analyzing his interpersonal competence.
- Gain an insight into the dynamics of his behavior by providing necessary feedback.
- There should not be any display of difference in status between the two.
- Prepare alternate action plans for improving his performance and behavior.
- Understanding self.
- Making impersonal decisions.
- Setting achievable goals which enhance growth.
- Planning in the present to bring about desired future.
- Effective solutions to personal and interpersonal problems.
- Coping with difficult situations.
- Controlling self-defeating emotions.
- Acquiring effective transaction skills.
- Acquiring 'positive self-regard' and a sense of optimism about one's own ability to satisfy one's basic needs.

Functions of Counseling

The general objective of counseling is to help employees to improve their mental health and develop in self-confidence, understanding, self-control and ability to work effectively. This objective can be achieved by performing various counseling functions. They are:

1. Advice

One of the important functions of counseling is offering advice to the counselee. The counselor has to understand the problem of the counselee completely, before offering advice and suggesting a course of action.

2. Reassurance

In order to give courage to face a problem confidently, counseling provides employees with reassurance. Normally reassurance is not acceptable to the counselee. However, it is useful in some situations.

3. Communication

Counseling will improve both upward and downward communication abilities of the counselees.

4. Release of Emotional Tension

Releasing emotional tension is an important function of counseling. People feel emotional release from their frustration after counseling. Release of tension may not solve the entire problem, but run over mental blocks to the solution.

5. Clarified Thinking

Release of tension and thereby removal of mental blocks to the solution through counseling allows the counselee to think freely and objectively. Thus, clarified thinking tends to be the result of emotional release.

6. Reorientation

Reorientation is not just emotional release or clear thinking, but it involves a change in the counselee's psychic self through a change in the basic goals and values.

Types of Counseling

In attempting to help an employee who has a problem, a variety of counseling approaches are used. All of these approaches, however, depend on active listening. Sometimes the mere furnishing of information or advice may be the solution to what at first appeared to be a knotty problem. More frequently, however, the problem cannot be solved easily because of frustrations or conflicts that are accompanied by strong feelings such as fear, confusion, or hostility. A manager, therefore, needs to learn to use whatever approach appears to be suitable at the time. Flexibility is a key component of the counseling process.

1.Directive Counseling

It is full counseling. It is the process of listening to an employee's problem, deciding with the employee what should be done and telling and motivating the employee to do it. This type of counseling mostly does the function of advice, reassurance and communication. It may also perform other functions of counseling.

2. Nondirective Counseling

In nondirective counseling, the employee is permitted to have maximum freedom in determining the course of the interview. It is the process of skillfully listening and encouraging a counselee to explain troublesome problems, understand them and determine appropriate solutions. Fundamentally, the approach is to listen, with understanding and without criticism or appraisal, to the problem as it is described by the employee. The employee is encouraged, through the manager's attitude and reaction to what is said or not said, to express feelings without fear of shame, embarrassment, or reprisal.

3. Participative Counseling

Both directive and non-directive methods suffer from limitations. While the former is often not accepted by independent employees, the latter needs professionals to operate and hence is costly. Hence, the counseling used in most situations is in between these two. This middle path is known as participative counseling. Participative is a counselor-counselee relationship that establishes a cooperative exchange of ideas to help solve an employee's problems. It is neither wholly counselor- centered nor wholly counselee-centered. Counselor and counselee mutually apply their different knowledge, perceptions, skills, perspectives and values to problem into the problems and find solutions.

The Process of Counseling: Sequential Steps

The counseling process has three phases: rapport building, exploration and action planning, these are discussed below:

1. Rapport Building

Initially the counselor-manager should level himself with his employee and tune himself to his orientations. General opening rituals like offering a chair, closing the door to indicate privacy, asking the secretary not to disturb are all important in demonstrating the manager's genuine interest in employee's problems. The counselor must listen to the feelings and concerns of the employee carefully and attentively. Leaning forward and eye contact are important signs of active listening.

2. Exploration

Besides active listening, the counselor should help the employee find his own weaknesses and problems through open and exploring questions. He should be encouraged to open up fully and talk more on the problem. This would enable both parties to uncover various dimensions of the problem clearly. Once the key issue is identified, (e.g., inability to get along with colleagues, not being promoted despite hard work, boss does not like his work etc.,) it should be diagnosed thoroughly. Open questions like- why do people pick arguments with you? On what occasions did you try to get ahead in the race? Who are coming in your way and why? – may help the employee visualize the problem from different angles. The whole exercise is meant to generate several alternative causes of a problem.

3. Action Planning

Counseling should finally help the employee find alternative ways of resolving a problem. The list of alternatives could be generated after two or three brain storming sessions. The merits and limitations of each course of action could also be identified and the best course of action picked up-keeping the background factors (boss, colleagues, work-related issues, competitive pressures etc.) in mind. The employee should be encouraged to self-monitor the action plan without seeking further helps from the counselor. The counseling sessions could be monitored and reviewed at regular intervals later on.

Methods of Counseling

Effectiveness of counseling largely depends on the methods and techniques as well as the skills used by the counselor. Methods and techniques of counseling change from person to person and from situation to situation. Normally employee counseling involves the following methods:

i. ***Desensitization:***

According to Desensitization, once an animal has been shocked in a particular situation, it will continue to avoid it indefinitely. This is quite true in respect of human beings also. Once an individual is shocked in a particular situation, he gives himself no chance for the situation to recur. This method can be used to overcome avoidance reactions, so as to improve the emotional weak spots. If an employee is once shocked by the behavior, approach or action of his superior, he would continue to avoid that superior. It is difficult for such superiors to be effective counselors, unless such superiors prove otherwise through their behavior or action on the contrary. Similarly, once an employee is shocked by a particular situation, he can be brought back to that situation only if he will be convinced through desensitization that the shock will not take place further. Counselor can make use of desensitization in such situations.

ii. ***Catharsis:***

Discharge of emotional tensions can be called catharsis. Emotional tensions can be discharged by talking them out or by relieving of the painful experience which engendered them. It is an important technique as a means of reducing the tensions associated with anxiety, fear, hostility, or guilt. Catharsis helps to gain insight into the ways an emotional trauma has been affecting the behavior.

iii. ***Insight:***

With the help of insight one may find that he has devalued himself unnecessarily, or his aspirations were unrealistic, or that his childish interpretation of an event was inaccurate. Then he can overcome his weakness.

iv. ***Developing the new patterns:***

Developing new patterns becomes very often necessary when other methods to deal with weak spots remain ineffective. In order to develop new, more satisfying emotional reactions, the individual needs to expose himself to situations where he can experience positive feelings. The manager who deals with such individuals may motivate or instigate them to put themselves into such situations, so that their self-confidence may increase.

Advantages of Counseling (or) Importance of Counseling:

- ☐ Counseling is an effective way to help someone with their personal problems.
- ☐ It enables people to think for themselves and take right decisions.
- ☐ It is in tune with the changing attitudes towards authority.
- ☐ Counseling reduces absenteeism and labour turnover.
- ☐ Ability to learn from mistakes and experience.
- ☐ He should be a good listener and show genuine interest in solving the problem of the worker

Part A (ONE Mark)

Multiple Choice Questions

Online Examination

Part B (2 Marks)

1. Explain Counseling.
2. Mention few conditions for effective Counseling
3. What is the meaning of occupational hazards?
4. What are the causes of accidents at workplace?
5. What is the importance of industrial health& hygiene?

Part C (8 Marks)

1. Discuss the various accident prevention techniques with suitable example.
2. Elucidate the various safety provision followed in industries.
3. Write a detailed note on organizational hazards.
4. Enlist the causes of industrial accidents and mention the safety measures to prevent the same.
5. Explain the psychological issues relating to the employment and measures to be taken to prevent adverse effect
6. What is employee counselling? Explain the methods of counselling with example.
7. Elucidate the Industrial health and hygiene in detail.
8. What do you mean by occupational disease? How are these improved and cured?
9. Elucidate the importance of maintaining industrial hygiene in detail.
10. State the problem of occupational disease and counseling. Discuss.

| UNIT - IV | | | | | |
|---|----------------------|----------------------|------------------------------|------------------------|------------------------------|
| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
| Industrial accidents are unforeseen incidents that are | Pre-planned | Scheduled | Planned | Expected | Not scheduled or planned |
| Industrial accidents cause injury to | Employees | Employers | Supervisors | All workers in firm | Employees |
| An accident or an occupational disease arises out of | Working place | Course of employment | Out of work | Out of Pressure | Course of employment |
| Most industrial accidents occur because of | Raw material default | Human default | Human error | Machinery error | Human error |
| The quickest way to get a job done is to do it | Right the first time | efficiently | Effectively | Full effort | Right the first time |
| ----- are one of the most dangerous places to work | Manufacturing units | Construction sites | Service industries | Chemical industries | Construction sites |
| ----- are notoriously dangerous places to work | Mines | Construction sites | Manufacturing units | Chemical industries | Mines |
| Which is a detailed examination in depth of a narrower field of activity | Audit | Safety survey | Inspection | Review | Safety survey |
| A ----- of a unit or department, which may be carried out by someone from within the unit | Survey | Frequent inspection | Routine scheduled inspection | Audit | Routine scheduled inspection |
| Safety samples should be carried out ----- but with a random selection of the subject each time | Regularly | Rarely | Frequently | Depends on situation | Regularly |
| As per report of fire prevention association (FPA) the 26% of total accidents was caused by the ----- | Machinery | Fire | Lack of training | Employees misbehaviour | Fire |
| All dangerous machinery must be securely | Handled properly | Safe guarded | Protected | Fenced | Fenced |
| Work on or near machinery in motion must be carried out only by specially trained | Male workers | Adult male workers | Adult female workers | Female workers | Adult male workers |
| No ----- shall work at any dangerous machine' unless he has been specially instructed | Young person | Adult person | Female person | Child labour | young person |
| Moving parts of a self-acting machine must not be allowed to come within | 25 cms | 45 cms | 35 cms | 20 cms | 45 cms |
| ----- must not be allowed to work near cotton openers, except in certain cases | Children | Women | Adult female | Women and children | Women and children |
| Every hoist and lift must be so constructed as to be | Danger | Safe | Precaution | Protected | Safe |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|---------------------------------|---------------------|-------------------|--------------|---------------------------------|
| Pits, sumps openings in floors etc. must be securely ----- | Open | Covered or fenced | Closed | Uncovered | Covered or fenced |
| No worker shall be made to carry a load so ----- as to cause him injury | Heavy | Easy | Lose | Light | Heavy |
| -----shall be provided to protect the eyes | Drops | Cloth | Screen | Goggles | Goggles |
| People entering any chamber or tank suitable ----- shall be provided | Breathing or reviving apparatus | Helmet | Dress | Equipment s | Breathing or reviving apparatus |
| ----- measures are to be taken where such substances are worked at greater than the atmospheric pressure | Additional | Extra precautionary | Safety | Regular | Extra precautionary |
| Every factory shall be kept clean and free from ----- | Fault | Mistakes | Dirt | Error | Dirt |
| Inside walls, partitions and ceilings must be repainted at least once in | Five years | Ten years | Four years | Six years | Five years |
| When washable water paint is used they must be painted once every three years and washed at least every period of | 2 months | 4 months | 6 months | 5 months | 6 months |
| The ----- produced from the manufacturing process must be effectively disposed | Scrab | Waste materials | Raw materials | Component s | Waste materials |
| There must be at least 350 c.ft of space per ----- | Worker | Supervisor | Machine | Equipment s | Worker |
| No ----- points shall be within 20 ft of any latrine and washing place | Spitoons | Dustbins | Drinking water | Notice board | Drinking water |
| Factories employing more than ----- workers must cool the water during the hot weather | 250 | 300 | 350 | 500 | 250 |
| In factories employing more than----- workers they shall be of prescribed sanitary types | 200 | 250 | 300 | 500 | 250 |
| ----- means maintaining the highest standard of their physical, mental and social welfare | Industrial Hygiene | Disputes | Conflicts | Issues | Industrial Hygiene |
| Environmental health hazards in the work place can be measured | Volume | Quantitatively | Quantitatively | Numbers | Quantitatively |
| A working condition that can lead to----- | Illness | Death | Illness and death | Accident | Illness and death |
| People in jobs which pose a ----- level of risk are paid more | High | Low | Moderate | Normal | High |
| The most common physical hazard is | Light | Heat | Cool | Temperature | Heat |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|--|------------------------|----------------------|---------------------|---|---|
| Exposure to excessive----- is associated with discomfort, annoyance and visual fatigue. | Heat | Cool | Brightness or glare | Ventilation | Brightness or glare |
| Vibration usually affects the ----- | Hands and arms | Vision | Body | Skin | Hands and arms |
| Occupational exposure to ultraviolet radiation occurs mainly in | Electronic industry | Arc welding | Chemical | Steel industry | Arc welding |
| Carbon monoxide hazard is frequently reported in | Coal-gas manufacturing | Steel industry | Chemical | Coal-gas manufacturing & Steel industry | Coal-gas manufacturing & Steel industry |
| ----- are the results of physical conditions and the presence of industrial poisonous and non-poisonous dust in the atmosphere | Occupational Diseases | Mechanical hazards | Physical hazards | Biological hazards | Occupational Diseases |
| Frustration, lack of job satisfaction, insecurity, poor human relationships, and emotional tension is some of the | Behavioural factors | Psychosocial factors | Physical factors | Sciological factors | Psychosocial factors |
| ----- is a chronic, severe, and disabling brain disease | Schizophrenia | Anxiety Disorders | dysthymic disorder | Adjustment disorder | Schizophrenia |
| Which is a dyadic relationship between two persons | Trade union | Counseling | Conflicts | collective bargaining | Counseling |
| ----- counseling is a planned and systematic way of offering help to subordinates by expert counselors | Formal | Informal | Routine | Scheduled | Formal |
| Which counseling is concerned with day to day relationship between the manager and his subordinates | Scheduled | Routine | Informal | Formal | Informal |
| Every manager has a responsibility to counsel his | Colleagues | Subordinates | Clients | Superior | Subordinates |
| ----- occasionally is necessary for employees due to job and personal problems that subject them to excessive stress | Counseling | Reward | Incentive | Award | Counseling |
| Counseling seeks to improve employee's----- health | Physical | psychosocial | Mental | Social | Mental |
| One of the important functions of counseling is offering ----- to the counselee | Advice | Support | Suggest | Solution | Advice |
| In ----- counseling, the employee is permitted to have maximum freedom in determining the course of the interview | Participative | Directive | Nondirective | Non-Participative | Nondirective |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|------------------------|-------------------|-------------------------|------------------|-------------------------|
| The list of alternatives could be generated after two or three-----sessions | Brain storming | Interview | Review | Observation | Brain storming |
| Discharge of emotional tensions can be called | Desensitization | Catharsis | Anxiety | Fear | Catharsis |
| Catharsis is an important technique as a means of reducing the tensions associated with | Anxiety | Fear | Guilt, Anxiety and Fear | Anxiety and Fear | Guilt, Anxiety and Fear |
| Counseling reduces absenteeism and ----- | Labour turnover | Output | Resources | Wastages | Labour turnover |
| The counseling sessions could be monitored and reviewed at | Frequently | Regular intervals | Day to day | Irregular period | Regular intervals |
| If an employee is once shocked by the behavior, approach or action of his superior, he would continue to avoid that | Subordinate | Peer | Superior | Situation | Superior |
| A ----- must be set up and regularly revised. | Fire prevention policy | Safety policy | Welfare policy | Health policy | Fire prevention policy |
| Safety tours are conducted at ----- intervals | Fortnightly | Monthly | Quarterly | Weekly | Weekly |
| A ----- kept up area leads to hazards and threats everywhere. | Poorly | Cleanly | Dirty | Dangerous | Poorly |
| Who are notoriously lazy | Supervisors | Humans | Employees | Managers | Humans |

UNIT-V – Labour Welfare

SYLLABUS

Labour Welfare – Concept – Objectives – Scope – Need – Voluntary Welfare Measures – Statutory welfare measures – Welfare Funds – Education and training schemes – Child labour – Female labour – Contract labour – Construction labour – agricultural labour.

LABOUR WELFARE

CONCEPT OF LABOR WELFARE

Labor welfare is an important dimension of industrial relation, labor welfare includes overall welfare facilities designed to take care of well being of employee's and in order to increase their living standard. It can also be provided by government, non government agencies and trade unions.

The concept of labor welfare is flexible and elastic and differs widely with time, region, industry, social values and customs, degree of industrialization, the general socio – economic development of the people and the political ideologies prevailing at a particular time. It is also molded according to the age – group, sex, socio – cultural background, marital and economic status and educational level of the workers in various industries.

Labor Welfare- Definition

According to the Committee on Labor Welfare, welfare services should mean:

—Such services, facilities, and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from place of work, and for the accommodation of workers employed at a distance from their homes; and such other services, amenities and facilities, including social security measures, as contribute to the conditions under which workers are employed.

- The employers need welfare activities to discharge their social responsibility, raise the employees morale use the work force more effectively and to reduce friction with workers and to avoid Welfare facilities besides removing dissatisfaction help to develop loyalty in workers towards the organization.
- Welfare may help minimize social evils, such as alcoholism, gambling, prostitution and drug

addiction.

- To create harmonious industrial relationship.

OBJECTIVES OF LABOUR WELFARE

- ❑ **To increase the standard of living of the Working class:** The laborer is more prone to exploitation from the capitalists if there is no standardized way of looking after their welfare.
- ❑ **To make the management feel the employees are satisfied** about the work and working conditions.
- ❑ **To reduce the labour problems in the organisation:** There are various problems affecting the workers, problems like absenteeism, turnover ratio, indebtedness, alcoholism, etc., which make the labourer further weak both physically and psychologically. Labour Welfare looks forward to helping the labourer to overcome these problems.
- ❑ **To recognize human values** every person has his own personality and needs to be recognized and developed. It is in the hands of the management to shape them and help them grow. The management employs various methods to recognize each one's worth as an individual and as an asset to the organization.
- ❑ **Labour Welfare helps to foster a sense of responsibility in the industry:** A person works both in a group and as an individual. If the person is given responsibility he will act better or else he will be only a slave to the direction of the superiors and will not show any initiative to prove his worth, Labour Welfare improves industrial relations and reduces industrial disputes: Industrial dispute in any industry is a sign of unsatisfied employees. Labour Welfare measures act as a preventive tool to most of these disputes.
- ❑ **To retain the employees** there should be fixed policies. This calls in to prepare the policies, to conduct different training programmes, to have various motivational schemes, to create interest in the job. The employees who feel secure in an organisation, backed by fixed welfare policies have less chance of looking for a job elsewhere.
- ❑ **To show up their positive mind in the work:** Positive mind refers to the development of one's attitudes. This is to change the negative attitude into positive.
- ❑ **To influence over other employees:** This means Labour Welfare helps to change one's personality - presentation skills, communication skills, inter-personal relationships, etc. This is

best achieved when their morale is kept high by the different welfare schemes.

- **To increase the bargaining power of the employees:** Bargaining means to systematically extract something from the opponent. The better bargaining power, the better influence on the opponent. Labor welfare measures like formation of works committee, worker's participation, Trade Union, etc., will surely help them to have better bargaining power.

SCOPE OF LABOR WELFARE

Working Environment

Favorable working environment enhances efficiency of workers and includes proper illumination, safety, temperature, ventilation, sanitation, cleanliness and canteen facilities.

Workplace sanitation and cleanliness is very important for making workplace favourable to workers. Following points should be considered to make workplace favourable to workers.

- Proper ventilation, lighting, temperature, cleanliness, seating arrangements etc.
- Proper safety measures for workers should be there.
- Sufficient urinals, lavatories and bathing facilities should be provided and cleaned regularly.
- Proper gardening and cleanliness of open spaces.
- Pure drinking water should be provided.
- Canteen services.

Need of Labour welfare

- The employers need welfare activities to discharge their social responsibility, raise the employees morale use the work force more effectively and to reduce friction with workers and to avoid
- Welfare facilities besides removing dissatisfaction help to develop loyalty in workers towards the organization.
- Welfare may help minimize social evils, such as alcoholism, gambling, prostitution and drug addiction.
- To create harmonious industrial relationship.

The need for the Labour welfare arises from the very nature of industrial system which is characterized by two basic factors: one the conditions under which work is carried on are not

congenial for the health and second when a laborer joins an industry has to work in an entirely strange atmosphere, which creates problems of adjustments. When a worker, who is in fact a retaliante comes to work in a factory has to work and live in unhealthy, congested factories. And slum areas with no outdoor recreation facilities. To escape from the tiring conditions of his tedious and tiresome job, he absents himself becomes irregular and often undisciplined. Hence the need for providing welfare Services arises.

The necessity for labor welfare is felt more in our country because of its developing economy aimed at rapid economic and social development. The need for labor welfare was strongly felt by the committee of Royal Commission on Labour as far back as in 1931. Primarily because of lack of commitment to industrial work among factory workers and also the harsh treatment they received from the employers. The resolution passed by the Indian National Congress for Fundamental Right and economic program me, in 1931 emphasized that the state should safeguard the interest of industrial workers and should secure for them, by suitable legislation, a living wage, healthy conditions of work, limited hours of labor, suitable machinery or settlement of disputes between employers and workmen and protection against the economic consequences of old age, sickness and unemployment.

The Planning Commission also realized the necessity of Labour Welfare. The working conditions should be such as to safeguard his health and protect him against occupational hazards. The worker should, also be equipped with necessary technical training and a certain level of general education because of the high rate of illiteracy among the workers. The facilities would also help in decreasing the number of industrial accidents and increasing the workers efficiency. Therefore proper organization and administration Welfare facilities can play a vital role in promoting better working conditions and living standards for industrial workers and also increase their productivity especially in developing countries. It is obvious that the scope of Labour Welfare depends on the kind of Labour problems.

VOLUNTARY WELFARE ACTIVITIES

- **Personal Health Care (Regular medical check-ups):** Some of the companies provide the facility for extensive health check-up
- **Flexi-time:** The main objective of the flexitime policy is to provide opportunity to employees to

work with flexible working schedules. Flexible work schedules are initiated by employees and approved by management to meet business commitments while supporting employee personal life needs

- **Employee Assistance Programs:** Various assistant programs are arranged like external counseling service so that employees or members of their immediate family can get counseling on various matters.
- **Harassment Policy:** To protect an employee from harassments of any kind, guidelines are provided for proper action and also for protecting the aggrieved employee.
- **Maternity & Adoption Leave** – Employees can avail maternity or adoption leaves. Paternity leave policies have also been introduced by various companies.
- **Medi-claim Insurance Scheme:** This insurance scheme provides adequate insurance Coverage of employees for expenses related to hospitalization due to illness, disease or injury or pregnancy.
- **Employee Referral Scheme:** In several companies employee referral scheme is implemented to encourage employees to refer friends and relatives for employment in the organization.

Various statutory welfare activities

Statutory welfare measures mainly include welfare facilities provided within the precincts of an industrial establishment. They form part of the employers' statutory obligations. All welfare states provide welfare to the labour by securing and protecting social order to ensure social, economic and political justice.

Storing and drying. The State Government may make rules requiring the provision of suitable facilities for storing and drying clothing.-Sec. 43.

- i. **Sitting.** Sitting facilities must be provided for workers who have to work in a standing position. So that they may take rest when possible. When work can be done in a sitting position efficiently the Chief Inspector may direct the provision of sitting arrangements. Sec. 44.
- ii. **First aid.** Every factory must provide first aid boxes or cupboard. They must contain the prescribed materials and they must be in charge of persons trained in first aid treatment. Factories employing more than 500 persons must maintain an ambulance room containing the prescribed equipment and in charge of the prescribed medical and nursing staff-Sec. 45.

- iii. **Canteens.** Where more than 250 workers are employed. The state Government may require the opening of canteen or canteens for workers. Rules may be framed regarding the food served its management etc. -Sec.
- iv. **Shelters.** In every factory where more than 150 workers are employed there must be provided adequate and suitable shelters or rest rooms and a lunch room (with drinking water supply) where workers may eat meals brought by them. Such rooms must be sufficiently lighted and ventilated and must be maintained in a cool and clean condition~. The standards may be fixed by the State Government. -Sec. 47
- v. **Creches.** In every factory where more than 30 women an employed, a room shall be provided for the use of the children (below 6 years) of such women. The room shall be adequate size well lighted and ventilated, maintained in a clean and sanitary condition and shall be in charge of a woman trained in the care of children and infants. The standards shall be laid down by the State Government. Sec. 48.
- vi. **Welfare officers.** Welfare officers must be appointed in every factory where 500 or more workers are employed. The State Government may prescribe the duties, qualifications etc. of such officers. Sec. 49.
- vii. **Rules.** The State Government may make rules regarding the welfare of workers.-Sec. 50.

NON STATUTORY SCHEMES

Many non statutory welfare schemes may include the following schemes:

Personal Health Care (Regular medical check-ups)

Some of the companies provide the facility for extensive health check-up

- a. Flexi-time:** The main objective of the flextime policy is to provide opportunity to employees to work with flexible working schedules. Flexible work schedules are initiated by employees and approved by management to meet business commitments while supporting employee personal life needs
- b. Employee Assistance Programs:** Various assistant programs are arranged like external counseling service so that employees or members of their immediate family can get counseling on various matters.
- c. Harassment Policy:** To protect an employee from harassments of any kind, guidelines are provided for proper action and also for protecting the aggrieved employee.

- d. Maternity & Adoption Leave:** Employees can avail maternity or adoption leaves. Paternity leave policies have also been introduced by various companies.
- e. Medi-claim Insurance Scheme:** This insurance scheme provides adequate insurance coverage of employees for expenses related to hospitalization due to illness, disease or injury or pregnancy.
- f. Employee Referral Scheme:** In several companies employee referral scheme is implemented to encourage employees to refer friends and relatives for employment in the organization.

Different Categories of Labour Welfare

Some of the major categories of labour welfare are: (1) Intra-mural Facilities (2) Extra- mural Facilities (3) Statutory Facilities (4) Mutual Facilities and (5) Voluntary.

It is very difficult to classify the welfare activities into certain broad categories.

(1) Intra-mural Facilities:

The facilities provided inside the factory are known as intra-mural facilities. These facilities include activities relating to minimization of industrial fatigue, provision of safety measures like fencing and covering of machines, good layout of the plant and machinery, sufficient lighting conditions, provision of first aid appliances etc.

Provisions of such facilities are also obligatory in all industrial establishments all over the world.

(2) Extra-mural Facilities:

Facilities offered to the workers outside the factory are known as extra-mural facilities. They include better housing accommodations, indoor and outdoor recreation sports, educational facilities etc. The provision of these facilities is voluntary. Earlier, due attention was not given to the provision of extra-mural facilities to the workers but now it is realized that these facilities are very important for the general welfare and upliftment of the workers.

(3) Statutory Facilities:

Under this category, welfare facilities are provided according to the labour legislations passed by the Government. The nature and coverage of these facilities vary from country to country. Again these facilities may be either intra-mural facilities or extra- mural facilities. These facilities must be provided by all the employers and cannot be ignored. Any contravention of the statutory provisions shall render the employer punishable under the Act concerned.

The National Commission of Labour has divided all the statutory measures under two distinct

heads:

1. Facilities which have to be provided irrespective of the size of the establishment e.g., Drinking water
2. Facilities which are to be provided subject to the employment of a specified number of persons, e.g., crèches.

(4) Mutual Facilities:

These facilities are usually outside the scope of the statutory facilities. These activities are voluntarily undertaken by the workers themselves for their own interest. As such the employer has no say in it.

(5) Voluntary:

The facilities which are voluntarily provided by the employers come under this category. Hence these are not statutory. No doubt, the activities under this category ultimately lead to increase in the efficiency of workers.

LABOUR WELFARE FUNDS

Labour welfare funds are created as a measure of social security provided to the working class. Social security is one of the working class. Social security is one of the three categories of labour welfare activities classified by the study group appointed by the Government of India to examine the labour welfare activities

The Government constitutes Labour Welfare Fund, as per section 3, to which the following are credited to –

- a. All Unpaid Accumulations due to workers
- b. All fines realized from the workers
- c. Deduction made under the proviso to Sub-section(2) of section 9 of the Payment of Wages Act, 1936 and the proviso to Sub-section (2) of section 36 of the Tamil Nadu Shops and Establishments Act, 1947.
- d. Contribution from Employees, Employers and Government,
- e. Any interest by way of penalty, paid under Section 14 of the Tamil Nadu Labour Welfare Fund Act, 1972.
- f. Any Voluntary Donation.
- g. Any amount raised by the Board from other sources to augment the resources of the Board.

- h. Any fund transferred under Sub-section 5 of Section 17 of the Tamil Nadu Labour Welfare Fund Act, 1972.
- i. Any sum borrowed under Section 18 of Tamil Nadu Labour Welfare Fund Act, 1972
- j. Any unclaimed amount credited to the Government in accordance with the rules made under the Payment of Wages Act, 1936 and Minimum Wages Act, 1948 Grants or Advances made by the Government.

EDUCATION AND TRAINING PROGRAMME

Employee's Education:

In the word of William Flayed, —Worker Education is an attempt on the part of organized labour to educate its own members under an educational system in which the workers prescribe the courses of instructions, select the teachers and in a considerable measure, furnish the finance.

Features of employee's education

- i. The scope of workers' education is much wider than that of trade union education but is narrower than that of adult education.
- ii. The workers' education is designed to create trade union consciousness among workers, besides making them good citizens and training them to understand their status, rights and responsibilities.
- iii. In workers' education, the workers themselves prescribe the curriculum and select the teachers who have full sympathy with the working class.
- iv. The institutions providing workers' education are owned, financed and managed by the workers.
- v. It is aimed at increasing the bargaining power of trade unions and making the working class more sensible and cooperative.
- vi. It differs from vocational and professional education, for its main aim is to train a worker for his group advancement and increasing individual creativity, whereas vocational and professional education aims at individual development.
- vii. The approach in workers' education is psychological and philosophical.
- viii. It includes general education, vocational education, technical education, social education and training in trade unionism.

The Director General of Employment and Training (DGET) has designed a number of training procedures are

The Board has developed a need based, three tier training programme for education officers, workers and teachers. In first state education officer are trained. The period or training is four months. Then they give training for different regional centres.

Second stage is to get selected workers trained as worker teachers at the regional and sub -regional centres by the educational officers. The duration of training programme is three months.

Workers Education Scheme

Aims and Objectives

- It is important for Industrial peace and Harmony, healthy Management- labour relations.
- Develop Effective trade unions through better trained officials and more enlightened members.
- Enhance the leadership skills which enable the worker in his development.
- Increase the total labour mass literacy.
- Better understanding of the problem, with effective solutions
- To fulfill the Organisations requirements through proper responsibility handling.
- The pre-condition of workers education literacy.
- Important consideration at the present stage of developing country.
- To understand the workers privileges, rights and obligations.
- Time-to-time training programs to upgrade the workers knowledge.
- Minimize the Industrial Accidents and other mishaps on the shop floor.
- National Commission on Labour, has said that the labour's / workers education should have the following key areas to be studied:-
- This should employee independent, intelligent and innovative.
- He should be responsible, alert, and self-disciplined.
- Also Guided the National trade union centers to arrange for the quality programs with the Collaboration with some of the universities and Institutions.

TRAINING SCHEMES

i. Craftsmen's Training Programme

- To promote the efficiency of craftsmen
- To conduct various types of test for selection of craftsmen trainees
- The duration of the course is one to two years
- National trade certificate is issued for successful candidates

ii. Craft Instructors Training: Education- ITI or diploma is required

iii. Advanced Vocational Training System: To give training to advanced skill workers & technicians.

iv. Foreman's Training: For the training of foreman an institute was set up. Training is provided to the existing and potential shop foremen and supervisors in theoretical and managerial skills and workers from industry in advanced technical skills

v. Apprenticeship Training Scheme

- ☐ Apprenticeship act 1961
- ☐ Employers are required to engage apprentices

vi. Part Time Training for Industrial Workers: To conduct part time evening classes are organized to improve the standards of working

vii. Vocational Training Programme for Women: It includes instructor training, basic training and advanced training in selected trades particularly suitable for women.

CHILD LABOUR

Children have to be taken care and must be protected from being exploited by the society. Children of any age whether, male or female should be not only protected but also safeguarded and developed to grow in a healthy atmosphere.

Laws pertaining to the prohibition of Child Labour

1. Children (Pledging of Labour] Act (1933)
2. Employment of Children Act (1938)
3. The Bombay Shop and Establishments Act (1948)

4. Child Labour (Prohibition and Regulation Act) 1986
5. The Indian Factories Act (1948)
6. Plantations Labour Act (1951)
7. The Mines Act (1952)
8. Merchant Shipping Act (1958)
9. The Apprentice Act (1961)
10. The Motor Transport Workers Act (1961)
11. The Atomic Energy Act (1962)
12. Bidi and Cigar Workers (Condition of Employment) Act (1966)
13. State Shops and Establishments Act

Some of the Statutory Provisions on Child Labour

The child shall enjoy special protection and shall be given opportunities and facilities, by law and other means, to enable him to develop, physically, mentally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interest of the child shall be the Paramount Consideration

Main provisions of child labour act, 1986.

The Act came into force from 23rd December 1986. Its main objectives are to prohibit the employment of children in certain categories of industries and to regulate the conditions of work of children in certain industries. It was amended in 1988.

(1) Scope

The Act is applicable to all establishments such as workshop, farm, residential hotels, restaurants, eating houses, theatre or other places of public amusement where child labour is largely employed. The Act extends to the whole of India.

—Child means a person who had not completed fourteen years of age.

Main Provisions of the Act

1. **Prohibition of employment of children** in certain occupations and processes:
2. **No child can be employed**, or permitted to work in any of the occupations set forth in Part A of

the Schedule or in any workshop wherein any of the processes set forth in Part B of the schedule is carried on.

3. Hours and period of work:

- No child shall be allowed to work in any establishment in excess of such number of hours as many be prescribed for such establishment or class establishment;
- The daily hours of work shall be so fixed that no child shall be allowed to work for more than three hours without prior interval of an hour;
- The hours of work shall be so arranged that inclusive of rest interval, time spread and the time spend in waiting for the work shall not exceed six hours a day;
- No child shall be allowed to work between 7. P.M and 8 P.M

4. Weekly Holiday

Every child employed in any establishment shall be given one weekly holiday of 24 hours.

5. Healthy and Safety

- a. The appropriate government by notification in the Official Gazette can make rules for health and safety of children employed or permitted to work in any establishment or class of establishment.
- b. Without any prejudice to the generality of the foregoing provisions, the rules for health and safety may provided for all or any of the following matters namely;
 - Cleanliness in the place of work and its freedom from nuisance
 - Disposal of wastes and effluents
 - Ventilation and temperature
 - Dust and fumes
 - Lighting
 - Drinking water
 - Artificial humidification
 - Latrine and urinal
 - Spittoons
 - Fencing of machines
 - Work at or near machinery in motion

- Employment of children on dangerous machines
- Instructions training and supervision in relation to employment of children on dangerous
- Device for cutting off power
- Self-acting machines
- Casing of new machinery
- Floor, stairs and means of access
- Pits, sumps, opening in floors etc.
- Excessive weights
- Protection eyes
- Explosive or inflammable dist gas etc
- Precaution in case of fire; maintenance of buildings; and safety of buildings and machinery.

FEMALE LABOUR

Participation of women in economic activity is common in all countries. But in developing countries, the incomes of women labour by and large are low. Moreover, if women have to work, she needs more protection than man in her working environment in developing countries and in traditional occupations.

Restrictions on the employment of women

- a. **Maximum daily work is 9 hours:** No exemption from the provisions of Section 54 (which lays down that the maximum daily hours of work shall be nine hours) can be granted in respect of any women.
- b. **Prohibition of night work:** No women shall be required or allowed to work in any factory except between the hours of 6 a.m. and 7 p.m. The State Government may by notification in the official Gazette vary the limits for any factory or group or class or description of factories. But such variation must not authorize the employment of Women between the hours 10 p.m. and 5 a.m.
- b. **Change of Exception:** There is an exceptional case. The State Government may make rules providing for the exemption from the afore aid restrictions (wholly or partially or conditionally) of women working in fish-curing or fish-canning factories. In factories,

mentioned above, the employment of women beyond the hours specified is necessary to prevent damage to or deterioration in any raw material. But such rules shall remain in force for not more than three years at a time.

Other restrictions: There are other restrictions on the employment of women workers:

1. Work on or near machinery in motion. No woman or young person shall be allowed to clean, lubricate or adjust any part of the machinery while the prime mover or transmission machinery is in motion or to work between moving parts, or between fixed and moving parts of any machinery which is in motion.-Sec. 22(2).

2. Cotton openers. No woman or child shall be employed in any part of a factory for pressing cotton in which a cotton opener is at work. If the feed-end of a cotton opener is in a room separated from the delivery-end by a partition extending to the roof or to such height as the Inspector may in a particular case specify in writing, women and children may be employed on the side of the partition where the feed-end is situated.-Sec. 27

3. Excessive weights. The State Government may make rules prescribing the maximum weights which may be lifted, carried, or moved by adult men, adult women, adolescents and children employed in factories or in any class or description of factories or in carrying on any specified process.-Sec. 34.

4. Crèches. In every factory wherein more than thirty women workers are ordinarily employed there shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such women.-Sec. 48.

5. Dangerous operations. The State Government is empowered to make special rules for the purpose of controlling and regulating factories which carry on operations exposing women, young persons and other workers to a serious risk of bodily injury, poisoning or disease.-Sec. 87 (b).

CONTRACT LABOUR

- The contract labour is labour which is not carried on the payroll and is not directly paid. It is usually divided into two categories.
- Those employed on job contracts; and those employed on labour contracts
- The large establishments offer job contracts for such operations as the loading and unloading of the metals by the mining industry or the construction of roads or buildings by Public Works

Department.

The Contract Labour Act, 1970.

Scope and Coverage

The Act came into force from 10th February 1971. It extends to the whole of India and applies to every establishment in which twenty or more workmen are or were, employed on any day during the preceding twelve months as contract labour, and to every contractor.

The Act does not apply to establishments where work is of a casual (irregular or occasional or intermittent (interrupted or non-continues) nature. The work performed in an establishment is not considered to be of an intermittent nature:

- If it is performed for more than one hundred and twenty days in the preceding twelve months;
- It is not of seasonal character if it is performed for more than sixty days in a year.

The main provisions of the act

(1) Setting Up of Advisory Boards

The Act requires that the Central and State Advisory Boards are to be set up by the Central and State Governments, respectively to advise them on such matters arising out of the administration of the Act as may be referred to them, and carry out any other functions assigned to them under the Act. Besides, the government nominees, the Boards have members representing industry, contractors, workers, and any other interest government may consider should be represented on the Boards. The number of nominees of the workers is to be equal to that of industry and contractors, both on the State and the Central Boards (section 3, 4)

(2) Registration of Establishment

Every principal employer who wishes to employ contract labour has to get the establishment is accepted for registration. The registration officer issues a registration certificate if the establishment is accepted for registration. This certificate can be cancelled if it has been obtained by misrepresentation or suppression of any material fact or if the registration has become useless or ineffective or requires to be revoked.

The contract labour cannot be employed so long as the registration certificate has not been issued or after it is revoked. The employer has to play a registration fee of twenty rupees to five hundred

rupees depending on the number of workers to be employed (Section 6, 7, 8, 9)

(3) Prohibition of employment of Contract Labour

Both the Central and State Governments can prohibit the employment of contract labour in any process, operation or other work in any establishment after consulting their Advisory Boards, and consider the conditions of work and benefits provided for contract labour in the establishment. The employment of contract labour may not be permitted for any process, operation and other work if it is:

- Incidental to or necessary for the industry, trade, business, manufacture or occupation that is carried on in the establishment;
- Perennial or perpetual nature or of a sufficient duration
- Done ordinarily through regular workmen in that establishment or an similar thereto
- Capable of employing considerable number of whole time workmen.

(4) Licensing of Contractors

Every contractor has to obtain a licensing for employing contract labour from the licensing officer appointed by the government for this purpose. In this application for a licensing he has to mention the location of his establishment, the nature of the operation or the work for which contract labour is to be employed, and such other particulars as may be required by the licensing officer. He is charged a license fee, which may vary from five rupees to one hundred and twenty five rupees, depending on the number of workers to be employed

(5) Welfare and Health of Contract Labour

- A contractors are required to provide and maintain:
- A Sufficient supply of wholesome drinking water at convenient places;
- A sufficient number of latrines and urinals of the prescribed type conveniently situated and accessible.

A first –aid box equipped with prescribed contents at every place where contract labour is employed; one or more canteens if the work is to continue for more than 6 months and 100 or more workers are employed. The number of canteens, the standard of their construction, furniture and equipment, and the type of food to be supplied will be as prescribed under the rules framed by the government

(6) Responsibility for payment of Wages

- The contractor is also to be responsible for making regular and timely payment of wages to his workers. The payment is to be made in the presence of the authorized representative of the principal employer. If the contractor does not make payment, the principal employer will do the same and recover the amount so paid from the contractor (Section 16 to 21)
- Get his establishment registered with the registering officer appointed by the government (Section 7);
- Obtain a license from the licensing officer for employing contract labour and comply with the terms and conditions of the grant of the license (Section 12);
- Not to employ contract labour without obtaining a registration certificate and license, or after the registration certificate and license are revoked or suspended (Section 9, 12,1);
- Provide welfare and health facilities as required under the Act and its rules (Section 16, 19);
- Pay wages to workers before the expiry of the wages period (Section 21);
- Co-operate with the inspectors in the inspection of premises, documents and records and examining any person to determine if the provisions of the Act and the rules framed there under are being complied with (Section 28);
- Maintain the registers and records with such particulars of contract labour, as nature of work performed, rates of wages and other information specified in Rules 74 and 78 of the Act (Section 29);
- Exhibit in the premises of the establishment where contract labour is employed a notice showing hours of work, rates of wages, wage periods, dates of payment of wages, nature of duties and other particulars as mentioned in Rule 81 of the Act (Section 29 (2)); and
- Send a half-yearly return to the licensing officer and yearly return to the registration officer, and to supply such information and statistics as may be required by the government from time to time.

(7) Rights of Contract Labour

- Claim such working conditions, facilities and other benefits as are provided for under the Act and the rules framed there under (Section 16 to 22); and
- They can be represented by their representatives on the Central and State Advisory Boards

(Section 4)

Organized Labour and Unorganized Labour

| Nature of difference | Organized Labour | Unorganized Labour |
|-----------------------------|---------------------------|------------------------------------|
| Place of work | Constant at Regular place | Inconstant of Irregular Place |
| Membership | Can join in a union | Can join in any union |
| Recognition | They are recognized as a | No negotiation to them as a labour |
| Retirement | Are limit for retirement | No age limit |
| Age | Complete the age 18 years | No age limit |
| Benefit as per Act | They can get all benefit | No benefit for them |
| Security of job | Fully secured | No security |

CONSTRUCTION LABOUR

Construction industry employs around three million workers and the nature of work is considered hazardous. Large number of unskilled and semiskilled labour both male and female is employed on various form of building operation and road constructions.

AGRICULTURE LABOUR

Agricultural workers constitute by far the largest segment in the unorganized sector and their number according to 1991 Census was 74.6 million. In addition, a significant number, 110.7 million, are listed as cultivators (large, medium and small) of whom approximately 50% belong to the category of small and marginal farmers. Many of these small and marginal farmers on account of utterly deficit, small and uneconomic holdings and low yield work on the land of others. Further, a significant number engaged in livestock, forestry, fishing, orchards and allied activities as well as small and marginal farmers work as agricultural workers in their spare time or in times of difficulty to supplement their major incomes.

In spite of the fact that these agricultural workers have such numerical strength, they are extremely vulnerable to exploitation on account of low levels of literacy, lack of awareness,

persistent social backwardness and absence of unionization and other forms of viable organization. The avenues of stable and durable employment for them have been limited leading to inter-district and inter- state migration in search of better avenues of employment and wages but with a lot of dislocation of family life, dislocation of education of children and numerous other handicaps.

Several measures have been taken to protect the interests of the working class and uplift the condition of agricultural workers. The very first legislation, the Minimum Wages Act, 1948 was applied to the agricultural sector also. Subsequently, the Plantation Labour Act, 1951 was enacted to provide certain basic facilities to plantation workers. Many other existing labour laws are applicable or have direct bearing on agricultural labour. The problems of agricultural laborers have been sought to be tackled through Multi-dimensional course of action viz., improvement of infrastructural facilities, diversification to non-farm activities, skill improvement programmes, financial assistance to promote self-employment, optimizing the use of land resources etc., through a variety of rural development, employment generation and poverty alleviation programmes. All these efforts have not been able to adequately protect the interests of agricultural workers. This is partly on account of lack of bargaining power. Keeping in view this broad perspective, the Ministry of Labour is contemplating to bring a comprehensive legislation to safe guard the interests of agricultural workers.

The proposed legislation would provide for regulation of the service conditions of agricultural workers and provides for certain welfare measures which include financial assistance in case of death and injury, payment of group insurance premium, health, maternity benefits, old age pension, housing assistance and educational assistance to the children of agricultural workers. Special provision/welfare schemes for women workers prohibiting their employment after sunset, rest shelter with employment of 20 and above female agricultural workers for use of children under the age of six, ensuring payment of equal wages to men and women for same and similar nature of work as required under Equal Remuneration Act, maternity benefits etc. Are also provided in the proposed legislation. To meet the expenditure for various welfare measures there is provision for constitution of an Agricultural Workers' Welfare Fund at the district level to be financed by employers' contribution and contribution by the workers. The proposal is at the stage of

consideration at various levels in the Government. However, Government's endeavour is to finalize the proposal at the earliest.

For the benefit of the Agriculture workers Government has launched Krishi Shramik Samajik Suraksha Yojana from 1.7.2001 to provide social security to the agriculture workers.

Schemes and Initiatives

From providing aids and appliances, scholarships, awards and monetary benefits to reservations in government jobs and incentives for private employers to promote employment of such persons, the government's approach has been multifaceted. The endeavour is to ensure overcoming the restrictions imposed by their condition and allowing them to lead a normal, self reliant life. Some schemes for empowerment of Persons with Disabilities and concessions offered by the government are:-

- Assistance to Disabled Persons for Purchase / Fitting of Aids and Appliances (ADIP Scheme)
- Deendayal Disabled Rehabilitation Scheme to promote Voluntary Action for Persons with Disabilities
- Scheme of National Awards for Empowerment of Persons with Disabilities
- Scheme of National Scholarships for Persons with Disabilities
- Scheme of Integrated Education for the Disabled Children
- Scheme for providing Employment to Persons with Disabilities in the Private Sector - Incentives to the Employers
- Conveyance Allowance
- Income Tax Concessions
- Reservation of Jobs & Other Facilities For Disabled Persons
- Equal Insurance Benefits

Part A (ONE Mark)

Multiple Choice Questions

Online Examination

Part B (2 Marks)

1. What does contract labor mean?
2. What does industrial safety mean?
3. What are the objectives of labor welfare?
4. What are voluntary welfare measures?
5. What are the statutory welfare measures?

Part C (8 Marks)

1. What are the statutory welfare measures to be practiced in industries? Explain.
2. Elaborate the concept of agricultural labour and female labour in detail.
3. Elucidate the safety provision adopted in a company.
4. Elucidate the concept of management participation in trade unions.
5. Explain the concept of labour welfare measures with example.
6. Elaborate the various statutory provisions available for the industrial safety in India
7. Discuss the significance of labor welfare measures with respect to education and training schemes for labor.

| UNIT - V | | | | | |
|---|--|---|--|--|---|
| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
| The employee welfare facilities available outside the organization are called | Extra-mural facilities | Intra-mural facilities | Extravagance | Intravagance | Extra-mural facilities |
| Who among the following has the responsibility for employee welfare? | Employee and Central government | State & central government | Employee, state & central government | Employee & state government | Employee, state & central government |
| The employers need ----- activities to discharge their social responsibility | Safety | Welfare | Healthy | Safety and Healthy | Welfare |
| The need for labor welfare was strongly felt by the committee of Royal Commission on Labour in ----- | 1951 | 1941 | 1931 | 1935 | 1931 |
| Labor welfare was strongly felt by the | Committee of social Commission on Labour | Committee of Royal Commission on Labour | Committee of Royal Commission on employers | Committee of Royal Commission on legislation | Committee of Royal Commission on Labour |
| The resolution passed by the Indian National Congress for | Safety right | Fundamental Right and economic program | Fundamental Right | Economic program | Fundamental Right and economic program |
| The scope of Labour Welfare depends on the kind of ----- | Conflicts | Employee morale | Labour problems | Trade union problem | Labour problems |
| ----- provide opportunity to employees to work with flexible working schedules | Flexi time | Scheduled time | Planned time | Shift time | Flexi time |
| Factories employing more than ----- persons must maintain an ambulance room containing the prescribed equipment | 600 | 500 | 300 | 250 | 500 |
| A room shall be provided for the use of the children below ----- years | 6 | 5 | 4 | 3 | 6 |
| All welfare standards are laid down by ----- government | State | Central | Union Territory | Both state and central | State |
| The state Government may require the opening of canteen or canteens for more than ----- workers | 150 | 250 | 350 | 500 | 250 |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|------------------------|------------------------|-------------------------|-----------------------|------------------------|
| In every factory where more than 30 women are employed, a room shall be provided for the use of | Employees | Women | Children | supervisors | Children |
| The facilities provided inside the factory are known as | Intra-mural facilities | Extra-mural facilities | Extravagance | Intravagance | Intra-mural facilities |
| The provision of Extra-mural facilities is ----- | Fixed | Voluntary | Force | Enforced by law | Voluntary |
| ----- facilities must be provided by all the employers and cannot be ignored | Voluntary | Intra-mural | Mutual | Statutory | Statutory |
| Which are created as a measure of social security provided to the working class | Labour welfare scheme | Labour welfare funds | Labour Safety scheme | Labour healthy scheme | Labour welfare funds |
| Duration of training programme to get selected workers trained as worker teachers at the regional and sub -regional centers by the | 3 months | 4 months | 6 months | 5 months | 3 months |
| ITI or diploma is required for ----- | Craft Instructors | Foreman Training | Apprenticeship Training | Training | Craft Instructors |
| Apprenticeship act | 1961 | 1951 | 1941 | 1931 | 1961 |
| ----- have to be taken care and must be protected from being exploited by the society. | Women | Children | Workers | Unions | Children |
| Child labour act came into force | 1986 | 1987 | 1988 | 1976 | 1986 |
| Maximum daily work for women | 6 hours | 5 hours | 8 hours | 9 hours | 9 hours |
| Children of any age, whether, male or female should be not only protected but also | Safeguarded | Compensated | Valued | Treated equally | Safeguarded |
| Employment of Children | 1948 | 1958 | 1938 | 1968 | 1938 |
| Main objectives are to prohibit the employment of children in certain categories of ----- | Company | Firm | Industries | Work | Industries |
| Child labour Act extends to the whole of --- | India | Asian countries | European countries | Foreign countries | India |
| Child means a person who had not completed ----- years of | Twelve | Fifteen | Ten | Fourteen | Fourteen |
| The daily hours or work shall be so fixed that no child shall be allowed to work for more than --- ----- without prior interval of an | Two hours | Five hours | Four hours | Three hours | Three hours |
| Participation of women in economic activity is common | Countries | Industry | Company | Firms | Countries |
| Maximum daily work for women is ----- | 9 hours | 8 hours | 10 hours | 7 hours | 9 hours |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|--|----------------------|----------------------|---------------------------|-----------------------|---------------------------|
| No women shall be required or allowed to work in any factory except between the hours of | 6 a.m. and 6 p.m | 8 a.m. and 7 p.m | 6 a.m. and 7 p.m | 7 a.m. and 7 p.m | 6 a.m. and 7 p.m |
| ----- shall be employed in any part of a factory for pressing cotton in which a cotton opener is at work | Women | Children | Adult | No woman or child | No woman or child |
| Who is not carried on the payroll and is not directly paid | Contract labour | Female labour | Child labour | General labour | Contract labour |
| Contract Labour Act Came into force in | 1950 | 1960 | 1970 | 1980 | 1970 |
| Every principal employer who wishes to employ contract labour has to get the establishment is accepted for | Cancellation | Registration | Addition | Accounted | Registration |
| The employer has to pay a registration fee of ----- rupees depending on the number of workers to be employed | 100 - 200 | 50 - 100 | 20 - 500 | 250 - 500 | 20 - 500 |
| licensing officer appointed by the | Government | Company | Management | Union | Government |
| A ----- equipped with prescribed with contents at every place where contract labour is employed | Fire exhauster | First –aid box | Medical officer | Ambulance | First –aid box |
| Construction industry employs around ----- workers | Two million | Three million | One million | Five million | Three million |
| Large number of unskilled and semiskilled labour both male and female is employed in ----- industry | Consulting | Construction | Manufacturing | Service | Construction |
| Large number of ----- labour both male and female is employed on building operation and road constructions | Unskilled | Semiskilled | Unskilled and semiskilled | Skilled | Unskilled and semiskilled |
| Agricultural workers constitute by far the largest segment in the ----- | Service sector | Unorganized sector | Organized sector | Public sector | Unorganized sector |
| Several measures have been taken to protect the interests of the working class and uplift the | Agricultural workers | Construction workers | Export workers | Manufacturing workers | Agricultural workers |
| For the benefit of the Agriculture workers Government has launched Krishi Shramik Samajik Suraksha Yojana from | 2001 | 2000 | 2002 | 2003 | 2001 |

| Questions | Option 1 | Option 2 | Option 3 | Option 4 | Answer |
|---|--------------------------|----------------------------|---|----------------------|---|
| Government has launched Krishi Shramik Samajik Suraksha Yojana to provide ----- to the agriculture workers | Safety | Social security | Fund | Financial assistance | Social security |
| Not to employ contract labour without obtaining a | Registration certificate | License | Registration certificate and license | Approval | Registration certificate and license |
| The payment is made to the ----- in the presence of the authorized representative of the principal employer | Contract labour | Child labour | Female labour | Construction labour | Contract labour |
| Workplace ----- is very important for making workplace favourable to workers | Safety | Sanitation and cleanliness | Welfare | Healthy | Sanitation and cleanliness |
| Royal Commission on Labour strongly felt the need for | Labour healthy | Labour welfare | Labour safety | Labour wage | Labour welfare |
| The ----- also realized the necessity of Labour Welfare | Planning Commission | Government | Union | Management | Planning Commission |
| The worker should be equipped with necessary | Knowledge | Technical training | Skills | Capability | Technical training |
| ----- means to systematically extract something from the opponent | Contract | Dealing | Agreement | Bargaining | Bargaining |
| In order to retain employees there should be ----- | Fixed policy | Minimum wage | Fairly treated | Delegate power | Fixed policy |
| Labour Welfare measures act as a ----- to most of the | Safeguard | Technique | Preventive tool | Machinery | Preventive tool |
| Indias share and rank in global trade has ----- recently | Improved | Increased | Moderated | Reached peak | Improved |
| Global business encounters different ----- in different countries across the | Trade policy | Legal system | Physical policy | Business policy | Legal system |
| The proposal submitted by an exporter is referred to as the | Offer | Acceptance | Quotation | Statement | Offer |
| Products meant by export are exempted from the imposition of | Excise duty | Customs duty | Sales duty | Port duty | Excise duty |
| Export license before shipment should be obtained from ----- | Government of India | Customs department | Joint Director General of Foreign Trade | Shipping inspector | Joint Director General of Foreign Trade |