

LABOUR LEGISLATION & INDUSTRIAL RELATIONS

Ex. MBA (Human Resource Management), II Year , PAPER – 6



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EXECUTIVE MBA SYLLABUS (TWO YEARS)

II Year : MBA (Human Resource Management) Course code : 103

PAPER – 6 : LABOUR LEGISLATION & INDUSTRIAL RELATIONS

Unit – I: Industrial Relations – Definition and Main Aspects: Definition – Evolution of Industrial Relations – Dominant Aspects of Industrial Relations – Nature of Industrial Conflict – Industrial Disputes – Interests and Rights Disputes – Results of Industrial Conflict.

Unit – II: Industrial Disputes: Strike – Causes of Strikes/Industrial Disputes – Forms of Strike – Settlement without State Intervention – Settlement under the Influence of the State – Adjudication or Compulsory Arbitration in India – Adjudication/Compulsory Arbitration vs Collective Bargaining – Different Methods of Dispute Settlement in India – Machinery for the Prevention and Settlement of Industrial Disputes in India.

Unit – III: Collective Bargaining: Meaning of Collective Bargaining – Importance of Collective Bargaining – Factors Influencing Bargaining Units and Levels – Growth of Collective Bargaining in India – Recommendations of the Second NCL (2002) – Participation in Management – Schemes of Workers' Participation in Management in India – Work Committees (1947) – Joint Management Councils (1958).

Unit – IV: Principles of Labour Legislation: Other Institutions Controlling Human Behaviour – Declining Influence of Religious Orders and Social Customs – Rise of Modern Social Legislation – Social Legislation and Labour Legislation – Forces Influencing Modern Social and Labour Legislation – Forces Influencing Social and Labour Legislation in India – Indian Constitution and Social and Labour Legislation – Principles of Modern Labour Legislation – Types of Labour Legislation.

Unit – V: Labour Legislation in India: Factory Legislation Definitions – Payment of Wages Act, 1936 – Minimum Wages Act, 1948 – Equal Remuneration Act, 1976 – Legislation Preceding Industrial Disputes Act, 1947 – Enactment of Industrial Disputes Act, 1947 – Evolution and Growth of Social Security Legislation in India – Workmen's Compensation Legislation in India (Main Provisions)

Reference Books:

1. P.R.N. Sinha Indu Bala Sinha Seema Priyadarshini Shekhar - Industrial Relations Trade Unions and Labour Legislation: PEARSON Education.
2. Mamoria – Mamoria Gankar – Dynamics of Industrial Relations : Himalaya Publishing House – PHH
3. Arun Monappa – Industrial Relations – Tata McGraw –Hill Edition.

(DEMBC 3)

EXECUTIVE M.B.A. DEGREE EXAMINATION, MAY 2011.
First and Second Years
Group C – Human Resource Management
Paper III — LABOUR LEGISLATION AND IR

Time : Three hours

Maximum : 75 marks

SECTION A — (3 × 5 = 15 marks)

Answer any THREE of the following.

1. (a) Industrial dispute.
- (b) Compulsory arbitration.
- (c) Joint management council.
- (d) Social customs.
- (e) Minimum wage.
- (f) Partial disablement.

SECTION B — (3 × 15 = 45 marks)

Answer any THREE of the following.

2. Explain the progress of collective bargaining in India.
3. Review the evolution of industrial relations in India.
4. Describe the machinery available for the settlement of industrial disputes.
5. Elucidate the functioning of works committees.
6. What are the forces that influence modern social legislation?
7. State the salient features of Equal Remuneration Act.

SECTION C — (15 marks)

8. Machinery and Tools Ltd. was established in Hyderabad in 1996. The total employee strength is 1000 of which 2/5th are shop floor workers. The workers belong to Mysore Division, Industrial Workers General Union (affiliated to AITUC) and are registered under the Trade Union Act of 1926.

In 1999, the management decided to introduce CNC (computer numerically controlled) machines to increase the speed and efficiency of production. “Higher productivity would lead to higher profits and enable them to survive in the market characterised by a competitive environment. This would mean even workers benefiting in the long run” was the opinion of management.

However, the workers came to know about this stand or mgt. through an informal channel of communication and resulting in them immediately preparing a Charter of Demands and presenting it to management.

The main demands in the charter related to increase in wage scale and ensuring job, guarantee for all. There were other petty demands that the mgt. conceded to. But management could not afford to raise wage levels currently as they had already placed orders for the CNC machines and incurred huge investments. On the other hand, CNC machines would require a minimum number of operators and certainly meant job cuts to the extent of 10% of workers.

When the parties met at the Bargaining Table, the management tried to explain that it would be the workers benefiting in the long run. Hence, if the workers allowed them to have job cuts, the mgt. would definitely raise the wage levels in the next financial year.

The union members put on a hostile stand saying that wage raises would be no use to them if they had no jobs. Mgt. made it clear that they could not cancel the orders for CNC machines as it would mean huge losses for the company and in turn for workers and mgt.

The union members felt neglected and exploited and decided to go on a strike where upon the matter was referred to a III party for resolution.

Questions :

- (a) Why do you think, the collective bargaining exercise failed?
 - (b) Are the union members justified in going on strike? If yes, what action would you take assuming that you are on the mgt's side?
 - (c) What was the root cause of the problem? Could the conflict be avoided? If yes, how?
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(DEMBC 3)

EXECUTIVE M.B.A. DEGREE EXAMINATION, DECEMBER 2011.

First and Second Years

GROUP C — Human Resource Management

Paper III — LABOUR LEGISLATION AND IR

Time : Three hours

Maximum : 75 marks

SECTION A — (3 × 5 = 15 marks)

Answer any THREE of the following.

1. (a) Nature of industrial conflict
- (b) Adjudication
- (c) Joint management councils
- (d) Social security legislation
- (e) Minimum wage
- (f) Total disablement.

SECTION B — (3 × 15 = 45 marks)

Answer any THREE of the following.

2. Outline the external as well as internal environment of employee remuneration.
3. Describe the provisions of Equal Remuneration Act.
4. What are the forces that influence labour legislation in India?
5. State the factors that influence collective bargaining units.
6. Bring out the machinery available for prevention and settlement of industrial disputes.
7. What are the results of industrial conflicts?

SECTION C — (15 marks)

8. Shirley and Abdul both work for a software development company. The manager of the new product division was originally the leader of a project team for which she interviewed and hired Abdul. Shirley, another project team member, also interviewed Abdul but strongly opposed hiring him for the project because she thought he was not competent to do the job.

Seven months after Abdul was hired, the manager left the project to start her own company and recommended that Abdul and Shirley serve as joint project leaders. Shirley agreed reluctantly – with the stipulation that it be made clear she was not working for Abdul. The general manager consented; Shirley and Abdul were to share the project leadership.

Within a month Shirley was angry because Abdul was representing himself to others as the leader of the entire project and giving the impression that Shirley was working for him. Now Shirley and Abdul are meeting with you to see if you can help them resolve the conflict between them.

Shirley says, "Right after the joint leadership arrangement was reached with the general manager, Abdul called a meeting of the project team without even consulting me about the time or content. He just told me when it was being held and said I should be there. At the meeting, Abdul reviewed everyone's duties, line by line, including mine, treating me as just another team member working for him. He sends out letters and signs himself as project director, which obviously implies to others that I am working for him."

Abdul says "Shirley is all hung up with feelings of power and titles. Just because I sign myself as project director doesn't mean that she is working for me. I don't see anything to get excited about. What difference does it make? She is too sensitive about everything. I call a meeting and right away she thinks I'm trying to run everything Shirley has other things to do – other project to run so she doesn't pay too much attention to this one. She mostly lets things slide. But when I take the initiative to set up meeting, she starts jumping up and down about how I am trying to make her work for me."

Discussion questions: A variety of strategies can be used to help resolve the conflict between Abdul and Shirley. Put yourself in the position of mediator between Abdul and Shirley and consider the following questions :

Questions :

- (a) Abdul and Shirley seem to have several conflicts occurring simultaneously. Identify as many of these individual conflicts as possible.
- (b) Are there any general statements you can make about the overall nature of the conflict between Abdul and Shirley?
- (c) What are the possible ways to deal with the conflict between Abdul and Shirley (not just the ones that you would recommend but all the options)?
- (d) Given the choices identified in item three, what is the best way for Abdul and Shirley to deal with the conflict between them?
- (e) Given all the benefits of retrospection, what could or should have been done to avoid this conflict in the first place?

(DEMBC 3)

EXECUTIVE M.B.A. DEGREE EXAMINATION, DECEMBER 2010.

Group C - Human Resource Management
Paper III — LABOUR LEGISLATION AND IR

Time : Three hours

Maximum : 75 marks

SECTION A — (3 × 5 = 15 marks)

Answer any THREE of the following.

1. (a) Concept of industrial disputes
- (b) Arbitration
- (c) Joint management council
- (d) Social customs
- (e) Minimum wage
- (f) Total disablement.

SECTION B — (3 × 15 = 45 marks)

Answer any THREE of the following.

2. Explain the evolution of industrial relations in India.
3. State the causes and consequences of strikes.
4. Why is the progress of collective bargaining slow in India?
5. Elucidate the forces that influence labour legislation.
6. Enumerate the important provisions of payment of wages act.
7. Discuss the growth of social securities legislation in India.

SECTION C — (15 marks)

(Compulsory)

8. Case study :

Raman was a driver in a state road transport corporation. He had over 15 years of experience as driver and regarded as the best driver, who was always punctual and never had any remark about his work. But recently he was found to have consumed, alcohol while on duty. The supervisor who noticed this, after Raman pleaded, with him that he should excuse him, warned. Raman that drunken driving is an offence. After another two months Raman was again found to be under the influence of alcohol while reporting for duty; this time again the supervisor, excused Raman with a severe verbal warning. A few months later the Depot Manager where Raman was working came to know about Raman's case when another driver was served with a show cause notice, when he was found intoxicated while reporting for duty, he complained that he was being discriminated.

The Depot Manager served a show cause notice to the supervisor for not taking action against Raman who has committed the mistake twice. He then ordered that Raman should be suspended pending enquiry. Raman sought the help of the union for redressal.

- (a) Discuss whether the depot manager was correct in suspending Raman and serving a show cause notice to his supervisor.
- (b) What do you think that you would have done, if you were to be in the position of the supervisor when you found Raman intoxicated while reporting for duty?

(DEMBC 3)

EXECUTIVE M.B.A. DEGREE EXAMINATION, JUNE 2010.
GROUP C – Human Resource Management
Paper III — LABOUR LEGISLATION AND IR

Time : Three hours

Maximum : 75 marks

SECTION A — (3 × 5 = 15 marks)
Answer any THREE of the following.

1. (a) Industrial conflict.
(b) Forms of strike.
(c) Works committee.
(d) Social Welfare legislation.
(e) Equal remuneration for equal work.
(f) Partial disablement.

SECTION B — (3 × 5 = 15 marks)
Answer any THREE of the following.

2. How do you assess the impact of industrial conflicts?
3. Discuss the working of compulsory arbitration in India.
4. Bring out the progress of worker's participation in management in India.
5. What are the factors that influence modern labour legislation?
6. State the important provisions of minimum wages Act.
7. Explain the machinery available for settlement of disputes in India.

SECTION C — (15 marks)
(Compulsory)

9. Kalyani Electronics Corporation Ltd., recently diversified its activities and started producing computers. It employed personnel at the lower level and middle level. It has received several applications for the post of Commercial Manager — Computer Division. It could not decide upon the suitability of the candidate to the position, but did find that Mr. Prakash is more qualified for the position than other candidates. The Corporation has created a new post below the cadre of General Manager i.e., Joint General Manager and asked Mr. Prakash to join the Corporation as Joint General Manager. Mr. Prakash agreed to it viewing that he will be considered for General Manager's position based on his performance. Mr. Anand, the Deputy General Manager of the Corporation and one of the candidates for General Manager's position was annoyed with the management practice. But, he wanted to show his performance record to the management's at the next appraisal meeting. The management of the Corporation asked Mr. Sastry, General Manager of Televisions Division to be the General Manager incharge of Computer Division for some time, until a new General Manager is appointed. Mr. Sastry wanted to switch over to Computer Division in view of the prospects, prestige and recognition of the position among the top management of the Corporation. He viewed this assignment as a chance to prove his performance.

The Corporation has the system of appraisal of the superior's performance by the subordinates. The performance of the Deputy General Manager, Joint General Manager and General Manager has to be appraised by the same group of the subordinates. Mr. Anand and Mr. Sastry know very well about the system and its operation, whereas Mr. Prakash is a stranger to the system as well as its modus operandi. Mr. Sastry and Mr. Anand were competing with each other in convincing their subordinates about their performance and used all sorts of techniques

for pleasing them like promising them a wage hike, transfers to the job of their interest, promotion etc. However these two officers functioned in collaboration with a view to pull down Mr. Prakash. They openly told their subordinates that a stranger should not occupy the 'chair'. They created several groups among employees like pro-Anand's group, pro-Sastry's group Anti-Prakash and Sastry group, Anti-Anand and Prakash group.

Mr. Prakash has been watching the proceedings calmly and keeping the top management in touch with all these developments. However, Mr. Prakash has been quite work-conscious and top management found his performance under such a political atmosphere to be satisfactory. Prakash's pleasing manners and way of maintaining human relations with different levels of employees did, however, prevent the emergence of an anti-Prakash wave in the company. But in view of the political atmosphere within the company, there is no strong pro-Prakash's group either.

Management administered the performance appraisal technique and the subordinates appraised the performance of all these three managers. In the end, surprisingly, the workers assigned the following overall scores. Prakash: 560 points, Sastry: 420 points; and Anand 260 points.

Questions :

- (a) How do you evaluate the worker's appraisal in this case?
- (b) Do you suggest any techniques to avert politics creeping into the process of performance appraisal by subordinates? Or do you suggest the measure of dispensing with such appraisal systems.