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Trade-Union

Module-3



Meaning

- A trade union is an organization of employees who join together on a continuous basis for the purpose of securing their interests.
- It is a continuous association of wage earners who work together for maintaining and improving the conditions of their work.



Definition

- The Trade Union Act 1926 defines a trade union as an association, whether temporary or permanent, formed for the purpose of regulating the relations between workmen and workmen, or between workmen and employers, or for imposing restrictive conditions on the trade or business, and includes any federation of such unions.

- There are some 164 million trade-union members in the world. In many countries, trade unions are the world's largest social movement.
- Even so, it represents little more than 1-in-20 of the world's workforce, plus workers. The rest often go unrepresented.



- In India the Trade Union movement is generally on a decentralised basis.
- According to provisional statistics from the Ministry of Labour, the unions had a combined membership of 24,60,000.
- As of 2008, there are 11 Central Trade Unions recognised by the Ministry of Labour.


• At present there are twelve Central Trade Union

1. All India Trade Union Congress (AITUC)
2. Bharatiya Mazdoor Sangh (BMS)
3. Centre of Indian Trade Unions (CITU)
4. Hind Mazdoor Kisan Panchayat (HMKP)
5. Hind Mazdoor Sabha (HMS)
6. Indian Federation of Free Trade Unions (IFFTU)
7. Indian National Trade Union Congress (INTUC)
8. National Front of Indian Trade Unions (NFITU)
9. National Labor Organization (NLO)
10. Trade Unions Co-ordination Centre (TUCC)
11. United Trade Union Congress (UTUC) and 12. Congress - Lenin Sarani (UTUC - LS)



Objective of Trade Unions

- Wages salaries
- Working conditions
- Discipline
- Personnel policies
- Welfare
- Employee-employer relation
- Negotiating machinery
- Safeguarding organizational health and inter



Functions of Trade

The basic functions of trade union promote the interest of the worker their employment.

3. Militant Functions
4. Fraternal Function
5. Social Functions
6. Political Functions
7. Ancillary Functions



Militant/Protective F

:

- Ensuring adequate wages, conditions and better treatment of employees
- fight with the management through strikes, **boycotts, gheraos** etc.
- (iii) Achieve higher wages and better conditions.
- (iv) Raise the status of workers in industry and society.
- (v) Protect labour against victimisation and injustice.



Fraternal Functions

- Providing financial and non-financial assistance to workers
- Extension of medical facilities for sickness and casualties,
- Provision of education, recreation, and housing facilities,
- Provision of religious and social services
- To encourage sincerity and co-operation among workers.
- To provide opportunities for personal and professional growth.



◦ **Social Functions :-** carrying out social activities

discharging social responsibilities through various sections of the society like educating

Political Functions :-

Affiliating a union to a political party

Helping the political party in enrolling

Collecting donations

Seeking the help of political parties during strikes and lockouts.



- Ancillary Functions :-
- (ii) Communication : trade union communicates its activities, decisions, achievements etc. through publication of news letter.
 - (iii) Welfare Activities : acquiring sites, construction of houses, establishment of co-operative societies, organising training



Trade Union Movement

- The entire period of the growth of trade unionism till now is conveniently divided into three periods
- First period 1875-1918
- Second period 1918-1947
- Third period 1947 till date



The first period 1875-

- The first period of trade unions in India started in 1875 and lasted up to first world war. During this period, the trade union movement was essentially humanitarian. Some friendly societies emerged, which looked into the welfare of workers. The movement was sporadic in nature. The first Indian trade union, Bombay Mill Hands Association, was established in 1890, with an immediate aim of agitating for the implementation of the first Indian Factories Act 1881.



- The Amalgamated Society of Railway & Burma registered under the Indian of 1882 was created in 1897.
- The Printers Union , Calcutta and Bo union were formed in 1905 and 1907
- The kamgar hit vardhak shbha was se
- Active leaders in this period were S.S. N.M.Lokhande who fought for worke
- Panikkar characterizes this period as “ period of our early trade union mover

Second period 1918-1935

- This period actually marked the beginning of organized and continuous trade unions.
- Madras became the nucleolus of organized trade unions.
- B.P.Vadiya founded the Madras Labour Union.
- There was significant spread of trade unions.
- Trade unions like Ahmedabad textile workers union, Railway employees union, Indian colliery employees union, Jamshedpur labour association, the Bombay labour union, and the E.B. Railway Indian employees union were formed.
- By 1924 there were 1671 trade unions in India.
- The All India trade union congress was formed.
- The period between 1924 and 1935 is characterized by left-wing trade unionism.



TRADE UNION ACT 19

- GENESIS OF THE ACT
- Buckingham mill case of 1920
- In march 1921 SRI N.M. JOSHI then C AITUC successfully moved resolution legislative assembly .
- On a resolution being passed by cent assembly in march 1924 the Indian tr introduced in the central legislative a



- The act received its assent on 25th mar
- It came into force on 1st June 1927. As “t
unions act 1926 (16 of 1926). By sec.3 o
Unions (Amendment) Act 1964 the wo
been omitted and now it stands as The
Act, 1926.
- To make regulation for the purpose of
the provisions of this act the then gove
“The Central Trade Union Regulations



Procedures for the Registration of Trade Union

- The four procedure involved in registration of Trade Union as follows:
 1. Appointment of Registrar
 2. Mode of Registration
 3. Rights and Duties of Registrar
 4. Legal Status of Registered Trade Union



1. Appointment of Registrar:

- Section 3 of the Trade Union Act, 1926 empowers the Government to appoint a person to be registrar.
- The appropriate Government be it State or Central Government is also empowered to appoint additional persons as it thinks fit for the purpose of exercising and performing the powers and duties of the Registrar.
- However, such person will work under the supervision and direction of the Registrar.
- He may exercise such powers and functions as may be specified for this purpose.



2. Mode of Registration:

- Any seven or more persons who want to form a trade union should apply for its registration to the Registrar of Trade Unions under Section (1) of the Trade Unions Act, 1926. These applications are known as applications of a trade union.
- In order to check the multiplicity of trade unions, the Registrar of Trade Unions has proposed the number of persons for the purposes of registration be reasonable. It should not be less than 10 per cent of employees of the unit, subject to minimum of 7 persons employed therein. This is expected to strengthen the trade union movement. The application for registration must be submitted to the Registrar of Trade Unions in Form "A" as required by the Trade Unions Act, 1926 under Section 5.

Every application must be accompanied by the following particulars:

- 1. The names, occupations and addresses of the applicants.
- 2. The name of the trade union and the address.
- 3. The titles, names, ages, addresses and occupations of the bearers of the trade union.



- 4 If a trade union has been in existence for more than one year prior to application of its registration, a financial statement showing assets and liabilities prepared in the prescribed form must be submitted to the Registrar along with the application.
- 5. Besides, every application must be accompanied by the Rules of Trade union complying with the provisions of Section 6 of the Trade Unions Act, 1926.



A trade union can be registered if its constitution fulfils the following

- 1. Name of the trade union;
- 2. The whole of the objects for which the trade union is established;
- 3. The whole of the purposes for which the trade union shall be applicable.
- 4. The maintenance of a list of the members of the trade union and adequate facilities for the inspection thereof by members of the trade union;



- 5. The payment of a subscription by member which shall be not less than
 - (i) one rupee per annum for rural workers;
 - (ii) three rupees per annum for workers in other areas;
 - (iii) twelve rupees per annum for workers in urban areas;
- 6. The manner in which rules will be amended or rescinded;
- 7. The manner in which the members of the office-bearers of the trade union shall be appointed.

- 8. The manner in which the funds of the trade union shall be audited and inspection of the books of accounts and members of the trade union be made;
- 9. The conditions under which any member shall be entitled to benefits under the rules and under which fines shall be imposed on the members; and The manner in which the union shall be dissolved.



3. Rights and Duties of Registrar

- Section 7 of the Act empowers the Registrar if required so, further enquiries on receipt of registration to fully satisfy himself that the a the provisions of section
- However, such enquiries can be made only f not from any other source.



4. Legal Status of Registered T

- Upon the registration, a trade union assume the name under which it is registered.
- A registered trade union shall have perpetual common seal.
- A regis-tered trade union is an entity distinct which, the trade union is composed of It enjo and to hold property both moveable and imm be sued by the name in which it is registered



Cancellation of registration.

- 1) The registration and the certificate of registration shall be cancelled by the Registrar
 - (a) at the request of the organization upon its such inquiries as the registrar considers necessary
 - (b) by order of the Industrial Relations Court, if unable to continue to function as a trade union organization for any reason that cannot be remedied

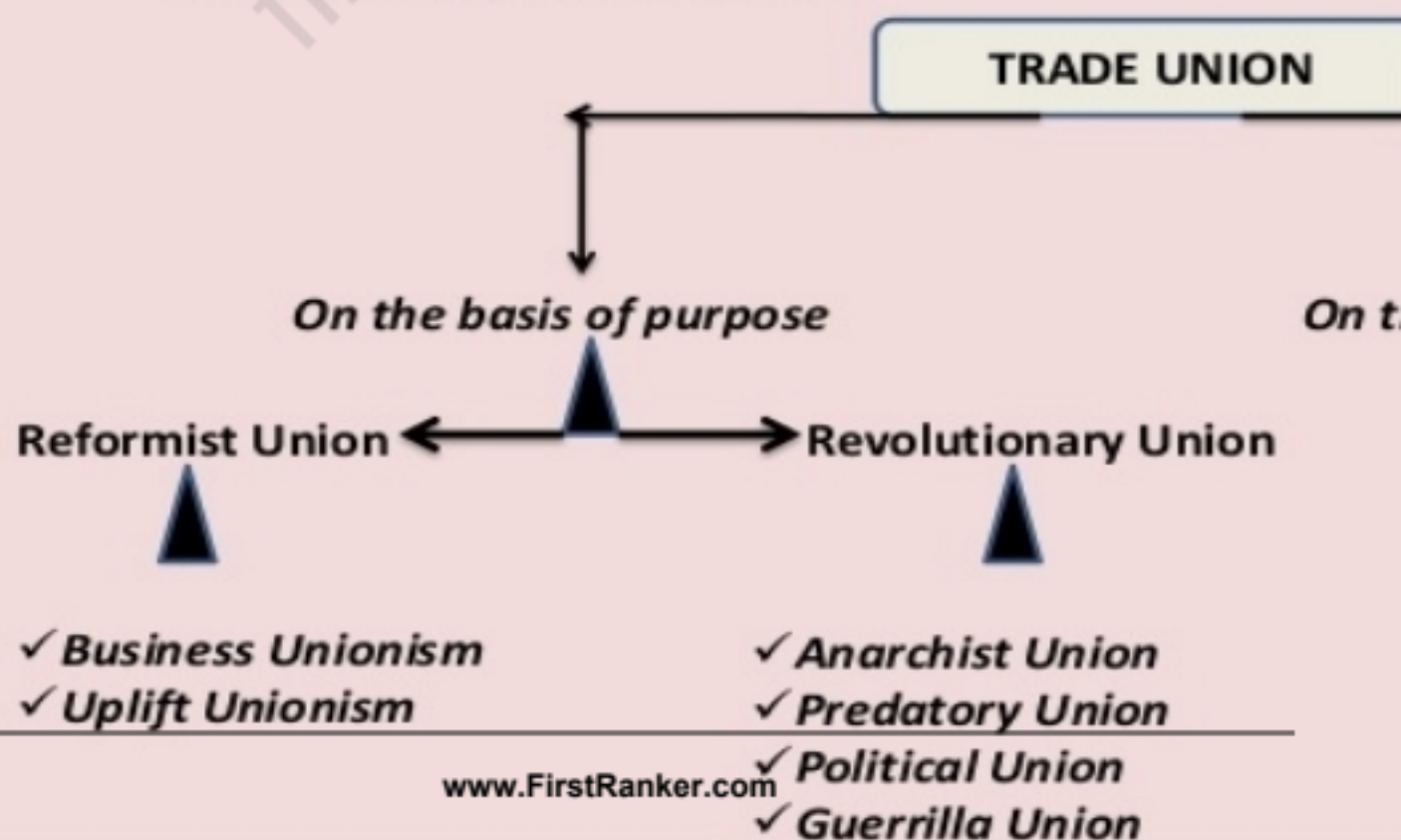
(2) Whenever the Registrar reasonably believes that an organization is unable to continue to function as a trade union or has ceased to exist, he or she shall issue a notice to the organization in writing that cancellation of the registration is being considered, state the reasons and give the organization an opportunity to show cause why its registration should not be cancelled.

Role and functions of trade union

- To promote and protect the interest of its members
- The Labour Commission in his report in 1966 opined that the trade union should pay attention to the basic needs of its members.
- 1-To secure for workers fair wages
 - 2-To safeguard security of tenure
 - 3-To enlarge opportunities for promotion and training
 - 4-To improve working and living conditions
 - 5-To provide for educational cultural recreational facilities
 - 6-To cooperate in and facilitate technological advancement
 - 7-To promote individual and collective welfare
 - 8-To cooperate in improving production and productivity

Structure of trade

- The union of different countries lines of trade unions depends on compulsions of industrialization and economic factors.



Reformist Unionism

- It aims to retain the present structure of capitalism.
- They want to maintain the usual employee-employer relationship, eliminating the competitive system of production.
- They never wish to destroy the current existing political structure.

BUSINESS UNIONISM

- ✓ Here smooth and cordial relationships exist between employee and employer.
- ✓ All their problems and conflicts are solved by collective bargaining and peaceful means of demonstration.
- ✓ Employees seek to achieve economic objectives.
- ✓ It favors voluntary arbitration and avoids strikes, lockouts and political actions.

- ✓ It is also called industrial unionism and is common among intellectual and technical workers.
- ✓ It puts more emphasis on economic benefits, hence it is a more moderate measure.

Revolutionary Unions

- It seek to achieve their objectives by destroying the existing structure and replacing with socialist or communist structure.
- They try to destroy the existing economic system by revolutionary measure.
- **Anarchist Union**: such union aim at destroy the existing system by resorting to revolutionary measure.
- **Political union**: seek to redistribute the wealth and power share to the workers. They get power by using forceful actions only.
- **Predatory union**: they seek their objectives by using forceful approach.
- **Guerrilla Union**: they believe in exploitation of the workers in cooperation. They are generally non democratic in cooperation with their employees.

Membership structure: as per the variation in members

- ❑ **Craft union**: it covers all workers engaged in a particular craft or craft irrespective of the industries forms.
 - All craft union links together those workers with similar skills, craft training, apprenticeship and so on.
 - Example: all workers of textile industries.
- ❑ **Industrial and staff union**:
 - Unions organized on the basis of an industry or profession called industrial union.
 - All workers skill, unskilled and semi-skilled in a particular industry regardless of the difference in position or gender form together an industrial union.
 - E.g.. Textile labour association, engineering union, etc. Mumbai.

☐ Staff union:

- it's a combination of craft union and industrial union is called staff union.
- Staff union is mostly formed by the workers in sectors like health, tour and travel etc.

☐ General Union:

- It comprises workers of various industries and skills
- Membership is open to all type/class of workers
- Workers of different industries and professions form general union.
- E.g. Jamshedpur trade union.



Structure of Trade union in India

In India trade unions are affiliated by two types

- The national federation
- The federation of union

- The National Federation
- The national Federation is the apex trade union for coordination in the activities of different trade unions.
- These are politically learned and the leaders are provided by politicians .
- They act as a coordinating agency for various trade unions and control.

The federation of union

- Various union combines together to form federation for the purpose of gaining more solidarity and strength.
- Such federation can take collective action which includes:
 - INTUC, AITUC, Hind Mazdoor Sabha,
 - Bharatiya Mazdoor Sabha,
 - NATIONAL Labor Organization
 - All India BANK EMPLOYEE ASSOCIATION,
 - All India Railway Men association,
 - All India electricity employee association.



Union Problems

- Trade union leadership
 - Multiple unions
 - Union rivalry
 - Finance
 - Other problems
 - Literacy
 - Uneven growth
 - Low membership
 - Heterogeneous nature of labour
 - Lack of interest
-
- Absence of paid office bearers



Shortcomings

1. Existence of large number of trade u
membership
2. Limited area
3. Political rivalry
4. Financial weakness
5. Outside leadership



Measure to strengthen trade union

1. There should be no distinction between private and public sec.
2. Code of conduct
3. United front of trade unions should
4. Encouragement should be given to growth of leadership amongst the worker
5. No union office bearer will concur in a political party
6. Penalty for victimization of worker by union employees



Assignment

- Explain various rights and responsibilities of
- Write a note on employee relations in IT sector
- Visit following links and get ready for case study
- https://www.youtube.com/create_channel
- <https://www.youtube.com/watch?v=5Xj1sxV>