

Employee Discipline and Grievances —

Discipline in an organisation is very important to complete work in stipulated time.

Indiscipline adversely affects the effective functioning of the organisation. Indiscipline creates problems like low morale. ^{Relative} discipline implies ^{relationships + good between supervisors & employees} behaving in a desired manner.

Meaning of discipline —

① Richard D. Cathoon — Discipline may be considered as a force that prompts individuals or groups to observe the rules and regulations and procedures which are deemed to be necessary for the effective functioning of an organisation.

② William R. Spreigel and Edward Schultz —

The force that prompts an individual or a group to observe the rule and regulation procedures which are deemed to be necessary to the attainment of an objective, it is force to ~~be~~ fear of force of which restrains an individual or a group from doing things which are deemed to be destructive of group objectives.

③ Ordway Tead — Discipline is the order members of an organisation who adhere to its necessary regulations because they desire to cooperate harmoniously in forwarding the end which the group has in view.

Guidelines of a Disciplinary action

↳ Disciplinary action especially punitive one produces pain and displeasures for the accused employees.

- guidelines

① Disciplinary action should be corrective rather than punitive

① - ~~Disciplinary~~ Disciplinary action must not be thought of a punitive action

② The objective of disciplinary action is not to deal out punishment but to correct an employee's undesirable behaviour.

② Disciplinary action should be progressive

- It is generally desirable for discipline to be progressive

- Disciplinary action must follow a series of sequential actions

- and increasing severity of punishment in every next step

③ Progressive discipline ~~begin~~ should begin with an oral warning and proceed through a written warning, suspension, loss of seniority, loss of increment and only in most serious cases dismissal or some such harsh punishment.

③ Disciplinary action should follow the "Hot stove" rule -

① The burn is immediate

② The person had an ample warning

③ The burn is consistent ^{उत्तम/मूल}

④ The burn is impersonal

- Procedure of disciplinary action - Important steps in that procedure

1) Location of Responsibility -

- The responsibility for administering discipline of supervisor of employee

↳ H.R. dept. ~~and~~ must spend inordinate amount of time on disciplinary matters

① ^{कर्म} the supervisor will lose some control over subordinate.

② Supervisor should be entrusted with responsibility to administer less severe forms of discipline such as oral warning, written warning in case of serious nature discharge or suspension or dismissal.

③ Supervisor ^{should} always consult with H.R. representatives

2) Define performance Expectations -

- Employee standards of performance or behaviour must be in conformity with organisational objectives.

- Many organisations provide their employee with written principles of behaviour in the form of employee manuals.

Definition Discipline is a self control — self control to conform to organisational rule, regulation.

2) It is a negative approach —

3) It is a punitive approach — It means that imposes penalty or punishment if the rules and regulation framed by the organisation are not obeyed or ignored by the employee.

⊗ Punishment is imposed not to change past behaviours but to prevent its recurrence in future.

Objectives ① Motivate an employee to comply with the company's performance standards — employee proper conduct on job

2) Maintain respect and trust between supervisor and employee — Supervisor will need to discipline the employee again and again.

Properly administered discipline will not only improve employee behaviour but will also minimize future disciplinary problems through good relationship between supervisor and employee.

③ Improve the performance of employee —

④ Increase the morale and working efficiency of the employee

⑤ Foster industrial peace which is the very foundation of Industrial democracy.

Types of discipline ① Positive discipline ② Negative discipline

Positive discipline — This is called self-imposed discipline

— It involves creation of an atmosphere in the organisation through rewards, appreciation, incentive payment, promotion, constructive support etc. etc. to motivate employee to work willingly to accomplish the goals.

— Positive discipline reduce the need for personal supervision to make employee conform to organisational rule, regulation, procedure and standards

Williams' approach - Positive discipline does not replace reason but applies reason to the achievement of common objective.

- Positive discipline does not restrict the individual but enables him to have a greater freedom in that and employee enjoy a greater degree of self expression in striving to achieve group objective.
- Self discipline employee or positive discipline employee leads to building up morale and help to run organization work smoothly and successfully.

② Negative discipline - It is also called enforced discipline.
In case of Negative discipline

- Employee are forced to obey and abide by rule and regulation that have been laid down, failing with which penalties and punishment would be imposed on them.
- Employee do not follow rules and regulation formed by the organisation.

Progressive system of discipline generally contain five steps:

- ① Oral ^{reprimand} suggestion
- ② Written reprimand (suggestion)
- ③ Second written warning
- ④ Temporary suspension
- ⑤ Dismissal

Causes of Indiscipline or Misconduct

- In simple words what is not discipline is indiscipline
- Indiscipline is also misconduct
- Indiscipline can be created by the employee while on the job, off the job, inside organisation or outside organization.

- 1) Minor infraction - such work as a little harm
Ex - carelessness, wage garnishment, negligence
- 2) Major infraction - The acts which damage morale
Ex - cheating, lying, stealing, refusal to carry out order etc
- 3) Intolerable offence - the acts of drastic and illegal nature
Ex - threat to use weapons, use of hard drugs on the job, fighting, smoking, inflammable speech

3) Communication of policy, procedure and Rules

- Communication to all employee about rule & regulation, policy
- Employee about their expected behaviour should be communicated through employee handbook / manuals, orientation programmes, rule and regulations distributed in writing to employee

4) Collection of Performance data

- Employee Unsatisfactory performance has taken place
- Collection of problem performance data is easy, others are difficult
- Employee absense routinely recorded. but abusive language to supervisors by employee i.e. difficult to record.
- Unsatisfactory performance of employee is considered important for three reasons

- ① The burden of ~~proof~~ proof lies with the manager or employer
- ② Thus based on common law that a person is innocent until proven guilty
- ③ Employee convicted with proof about his unsatisfactory performance
- ④ If the accused employee questions the punishment awarded to him, grievance reaches arbitration. The arbitrator may ask the employer to supply the proof of 'employee misconduct'

5) Framing charges and limitation

- Employer given a notice is generally known as 'show cause notice'
- In the notice each charge need to be clearly specified
- The accused employee should be given an opportunity to explain his side.

6) Consideration of explanation

- On receipt of explanation from accused employee may consider any one of the three types of options available to it.
- 1) If the accused employee confesses, the charge labelled against him

the mgt. can dispense any further enquiry and award punishment to the accused employee

2) In case if the mgt. is satisfied with the explanation given by accused, the charges against him can be ~~cancelled~~

3) If the mgt. is not satisfied with the explanation given by the accused, the mgt. can proceed to further probing of the matter so that the fact is established and an appropriate action can be taken.

7) Awarding punishment

— Once the unsatisfactory performance of the accused is well established the mgt. then punishment to the accused employee.

— As while awarding punishment the mgt. should follow procedure of progressive discipline.

— Progressive discipline is characterised by either a penalty commensurate with the offense.

— series of increasing serious penalties for continued unsatisfactory performance.

8) Follow up — The last step in the procedure of positive discipline follow-up

— It means once the punishment is awarded it is necessary to keep vigil whether the punishment has any salutary effect on the behaviour and ~~performance~~ performance of the accused employee or not

If not the corrective measures like corrective counseling should be introduced to improve the accused behaviour.

Disciplinary Actions - Penalties and punishments

As ^{of punishment} Six steps are the topics of discipline.

1) Oral Warning - The mildest form of discipline is the oral warning. This is usually awarded on minor offences - like late coming absenteeism etc.

- Oral warning is a temporary record of occasion.
- Once the employee has shown better performance and willingness to adhere rule and regulation, the record of the oral reprimand is removed from his life.

2) Written Notice - The second step in order of progressive discipline is written notice is awarded for repeated minor offences or some major lapses.

- Manager ~~and~~ Discussion concludes with the employee about warning as a given written warning. The ^{manager} after some period write up the warning.
- A copy of written warning is sent to personnel Dept.
- ^{After} ~~1~~ Sometimes the written warning recorded in personal file.

3) Suspension -

- Suspension also called lay off is the next logical step taken in progressive discipline.
- Suspension as punishment is awarded for some major/serious offences.
- Suspension may be for a certain period from one day to several weeks or month.
- During suspension period the employee is paid a subsistence Allowance.
- Full pay can be given if the suspension is withdrawn.

4) Demotion - For the serious offences where suspension has not been effective ~~and~~ ^{wants to} avoid dismissal, demotion is considered as an alternative punishment.

- Demotion is not a temporary but a constant one.
- It is serious implication for employee morale and motivation.

5) Pay Cut - This is awarded ^{punishment} mostly when offence led to damage or loss of property.

- A ~~loss of~~ part of the loss is recovered from such ^{years}.

6) Dismissal —

- Dismissal is the ultimate disciplinary action taken against problem employee.
- The punishment awarded only for most serious offences involving integrity.
- Discharge or Dismissal lead to employee separation from organisation.
- In ^{case of} Dismissal employee is deprived of service benefit such as gratuity P.F. Pension and other perquisites and even disqualified for securing job in other organisation.

As regard discharge it is termination of employee's job with notice and with service & benefits earned so far.

- Both Dismissal and discharge involve ~~implication~~ implication for employee such as emotional trauma difficulty in securing job elsewhere etc.
- This may compel the dismissed employee to take legal action against the decision.
- So far a dismissal or discharge as disciplinary action needs to be given a long and hard consideration.
- Some statutory provision have been made to handle with discipline.

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Chapter-4 - settlement machinery

① conciliation —

(1) conciliation means reconciliation of differences between persons

— Conciliation refers to the process by which representative of employee or workers and employers brought together before third party with a view to arrive agreement by mutual discussion between them.

— Conciliation The Alternative name which is used for mediation

— The third party may be one individual or group of people

- Feature Step
- ① conciliator or mediator tries to remove diff. bet parties
 - ② problem-solving approach i.e. give and take approach
 - ③ Conciliator ^{to} reach solve the problem
 - ④ Conciliator to change his approach from case to case.

Industrial disputes Act-1947 conciliation machinery in India consist of —

- ① Conciliation officers
- ② Board of conciliation
- ③ Court of enquiry

Conciliation officers — The Industrial dispute Act (1947) under Sect-4 provide

- ① appropriate govt to appoint such ~~no~~ number of persons as it thinks fit to be conciliation officer
- ② The appropriate govt means one in whose jurisdiction the disputes fall
- ③ ~~state govt~~ commissioner/additional commissioner/deputy commissioner is appointed as conciliation officer for undertaking employee 20 or more person at the state level
- ④ officers from central labours commission office are appointed as conciliation officer in case of central govt.
- ⑤ The Conciliation officer enjoys the powers of a civil court
- ⑥ Conciliation officer is exp. to give judgement within 14 days of the commencement of conciliation proceeding
- ⑦ The judgement given by conciliation officer is binding on the parties to the dispute

Board of conciliation

(1) In case of conciliation officer fail to resolve the dispute between the disputant, under sect. 5 of Ind. Dispute Act-1947 to appropriate govt appoint Board of conciliation

• Board of conciliation is not a permanent institution like conciliation officer

- It is adhoc body consisting of a chairman and two or four other members nominated by in equal members by the parties to the dispute
- The Board also enjoy the power of civil court.
- The Board also follows the same conciliation proceeding
- The Board is expected to give its judgement within two months

Arbitration

Arbitration is a process in which the conflicting parties agree to refer their dispute to a neutral third party known as Arbitrator.

- Arbitration differs from conciliation in the sense that in arbitration, Arbitrator gives his judgement on a dispute while in conciliation the conciliator only facilitates the disputing parties to reach a decision.
- Arbitrator does not enjoy any judicial powers
- Arbitrator listens to view points of the conflicting parties and then gives his decision which is binding on all parties
- The judgement on the dispute is sent to govt.
- The govt. publish the judgement within 30 days of its submission
- And the same become enforceable after 30 days of publication

Types of Arbitration

- Voluntary Arbitration - In voluntary arbitration both the conflicting parties appoint a neutral third party as a arbitrator
- The arbitrator acts only when the dispute is referred to him
- ~~to~~ promote for voluntary arbitration govt. of India has constituted a tripartite National Arbitration Promotion Board in July-1987 consisting employee representative, employer & government.
- Voluntary arbitration could not be successful because the judgement given by it are not binding on the dispute

② Compulsory Arbitration -

- In compulsory arbitration the govt. can force the disputing parties to go for compulsory arbitration.
- In other form, both the disputing parties can request the govt. to refer their dispute for ~~comp~~ arbitration.
- The judgement given by arbitrator is binding on the parties of dispute.

③ Adjudication -

- The ultimate legal remedy for the settlement of an unresolved dispute is its reference to adjudication by the government.
- The government can refer the dispute to adjudication with or without the consent of the disputing parties.

Voluntary
adjudication

When the dispute is referred to adjudication with the consent of the disputing parties it is called voluntary adjudication.

Compulsory
Adjudication

- When the govt. herself refers the dispute to adjudication without consulting the concerned parties it is known as compulsory adjudication.

The industrial disputes Act 1947 provide a three-tier machinery for the adjudication of industrial dispute.

1) Labour court (2) Industrial court (3) National Tribunal

1) Labour court - Under section 7 of Ind. Disp. Act 1947 the appropriate govt. by notifying in the official gazette may constitute Labour court for adjudication of Ind. dispute

- The Labour court consist of one independent person who is the presiding officer or has been a judge of a high court or has been a district judge or additional district judge for not less than 3 years or has been a presiding officer of a labour court for not less than 5 years.

- The labour court deals with the matters specified in the second schedule of the ind. dispute Act 1947

These matters relate to -

① The propriety or legality of an employer to pass an order under the standing orders

② The application and interpretation of standing orders

③ Discharge or dismissal of workers including reinstatement or grant of relief to workmen wrongfully dismissed

④ withdrawal of any statutory concession or privilege

⑤ Illegality or otherwise of a strike or lockout

⑥ All matters other than those reserved for industrial tribunals

② Industrial Tribunal - Under section 7 of the ind. dispute Act 1947 the appropriate govt. may constitute one or more industrial tribunal for the adjudication of a industrial dispute.

- Compare to labour court Industrial Tribunal have a wider jurisdiction

- Industrial Tribunal is also constituted for a limited period for a particular dispute on an adhoc basis

③ The matters that come within the jurisdiction of industrial tribunals include the following -

① Wages including the period and mode of payment

② Compensatory and other allowances

- ③ Hours of work and rest periods.
- ④ Leave with wages and holidays
- ⑤ Bonus, profit sharing, provident fund and gratuity
- ⑥ Classification of grade
- ⑦ Rules of discipline
- ⑧ Rationalisation
- ⑨ Retrenchment of employees and ~~direct~~ closure of an establishment or undertaking
- ⑩ Any other matter that can be prescribed.

③ National Tribunal → This is third one may adjudicatory body appointed by the central govt. by notification in the official gazette for the adjudication of industrial dispute of national importance

→ The central govt. may if it thinks fit appoint two persons as assessors to advise the National Tribunal.

— When National Tribunal has been referred to no labour court or industrial tribunal shall have any jurisdiction to adjudicate upon such matter.

Industrial dispute referred for conciliation, Adjudication, and Arbitration during 1971-82

Year	Taken for conciliation	Reported to have failed at conciliation	Referred for adjudication	Referred for Arbitration
1971	38450	8962 (23.3%)	6016 (68.2%)	280 (3.1%)
1972	29279	9520 (32.5%)	5918 (62.1%)	124 (1.3%)
1973	45293	11582 (25.5%)	8519 (73.5%)	93 (0.8%)
1974	48123	12182 (25.3%)	7804 (64%)	109 (0.8%)
1975	46452	13488 (29.0%)	9025 (66.9%)	152 (1.1%)
1976	54965	15829 (28.8%)	9123 (57.9%)	90 (1.0%)
1977	38918	12929 (33.2%)	8615 (66.6%)	117 (1.0%)
1978	42928	14713 (34.2%)	10472 (71.2%)	87 (0.8%)
1979	62456	20607 (30.6%)	11707 (68.5%)	66 (0.6%)
1980	47788	15728 (32.9%)	13923 (88.5%)	58 (0.4%)
1981	12133	5959 (34.8%)	4837 (81.1%)	21 (0.4%)
1982	46343	16889 (36.4%)	13054 (72.4%)	100 (0.7%)

Industrial Relations

The understanding between employees and management in an industrial organisation is commonly called industrial relation.

The good industrial relation retain employees on ^{the} one hand and run the organisation successfully on the other other hand.

Del Yoder - IR is a designation of a whole field of relationship that exists because of necessary collaboration of men and women in the employment processes of industry.

Armstrong defined "IR is concerned with the system and procedures used by unions and employers to determine the reward for effort and other conditions of employment to protect the interest of the employed and their employers and to regulate the ways in which employers treat their employees

V.B. Singh - Industrial relation are an integral aspect of social relation arising of employer-employee interaction in modern industries which are regulated by the state in varying degrees, in conjunction with organised social forces and influenced by the existing institutions.

Scope of IR

- ① Labour relation i.e. relations between labour union and mgt.
- ② Employer-employee relation i.e. relation between mgt and employee
- ③ employer-employee and state in maintaining IR
- ④ The mechanism of handling conflicts between employers and employee in case conflicts arise.

The main aspect of industrial relation can be identified as follows

- ① promotion and development of healthy labour-mgt relation
- ② maintenance of industrial peace and avoidance of industrial strike
- ③ Development and growth of industrial democracy

Objective of IR -

The primary objective of IR to maintain and develop good and healthy relation between employees and employers or operatives and management.

- ① Establish and foster sound relationship between workers and mgt by safeguarding ^{their} interests.
- ② Avoid industrial conflicts and strikes by developing mutuality among the interest of concerned ~~part~~ parties
- ③ Strikes, lockouts and gheraos at bay by enhancing the economic status of workers
- ④ provide an opportunity to the workers to participate in mgt and decision making process
- ⑤ Raise productivity in the organisation to curb the employee turnover and absenteeism
- ⑥ Avoid unnecessary interface of the ~~growth~~ government as far as possible and practicable in the matters of relationship between workers and management
- ⑦ Establish and nurse industrial democracy based on labour partnership in the sharing of profits and managerial decisions
- ⑧ Socialise industrial activity by involving the government participation as an employer
 - (a) Improvement of economic ~~development~~ condition of workers
 - (b) control over industrial undertaking with a view to regulating production and promoting harmonious industrial relations
 - (c) Socialisation and rationalisation of industries by making the state itself a major employer
 - (d) vesting of a priority proprietary interest of the worker in the industries in which they are employed.

Importance of Industrial Relation

- ① Foster industrial peace - It eradicate confusion and misunderstandings in organisation. IR helps create a peaceful environment in organisation.
- ② Promote industrial democracy - W.P.M.
- ③ Benefit to workers - protection against unethical practices
- ④ Benefit to Management - Not arise problem in organisation
- ⑤ Improve productivity - Eicher tractors productivity went up 32% to 35% between 1997 & 1999

Approach To Industrial Relation

- ① Unitary app
- ② pluralistic approach
- ③ Marxist approach

Unitary Approach - This approach base on the assumption that every one be employee, employer, or govt. Under IR found on mutual co-operation. If work share goal and work on conflict at work place is a mismanagement of employee or poor mgt. otherwise employee accept and cooperate with mgt.

Criticized - It is used as a tool for keeping employee at bay from destructive. It is explosive of manipulative.

② Pluralistic Approach - This approach developed by the British scholar Atkinson. The basic assumption of this approach that employee & mgt do not arrive at an acceptable agreement do not hold good in a free society.

③ Marxist Approach - exploitation by employers. According to marxist labour capital conflict cannot be solved by bargaining, participating co operation. In such situation trade union comes in picture & strike, gherao etc are used against capitalist.

- ① Employees
- ② Employers
- ③ Government

Employee - ① Organisation Asset - employee participate through Trade Union.
 ② Employee with their various characterised such as their commitment to the work and organisation, their social and educational background.

③ Generally employees perceived IR for improve condition of employment, voice against any grievances, exchange views and ideas with mgt participate in organisational decision making process.

④ IR achieve following objectives

- ① To secure better terms and conditions of employment for their members
- ② To obtain improved status for the worker in his work
- ③ To increase democratic mode of decision making at various levels

② Employers - Employer is the second party of IR

- ① Employer represented by the management
- ② Management becomes responsible to various stakeholders in an organisation including employee

- ① Employer creating and sustaining employee motivation
- ② Ensuring commitment from employees
- ③ Achieving higher level of efficiency
- ④ Negotiating terms and conditions of employment
- ⑤ Sharing decision making with employee

- Employees their association at local, industry and national levels
- Associated chambers of commerce and Industry - ASSOCIATION
- Confederation of Indian Industry (CII)
- Federation of Indian chambers of commerce and industry (FICCI)

objective of employer's association -

- ① Represent employers in collective bargaining at the national or industry level
 - ② Develop machinery for avoiding disputes
 - ③ Provide feedback on employee relations
 - ④ Advise member organisations on the issue relating to IR
- ③ Government - Attitude of government has changed now. Govt. tries regulate the relationship of employees and employers

Causes for poor IR -

- ① Nature of work - Job satisfaction by good works for good IR but
 - work not interesting to the employee breeds bad or poor IR
 - Proper job design and job assignment among employee is necessary for good IR and uninterested work leads to job dissatisfaction and frustration
- ② Dissatisfactory compensation and work conditions -
 - Employee works for compensation - wages and salaries
 - Compensation as low and working condition as poor i.e. poor IR
 - equality in ^{suitable} wages according to responsibility of post
 - Poor IR created by not fulfilment of demands of employee
- ③ Dysfunctional Trade Union -
 - Trade union system is characterised by ^{lead officer} ~~impaying their roles~~ ^{politicism of} ~~order union rivalry~~
 - Trade unions ^{lead officer} dysfunctional and ineffective in playing their roles
- ④ Non-conductive organisational climate -
 - Non conductive organisational climate affect mistrust between employee and organisation. It directly boils down to poor IR
 - Poor IR effect on an organisation are ultimately reflected in the forms of low employee morale and productivity absenteeism turnover, resistance to change strikes and several types of conflicts and pressure tactics exercised against mgmt.

Developing sound IR - Following efforts helps sound IR in an industrial organisation -

① Developing Trust between labour and Management -

- In research studies "report that trust between labourer and managers serves as a foundation for developing sound IR in organisation.
- Two effective work to create trust between IR parties - ① To build competence in both labourers and managers
- ② To develop and practice right human resource practices in organi.

② Existence of sound and Democratic Trade Unions -

- Democratic trade unions to bargain with mgt.
- sound Trade union protect the employee interest in terms of wages, benefits, working conditions, Job security, and so on.
- In sound Trade union ~~create~~ no grievance & satisfaction

③ Maintenance of Industrial peace -

- Peace promote prosperity and property supports happiness
- Make provision for various committee for evolving personnel policies, code of conduct, code of discipline etc.
- Create implementation evaluation committee for looking into collective bargaining agreements, court orders, and judgements and violation of statutory provisions of various laws.

④ Continuous feedback and Monitoring -

- Feedback form mechanism for feedback, take proactive actions to solve the problems before assume alarming proportions.

⑤ Professional Approach - Understanding of human behaviour has complex phenomenon.

International labour organisation of IR

I.L.O. organisational structure

- I.L.O. came into existence as a solution to labour problems
- I.L.O. was born on 19th April 1919 in peace conference at end of ^{1st} world war.
- India became member of I.L.O. in 1919.
- Its main concern is to make the world know that world peace is subject to be affected by unjust conditions of its labour. Thus I.L.O. deals with international labour problems.
- I.L.O. actual work start after dissolution of its parent body the League of Nations.

Objectives of the ILO

- ① Provide social justice to workers
- ② Build up human working condition to the labour
- ③ Avoid injustice, deprivation and exploitation of labour

In 26th session of ILO conference held in Philadelphia in April 1944 during second world war and principles of ILO were affirmed.

- ① Labour is not a commodity
- ② Freedom of expression and of association are essential to sustained growth
- ③ Poverty anywhere constitutes a danger to prosperity everywhere
- ④ War against want require by joint effort by govt, mgt, and workers together on equal status and democratic tradition

The objectives of ILO revised at Philadelphia conference in 1944

- ① Full employment and the raising of standards of living
- ② Employ workers on jobs for which they have adequate skill and satisfaction to work
- ③ Provide training and development facilities to achieve the objectives
- ④ Provide due share of profit compensation to ensure a minimum level of living standard to all employed and protection as and when needed.
- ⑤ Accept collective bargaining as a right of workers and a means of improving productivity between employee and mgt.
- ⑥ Extend social security measures to provide a basic income to all in need and also medical cover
- ⑦ Protect the life and health of workers in all occupations
- ⑧ Provision for child welfare and maternity protection
- ⑨ Provide adequate nutrition, housing, and facilities for

recreation and culture

⑩ Provision for quality education and vocational opportunity

Membership - As per Amendment of constitution in 1945

1) Any original member of UNO may become member of ILO by accepting its obligations of its constitutions

2) If a state is not the member of UNO -

The ILO confers on the ILO right to admit that state to membership which it had assumed de facto during the period ILO with league.

The membership of ILO has increased from 45 in 1919 to 151 in 2019 - Now 187 country members of ILO (out of 186 out of 193 UN members)

Organisational structure - The ILO is a tripartite organisation consisting of representatives of the government, the employers and labour workers of the member countries.

It consists of the three principle organs namely

① International labour conference - ^{9. Employ - Employers} 2:1:1 delegate ratio

② Governing Body - 56 ²⁸⁻¹⁴⁻¹⁴ ratio 2:1:1
③ International labour office
1 CEO, 2 deputy director general, 6 Assistant director
one director of internat. Inst. of Labour stud.
1 director for adv. Technical & vocational training
chief of division from 100 nations

- Impact of ILO on I.R. in India - 247 countries in the world

ILO affect IR ~~has~~ broadly in two ways -

① Through influencing labour policy and labour legislation and trade union movement in India

- In India also labour code and labour policy are evolved based on - conventions and recommendations of the ILO.

- Many of the labour laws passed in India since 1920 have derived their motive force from discussion at Geneva conf. at the ILO

- India has been one of the founder members of the ILO

India has been very active part in its deliberation

- ILO acts so far adopted 173 conventions and 180 Recommendation and make recommendation for their ratification.

- Accordingly The Govt. of India ratified these from time to time

- India has so far ratified 36 conventions and

these ratified conventions have been incorporated in Indian labour ^{legisla} ~~legisla~~

② - Modern Trade Union movement has set up according ILO.

- The AITUC owes its immediate origin to ILO

- ILO has influenced trade union or labour union by several ways

① It create a sense of solidarity among the workers by ~~removing~~ removing the feeling of isolation among them.

② By awakening the consciousness among them of their right and privileges

③ Social justice among the workers across the countries
e.g. The British Trade Union congress,
The International Federation of Trade Union

Third International at Moscow rendered financial support for the relief of the Indian workers during period of strike and other industrial dispute period

- The influence of the ILO on Trade union / labour union movement in India has been quite perceptible and significant.

- The term health is a positive and dynamic concept, health
- health implies absence of disease
- Unhealthy employees work less both quantitatively and qualitatively
- commit accident remain absent from work
- mental breakdown, mental disturbances, mental illness is also give the bad effect

Meaning of Health

- The World Health Organisation - "A state of complete physical, mental, social well being and not merely the absence of disease or illness or infirmity"

Organisational Health ① the prevention and maintenance of physical, mental and social well-being of workers in all organisation.

- ② Prevention among workers of ill-health caused by the working condition
- ③ Protection of workers in their employment from risk resulting from factors adverse to health.
- ④ Placing and maintenance of the worker in an occupational environment adapted to his physical and psychological equipment.

Importance of Health - Health is wealth.

- (a) Maintain and improve the Employee performance both quantitatively and qualitatively
- (b) Reduce employee absenteeism and turnover
- (c) Minimize industrial unrest and indiscipline
- (d) Improve employee morale and motivation

- Employee health Through various laws and provisions e.g. In India - Royal commission on labour (1931)

- Labour legislation investigation committee (1946)
- Health safety and development committee (1943)
- Labour welfare committee (1969)
- National commission on labour 1969 All

have expressed concern for employee health.

- Occupational health services should be established in or near a place of employment for the purpose of -

- ① Protecting the workers against any health hazard arising out of work or condition in which it is carried on
- ② Contributing towards worker's physical and mental adjustment

- (iii) Contributing to establishment and maintenance of the highest possible degree of physical and mental well-being of the workers.

Occupational Hazards and diseases Classified into four categories

- ① Chemical hazards - Carbon monoxide, Carbon dioxide, nitrogen dioxide, sulphur dioxide, hydrocarbon, tannic acid, ozone, limes and alkalis cause injury to the employee when they are absorbed through skin or inhaled. Workers may suffer from respiratory diseases, skin diseases, allergy, heart disease, cancer, neurological disorders.
- ② Biological Hazards - These hazards are manifested by diseases caused by bacteria, fungi, viruses, insects, dietary deficiencies, excessive drinking, brain fever, imbalances, tetanus, stresses and strains.
- ③ Environmental Hazards - noise pollution, vibration, shock, radiation, heat, air and water pollution. These hazards cause redness of eyes, genetic disorder, cancer, sterility, hearing loss, nerve injury etc. to workers.
- ④ Psychological Hazards - organizational leadership, lack of group cohesion, interpersonal conflicts, emotional disturbances etc. led to fatigue and exhaustion.

- Factor Act 1948 vide sec-89 of 90 have identified 22 occupational diseases

- Workmen's Compensation Act 1923 has identified 3 occupational

- ① Occupational cataract caused by infra-red radiation
- ② Telegraphist's cramp
- ③ Bergassioise

Protection against Hazards - Preventive measures (a) Curative measures

- ① Preventive measures -
 - (a) Pre-employment medical examination
 - (b) Periodic post-employment medical examination
 - (c) Removal of hazardous conditions to the extent possible
 - (d) Surveillance of special classes of workers such as women workers and child labourers exposed to health hazards
 - (e) Emergency treatment in case of accidents
 - (f) Education of workers in health and hygiene
 - (g) Training in first-aid to workers
 - (h) Proper factory layout and illumination
 - (i) Proper effluent disposal Treatment Plant
 - (j) Proper redesign of job to remove monotony and fatigue
 - (k) Proper scheduling of the work with adequate rest
- ② Curative measures - Those employees suffer from ill-health, sickness or disease.
 - (1) Adequate and timely medical treatment
 - (2) Allowing the employee adequate period of convalescing and recuperating
 - (3) Adequate compensation (a) Allowing the needed best medical treatment

Statutory provision concerning Health

- 1) Cleanliness - Every
- 2) Disposal of Wastage and Effluents
- 3) Ventilation and Temperature
- 4) Dust and fumes
- 5) Lighting
- 6) over crowding - every worker 500 cu. ft to space
- 7) Drinking water
- 8) Adequate latrines of urinal for men & women
- 9) Spittoons
- 10) first aid appliances - first aid box, Ambulance.

Safety - Safety means freedom from the occurrence or risk of injury or loss

Significance of safety

- ① It saves costs
- ② It improves productivity
- ③ It develops moral
- ④ Safety is a legal requirement

Safety measures

- ① Reduction in Unsafe condition
- ② Safety committee - Representative of employees & employer
- ③ Safety education and Training - Floor clean, adequate light, proper maint. of machine
Training through poster, bulletin, cartoon, slogan, film, safety week, seminar.
- ④ Inspection - vigilance should be kept in plant etc.
- machine, electric cable should be insp. regul.
- ⑤ Role of government - Govt National Safety Council set up in 1966 to promote safety consciousness among workers, avoid accidents, (celebrating National Safety day awards for safety)

Statutory provision for industrial safety in India

- ① Fixing of Machinery (sect 1)
- ② Work on or New Machinery in motion - workers wearing tight fitting clothing and apron etc. (sect 22) in motion
- ③ Employment of Adolescents on Dangerous machines (sect 23) - sufficient training to work
- ④ stopping gear or device for cutting off power (sect 24) - There should be a locking device to prevent accidental start.
- ⑤ Self acting machines (sect 25)
- ⑥ Posting of New machinery (sect 26) - no machinery to be put on danger work

- (8) Restraint of Machinery (sect 26) (9) Prohibition of Employment of woman and children near cotton openers (sect 27)
- (10) Hoists and Lifts (sect 28) (11) Revolving machinery (sect 30)
In every factory hoists & lifts should be in good condition of operation. appliance driven not excessively
- (12) Lifting Machines Tackles chains and ropes (sect 29)
It should be in good condition & examined & stamped from time to time
- (13) Pressure plants (section-31) (14) Flour stairs and other means of Access (sect 32)
Sound construction and properly maintained should be covered and fenced pits
- (15) Excessive weights (sect 34) (16) Protection of Eyes (sect 35)
Employee shall not carry excess load due to cause physical injury. Adequate provision of goggles or screen to protect eye.
- (17) Precaution against dangerous fume (sect 36) (18) Explosive or inflammable Gas or dust (sect 37) (19) Precaution in case of fire (sect 38)
Extinguisher or alarm in case of fire.
- (20) Powers to require specification of defective parts or Test of stability (sect 39)
- (21) Safety of Building and Machinery (sect 40) (22) Powers to make rule (sect 41)
Frequently maintenance & suitable test of building & machinery. State Govt is empowered to make rule requiring the provision of safety

Social Security (1) According to definition given in ILO publication -

- Social security is the security that society furnishes through appropriate organisation against certain risks to which its members are exposed

(2) William Beveridge - Social security as "a means of securing an income to take the place of earning when they are interrupted by unemployment, sickness or accident to provide for the retirement through old age to provide against loss of support by death of another person or to meet exceptional expenditure connected with birth, death, marriage.

The purpose of social security is to provide an income upto a minimum and also medical treatment to bring the interruption of earning to an end as soon as possible

Object of Social Security -

- (1) Compensation - Destitution and loss of health, limb, life or work
- (2) Restoration -
- (3) Prevention -

Types of Social Security - (1) Social Assistance (2) Social Insurance

Social Assistance - Social assistance refers to the assistance rendered by the government to the needy persons without asking them to make contributions to be entitled to get such assistance. In other words social assistance include those benefits which are provided by the government without any contribution from workers and employers. Workmen's compensation, maternity benefits, old age pension

② Social Insurance - Social insurance refers to a scheme of maintaining fund from the contributions made by the employee or employer, with or without a subsidy from the government. In other words, social insurance can be defined as a device to provide benefits as of right for person of small or earning, in amounts which combine the contributive efforts of the insured with subsidies from the employer and the government. ex. social insurance are provident fund and group insurance.

Strictly speaking these two types of social security measures may be said to be the two faces of same coin. As a matter of fact, both of them are integral part of social security them.

Chapter 10 - In 1919 the ILO came into existence as a solution of ^{International Labour} problem

- obj: - Provide social justice to workers
- Avoid injustice, deprivation and exploitation of labour
- Build up ^{human} working condition to the labour

- (1) ILO affects Industrial Relation in two ways

(1) Through Labour Policy and Labour legislation

(2) ~~has~~ Trade Unions movement in India

- In India also prepared Labour code, Labour policy on the basis on recommendation of ILO

- In India since 1920 many Labour Law passed on the basis of discussion at Geneva conference

- Especially after 1947, ILO recommendation & Conventions adopted to development Labour legislation in India

- India has been one of the founder member of ILO,

173 conventions & 180 recommendation has received & India ratified these ^{from} time to time & include Labour legislation in India e.g. -

- (2) - (1) Law on working condition
(2) Law on Wages (3) Law on Industrial relation
(4) Law on social security.

- (2) Modern Trade Union movement in the country began after 1st world war

- The AITUC owes its immediate origin to ILO

- It create a sense of solidarity among the workers and their right & privileges

- In ILO sessions electing worker delegates for attending International Labour conference for interaction of the Indian worker problem

- Indian workers organisations were benefited from foreign Labour legislation e.g. British Trade Union Congress, The International Federation of Trade Union and Third International at Moscow rendered financial support to the relief of the Indian workers during strike and other industrial disputes

Grievance —

Meaning —

① Dale S. Beach — Any dissatisfaction or feeling of injustice in connection with one's employment situation that is brought to the notice of the management.

② J.M. Jucius
Edward Flippo — ~~It~~ ^{Grievance} is a type of discontent ^{or dissatisfaction} which ^{whether} must always be expressed or not whether valid or not arising out of anything connected with the company which as employee thinks, believes, or even feels to be unfair or inequitable.

③ J.M. Edward Flippo — It is a type of discontent which must always be expressed. A grievance is usually more formal in character than a complaint. It can be valid or ridiculous and must grow out of something connected with company operations or policy.
It must involve an interpretation or application of the provisions of the labour contract.

④ Model Grievance procedure definition —

Complaints affecting one or more individual workers in respect of their wage payment, overtime, leave transfer, promotion, seniority, work assignment and discharge would constitute 'grievance'.

Nature of grievance

- 1) Grievance reflect dissatisfaction or discontent experienced by an employee
- 2) It is a feeling of injustice to one's ~~work~~ job by the employee or mgmt
- 3) It may be unvoiced/ implied or expressed by an employee
- 4) It ~~may~~ may be written or verbal
- 5) It may be real or imaginary valid and legitimate.
- 6) Grievance arises out of something related to employee employment contract
- 7) Grievance gives rise to discontent, frustration, poor morale and ultimately to low productivity.

Causes of Grievances

- 1) Promotions
- 2) Amenities Inadequate toilets
- 3) Continuity of service
- 4) Compensation
- 5) Disciplinary action
- 6) fines
- 7) Increments
- 8) leave
- 9) Medical benefits
- 10) Nature of job
- 11) payment
- 12) Recovery of dues
- 13) Safety of appliances
- 14) Superannuation
- 15) Suppression
- 16) Transfer
- 17) Victimization
- 18) condition of work - unsafety or unpleasant

Grievance procedure

- 1) Timely Action - grievance handling properly & promptly recognition
- 2) Accepting the grievance -
- 3) Identifying the problem - supervisor identified or diagnose the problem
- 4) Collecting facts - supervisor collect relevant facts & proof relating to the grievance
- 5) Analysing the cause of the grievance - employee past history, frequency of the occurrence, management practices, union practices etc.
- 6) Taking decision - decision is taken, which is best suited to the given ~~sit~~ situation in the organisation
- 7) Implementing the decision -