

Seat No.: _____

Enrolment No. _____

GUJARAT TECHNOLOGICAL UNIVERSITY
MBA – SEMESTER 03– • EXAMINATION – SUMMER 2017

Subject Code: 2830303

Date: 12/05/2017

Subject Name: Managing Industrial Relations & 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

6

(a)

1. Objective Questions Industrial Dispute Act, 1947 provides the following industrial relations machinery for resolution of conflicts: (Tick mark the wrong one)
A. Negotiation B. Conciliation
C. Meditation D. Arbitration
2. What should be the minimum number of person's required to register a trade union?
A. Six B. Seven
C. Eight D. Nine
3. Temporary closing down the undertaking with the intention of forcing workers to accept the demand of the employer is called
A. Lockout B. Layoff
C. Strike D. retrenchment
4. _____ are the rules and regulations which govern the conditions of employment of workers
A. Standing Order B. Policies
C. Advice D. None of these
5. There is demand to amend Chapter 5-B of Industrial Dispute Act because as per the provision...
A. Employer need to provide higher wages B. The employer can not retrench employees without prior permission of the government
C. Employer can not change the employment structure D. All of above
6. As per the Contract Labour (Regulation and abolition) Act, 1970, The manger or occupier of a factory or head of the department of a government/local authority is called...
A. Establishment B. Principle Employer
C. Contractor D. Appropriate Government

Q.1

(b)

1. Definition of Factory as per Factory Act
2. 'Works Committee' as per Industrial Dispute Act
3. Amalgamation of Trade Union
4. Collective Bargaining

04

Q.1

(c)

Explain System Approach to industrial relations.

04

Q.2

(a)

Explain the term "Industrial Relations". Explain the prime objectives of Industrial Relations?

07

- (b) Define industrial dispute and narrate various provisions regarding strike and lockout under Industrial Dispute Act 1947. 07

OR

- (b) Elucidate the Duties and Responsibilities of conciliation officer according to the Industrial Dispute Act 1947 07

- Q.3 (a) Discuss the important objectives of Factory Act 1948. Briefly explain provisions under the Factory Act 1948 which ensures safety of the workers against dangerous machinery. 07

- (b) In a factory, 25 women workers are employed. The women workers have requested the employer to provide and maintain a Crèche for their children. State with reasons whether the demand of women is justified under the Factories Act. 07

OR

- Q.3 (a) Explain the rights and liabilities of a registered trade union as per the Trade Union Act 1926 in brief. 07

- (b) Explain the term standing orders. Why are they called so? Mention some major items covered in the standing order as per Industrial Employment (Standing Order) Act, 1946 07

- Q.4 (a) What is grievance handling? Explain formal grievance handling mechanism. 07

- (b) Give an overview of the status of Workers Participation in Management in India. 07

OR

- Q.4 (a) Explain the terms: 'principal employer' and 'contractor' as per Contract Labor (Regulation & Abolition) Act, 1970. What are the obligations of principal employer and contractor under this law? 07

- (b) "Equality in employment can be seriously impaired when women are subjected to gender-specific violence, such as sexual harassment in the workplace." Explain this statement with the landmark judgments of the Supreme Court on any relevant case. 07

- Q.5 The Western Electronics Ltd. Mumbai is an important establishment situated in Ballard Estate. It has 6600 workmen employed. The recognized union of the factory is "Mumbai Kamgar Manch", a very powerful organization. In December 2000 the state government directed the company to shift some of its sections of the factory to the backward areas like Aurangabad or any other place in Marathwada. 14

The Union declared a strike when the company planned to shift some of the workers to the new location and the management declared lockout in response to the strike. The union was very much agitated with the sudden decision of the transfer of the factory. It claimed that it was not taken into confidence and questioned the basis on which the government had contended to such a move.

In order to resolve the dilemma, State Labour Minister suggested that instead of Aurangabad, some sections should be shifted to Vasti in New Mumbai thereby preventing retrenchment. The management accepted the proposal and even offered to reimburse the transportation cost incurred by the workers who availed themselves of CIDCO transport but insisted that beyond this the company would not practice further concessions. For instance they were to request on duty in time and would not be permitted to work if they come late.

The union is quite upset as the transfer would affect some 900 workers, but at the same time has not been able to get any significant concessions either in cash or kind as the company has been running at a loss. This has affected its bargaining leverage.

The management informs and claims that it has informed the Labour Commissioner and the union is misleading the workers by telling them that they will stand to lose by the transfer. The lockout is still confirmed.

Questions:

- i. Analyze the problem that led to the breakdown of industrial relations in this company.
- ii. Comment on the stand taken by the union in this respect.
- iii. Give your suggestions for solving this problem

OR

Q. 5

In February 2008, the Haryana government's labour department has notified the closing of all shops in the city on Tuesdays. This implies that the largely unorganized, semi-skilled and unskilled workers employed in many shops and malls in Gurgaon will get their weekly off on Tuesdays. However, the labour commissioner stated that they would not mind allowing employers to keep their shops opened 24 X 7, only if they strictly adhere to labour laws. "They must follow the laws as far as following the outer limit for working hours in a week. They must give wages for extra time as laid down in the laws. At any cost, no employee should be exploited. In those conditions we can relax the opening of shops."

"This is a conscious decision. The earlier proposal of closing shops on Sunday was opposed by the stakeholders as they argued that their sale is much better on official holidays. Hence, from now onwards, our officials will initiate action against the violators," he said. "If the employers feel that Gurgaon is recognized globally, the citizens must follow the best practices", the labour commissioner said. He said this move is aimed at regulating the working of shops and not to discourage them.

Question:

Discuss the above decision with respect to the provision of The Shop and Establishment Act. In case some shopkeepers decide to keep their shops open on Tuesdays, what are their obligations towards the employees? What are the likely restrictions?
