

MANAGEMENT PROGRAMME

Term-End Examination

December, 2014

MS-24 : EMPLOYMENT RELATIONS

Time : 3 hours

Maximum Marks : 100

(Weightage 70%)

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- Note :** (i) Attempt *any three* questions from section - A.
All questions carry 20 marks.
- (ii) Section - B is compulsory and carries 40 marks.
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SECTION - A

1. Explain the constitutional framework of Industrial Relations. Describe the impact of ILO on Industrial Relations.
2. Explain various approaches and emerging issues in collective bargaining.
3. Discuss the factors responsible for failure of participative schemes in India. Explain the strategies for making participative forums effective.
4. Define voluntary arbitration. Describe the judicial review of powers and status of arbitrators.
5. Write short notes on **any three** of the following.
 - (a) Employers organisations.
 - (b) Misconduct.
 - (c) Power and Authority.
 - (d) Registration of Trade Unions.
 - (e) Adjudication

SECTION - B

6. Read the case given below and answer the questions given at the end.

Small industries face the problems of close interaction between workers and employer and the illiteracy of the workers apart from the location problems. There is generally a tendency to victimise the workers. Normally, the problems do not surface since unionisation is not there in such industries.

AB and Co. was a large scale unit along with some ancillary units. One of the ancillary units 'A' Ltd, a profit - making one, was the engineering unit, undertaking contracts for the erection of machinery at different places. There were about 200 workers - 50 contract labourers, 60 permanent workers and the rest casual labourers. The workers wanted to form a union. They alleged that the management was merciless in removing the workers who tried to form a union and that though they wanted a union very badly to voice their grievances regarding wages, insecurity in service, etc, they could not form a union.

Observing the dissatisfaction of the workers, the management increased their wages on par with that existing in some of the nearby units. After some years, the nearby units hiked the wages of their employees and the workers of 'A' Ltd, requested the management to bring their wages also on par with the revised wage structure as was done earlier. The request was turned down by the management. Meanwhile, the other ancillary units also demanded parity in wages.

The workers of the entire group joined together and formed a union and got it registered. They sought the recognition of the union by the company. The company did not accede to this request and expecting problems, transferred the General secretary of the union to another insignificant ancillary unit situated in another town. Also, finding that most of the union workers are in the main unit 'A' and were attending the night shift, cancelled shift itself without giving any notice to anyone. Some persons were also removed from service. When the office bearers of the union represented about these, the management transferred them also.

Discreetly, however, the management sent word to the union representatives that if they resign from the union, their cases would be considered for retransfer. They did not agree. The workers then resorted to 'go-slow' tactics etc. and the management resorted to a lock out. The matter was taken up by the Labour Commissioner for negotiations. It was time and again ensured by the company that negotiations with the Labour Commissioner got postponed.

The management leased out the factory to another owner and the union protested against this stating that even if provisions of the Industrial Disputes Act are applied, the removed workers will not come back and those who were transferred will suffer victimisation. The union filed a suit in the High Court praying for a writ to declare the lease illegal. The court dismissed the suit as it had no jurisdiction and also stated that this should be settled with the Labour Commissioner and the State Government. The labourers started agitating and preventing the functioning of the unit.

Questions :

- (a) How will you approach this problem ?
 - (b) Discuss the legality of the lease.
 - (c) Is the approach of the company right ?
 - (d) Was the union ineffective ?
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