

Seat No.: _____

Enrolment No. _____

GUJARAT TECHNOLOGICAL UNIVERSITY
MBA – SEMESTER-3– EXAMINATION – WINTER 2018

Subject Code: 3539232

Date:10/12/2018

Subject Name: Management of Industrial Relations and Labour Laws (MIR & LL)

Time:10:30 am To 01:30pm

Total Marks: 70

Instructions:

1. Attempt all questions.
2. Make suitable assumptions wherever necessary.
3. Figures to the right indicate full marks.

- Q.1 Answer the following in brief 14**
1. Retrenchment
 2. Manufacturing process
 3. Workers as per industrial dispute act
 4. Adjudication
 5. Labour Welfare
 6. Strike
 7. Industrial Relation
- Q.2 [A] Explain the causes for industrial disputes and examine its impact on industrial relations. 07**
- [B] Define the term trade Union. What are the objects on which general funds of the trade union may be spent? 07**
- OR**
- [B] Elaborate the objectives of labour welfare. Explain the statutory and voluntary labour welfare measures. 07**
- Q.3 [A] State the provisions of the factories act, 1948 regarding Health and Welfare. 07**
- [B] What is the Primary duty of an employer and contractor covered under Contract labor Act, 1970. 07**
- OR**
- [A] What is the purpose of collective bargaining? Give the process of collective bargaining? 07**
- [B] What do you mean by standing orders? State the matters to be provided in standing order under Industrial Employment Standing Order Act, 1946 07**
- Q.4 [A] What are the important Supreme Court's guidelines on the sexual harassment of women in workplace? 07**
- [B] Give the definition of Discipline. Explain the procedure for disciplinary action 07**

OR

[A] “Workers Participation in Management is essential to industrial democracy and Socialistic pattern of society”. In the light of the statement, discuss the role of Workers Participation in Management. **07**

[B] Explain various stages of grievance handling mechanism within an organization. **07**

Q.5

AXIM Ltd. is a renowned cement manufacturing company in India. It has started its operation in 1988 with the deployment of 150 onroll workman, 300 onroll Staff and 1800 contractual labour in various areas of the plant operation and in support services. Plant is headed by Unit Head, Mr. Jinendra Chudiwala and HR Head Mr. Parin Maheswari.

All 150 on roll workman and around 600 contractual labour are led by two strong registered and recognized unions INTUC & BMS, although management has not entered into any settlement regarding the demands related to the contractual labour, raised by both the unions time to time. Majority of Contract Labour is being deployed from nearby villages and working with the unit from last 10 to 12 years. Contractor keeps on changing time to time but the same labour continued with different contractors.

In 1996, management of AXIM Cement, has confronted major labour unrest and one day strike in plant, mainly from the labour and workman from nearby villages. At that time management has taken a decision to appoint some of the strong persons from nearby villages as Security Guards in existing security contract. And after ten years these Security Guards has become major challenge for the management as they have also joined the union.

Incident happened on 14 April 2010 at 8:15 AM, when HR Head Mr. Parin Maheswari was busy in preparation of strategic meeting with top management, received a news regarding an incident in Packing Plant area. Packing plant is the area where most of the unionized contract labour is being deployed. He immediately called Ass. Manager, IR, Sr. Officer IR (Head IR was on Personal leave) and Security Head into his cabin and rushed to the incident place. After reaching the incident place, and found, one of the contractual labour working in Packing Plant as a Housekeeping labour, while cleaning the floor, crushed by JCB Machine’s front wheel and passed away, on the spot.

Mr. Yogindar singh tried to remove the body from incident place but packing plant labour did not allowed him to do so and one of the Sweeper slapped Mr. Singh.

On seeing, management team, mob of contractual labour has become more violent and started shouting, and on suggestion of one of the Works Committee member to leave the place, all management representatives came back to the office of HR Head. After having series of discussion on the issue, it is decided to call the rural police for help. But at the same time, security in charge advised for not to call police and assured that, Security guard will take the situation in control and calling police in plant will again affect the brand value of Unit.

Communication regarding the incident spread in nearby villages, like a fire in open forest and villagers, Political Authorities, Union Leaders from nearby Plants started approaching the plant and a huge mob gathered outside the main gate, and started burning the tyres and other objects at main gate. As still the discussion was going on, Mechanical Head entered into the office and communicated that mob at packing plant area is getting more and more violent by the time and demanding that Unit Head of the plant should visit the incident place, on which HR Head & Sr. Officer IR disagreed but on backing of Security Head, they all agreed for the visit of Unit Head to the incident place. Four vehicles carrying, Unit Head, HR Head, Technical Head, Security Head, Mechanical Head, Safety Head and around 10 Security Guards, went to the incident place.

After reaching at incident place, while observing the dead body, mob has surrounded all the management team members and one person from mob, shouted for beating and the mob started man handling with all the Six members of management team, mercilessly. Somehow all management team escaped from the mob and Unit Head and Safety Head, got major injuries and referred to the nearest town for the treatment.

Other team members came to main administration building and called the police for help. Meanwhile, Sr. Officer, IR, called the Union Leaders for support and discussion. Union Leader refused for the same and asked HR Head to come on incident place and communicated that all the discussion/negotiation shall be done at incident place only. After advising and requests, Union leader agreed to come for negotiation and again Union Leader with 20 to 30 Contractual Labour came to the Conference hall of administration building.

All the employees were in great fear and some went for lunch at 1200 noon, attended office in civil dress, so that the villagers cannot identify them as staff employees. It was also observed that some of the team member from Industrial Relation team went to the other remote side of the plant and put on the green helmet. (Green Helmet is color codification for Contractual Labour).

At main gate, although Security guards tried to stop the villagers, but all their efforts went into the vein and they entered in the plant premises and damaged few of the machines and office infrastructure. From management side there were only five employees (HR Head, Technical Head, Security Head, Asst. Manager IR and Sr. Officer IR) for negotiation with around 40 Contractual Labour and Union Leaders. At around 1500 Hrs. after several rounds of meeting and hot discussions, Negotiation ended on some amount and one onroll employment to the dependent of deceased labour.

A MOU on all the agreed points prepared and signed by all the Management representative present and Union Leaders of both the Unions and present Village Political authorities. Sr. Officer IR, went to the mob in front of Administration building and read the MOU, loud, for the communication of all. After that mob has allowed the management to take the body of deceased labour out of plant premises.

[A] What is your assessment of the entire situation at AXIM Ltd.? 07

[B] What are the threats & solution of deploying contractual labour for a longer duration, like at AXIM Cement? 07

OR

[A] How far you are convinced with the manpower ratio, and deployment of Contractual labour from nearby villages? 07

[B] If you were in the position of HR Head, how would you have tackled the entire situation? 07
