

GUJARAT TECHNOLOGICAL UNIVERSITY
MBA – SEMESTER 3 – EXAMINATION – SUMMER 2019

Subject Code: 2830303

Date: 10/05/2019

Subject Name: Management of Industrial Relations and Labour Laws

Time: 02:30 PM To 05:30 PM

Total Marks: 70

Instructions:

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

Q.1 (a) Choose the Correct Answer in the Multiple Choice Questions below: 06

Who is an adult as per Factories Act, 1948 ?

1. A. Who has completed 18 years of age
B. Who is less than 18 years
C. Who is more than 14 years
D. Who is more than 15 years

Identify the major actor of industrial relations from the following

2. A. Employers
B. Unions
C. Government
D. All of these

Contract Labour (Regulation and Abolition Act), 1970 can be classified into the category of:

3. A. Social Security Act
B. Industrial Relations Act
C. Welfare Act
D. Commercial Act

Industrial relations cover the following area(s)

4. A. Collective bargaining
B. Labour legislation
C. Industrial Relations Training
D. All of the above

In case of retrenchment, worker is entitled to _____ months notice or notice pay in lieu of notice

5. A. One
B. Two
C. Three
E. Four

If any time number of worker falls below 500 in a factory, the welfare officer ceases to have alocus standi

6. A. True
B. False

Q.1 (b) Explain the below mentioned Terms with suitable examples 04

1. Grievance
2. Trade Union
3. Contract Labour
4. Collective Bargaining

Q.1 (c) Explain the role of arbitrator in dispute settlement? 04

Q.2 (a) Briefly describe the salient features of Contract Labour Act, 1970? 07

Q.2 (b) Define 'Strike' and describe its various forms? 07

Q.2 (b) Describe statutory machineries for settlement of industrial dispute? **07**

Q.3 (a) Explain the factors influencing the collective bargaining process? **07**

Q.3 (b) Describe in detail the grievance procedure in operation in an industrial establishment you are acquainted with? **07**

OR

Q.3 (a) Describe the provisions of Health under Factories Act, 1948? **07**

Q.3 (b) Discuss the liabilities of a registered trade union? **07**

Q.4 (a) Give an assessment of working of Shop and Establishment Act, 1948? **07**

Q.4 (b) Briefly describe the unfair labour practices carried out by employees or union as mentioned in Industrial Dispute Act, 1947. **07**

OR

Q.4 (a) Why are standing orders important for industrial establishments in the country? What matters relating to terms and conditions of employment do you consider appropriate for coverage under these orders? **07**

Q.4 (b) Explain the responsibilities of employer with respect to Sexual Harassment of Woman at Workplace? **07**

Western Coalfield Limited is one of the subsidiaries of Coal India limited and is classified as a mini-ratna category-one public sector company in the coal industry. It has a workforce of over 66,000 employees and accounted for nearly 9.5 per cent of the total coal production in the country during 2007–08. It keeps all-round employee welfare measures as one of its mission.

As a unique practice, the company prepares a revenue welfare budget every year to provide welfare facilities to the employees. This budget focuses, among others, on medical services, school and education, residential or colony maintenance, upkeep, sports, recreation and cultural activities, *Mahila Mandal*, water supply, canteen, and community development. The welfare activities of the company are monitored by a welfare board comprising representatives from different unions and management. Besides, welfare committees are established on similar lines at the local levels for suitably monitoring and smoothly executing the welfare plans of the company. In addition, the company also has a steering committee at the top level of the organization comprising senior leaders of central trade unions and management representatives.

Q.5 **14**

The company conducts a unique programme called *samanvay sammelan* (community gatherings) to popularize the concept of participative management in the organization. These meetings are conducted every year and 100 delegates from different areas participate and deliberate on the rationalization of manpower, the gainful engagement of employees and the ways to improve production, productivity and safety. In the course of the deliberations, both the problem and the solution are identified, and the participants accept the responsibility for the implementation of the decisions.

Questions:

- (A) What are the various forms of Workers Participation in Management highlighted in the case?
- (B) Discuss the levels of workers participation in management?

Mr Ravi Kumar has been with Akash Cements Limited for the past 20 years and still has five more years of service in the company. He is a senior technician in the production department. He is known for his commitment and his supervisors and managers have had high regard for him. He has maintained an unblemished service record in his entire career and has been disciplined in the past only for complaints like late attendance and availing leave without prior permission. As regards the disciplinary actions taken in this regard, he was counseled by his supervisors immediately after the occurrence of these misconducts. As such, no written reprimand was served on him for these minor offences. Thus the personnel file of Ravi was devoid of any serious complaints against him. Until a serious misconduct was reported against him last week.

Q.5

Last Saturday, when Ravi Kumar was busy arranging the machine and materials before commencing production, he picked a job-related quarrel with Rakesh Ray, a co-worker in the designation of a machine assistant, regarding work sharing for that day. What started as a wordy duel soon developed into a full-fledged confrontation. Finally, it ended up in a physical brawl between these two employees. In the process, Ravi Kumar dealt some injuries to Rakesh Ray. The latter had to be given first aid and leave with pay for that day. Since the duty supervisor was away from the work spot due to his scheduled meeting with the manager, the supervisors had to depend on the statements of the witnesses, all of whom were unanimous in their view that Ravi Kumar was primarily responsible for the incident as he had been the first one to use physical force and Rakesh Ray had merely defended himself. However, the employees were aware neither of the exact conversation between them before the scuffle nor of what enraged Ravi Kumar.

14

The code of conduct of the company was clear about how a case of fighting must be dealt with. It recommended an emergency suspension of the employee involved in the fighting pending enquiry.

However, the duty supervisor was not in favour of suspending Ravi Kumar immediately as he perceived no danger from him and was also aware of his past record. Moreover, he was afraid that this harsh punishment could affect Ravi Kumar's performance. He recommended to the HR manager that Kumar be allowed to work till the disciplinary proceeding was over and its outcome was known. The HR manager was against the opinion of the supervisor for he felt that this concession could set a bad precedent and, thus, weaken the disciplinary system of the organization. The management is in favour of helping Ravi Kumar without violating the discipline code of the company.

Questions:

1. How would you approach the issue if you were the HR manager of this company?
2. How would you help the management in resolving the disciplinary issue in the way the management wishes?
