

Amrita School of Business
Amrita Vishwa Vidyapeetham
Coimbatore

Term IV (June – Sep 2019)

Course Title:	Industrial Relations
Course Code:	HR508E
Credits:	3
Total Sessions:	24
Course Instructor:	Prof P Gandhimathinathan
Contact Information:	gandhimathinathanp@gmail.com
Course Link:	https://drive.google.com/open?id=12ssCA5C5GMg-orDhPGUxHLqt2f3S4wwE
Office:	
Office hours:	Tuesday 2 pm – 4 pm
Course contributes mostly to:	Employability/ Skill Development/ Value-add

Course Description

This course is very critical to all HR managers and managers who deal with units and plants and have to abide by legal manpower implications. The Management of employees, both individually and collectively, remains a central feature of organizational life. This course will help to understand the different aspects of employee relations in today's organization.

Course Objectives

Having a healthy Industrial Relations climate is not an option anymore for any organisation—it is a compulsive necessity for survival and growth. Recent developments in the industry throughout India clearly reveal the importance of Industrial Relations. While helping to evolve strategies for managing and negotiating with Trade Unions, the course also shares essential knowledge to ensure shop floor discipline.

This course provides students with current and comprehensive information touching various aspects of Industrial Law. Inclusion of this course helps:

- To develop an all-round perspective on the employment relations
- Develop current and comprehensive information touching various and relevant aspects of Industrial Law
- Analyse and deal with practical legal scenarios in organizations

Alignment of course objectives (CO) with learning goals (LG) of Assurance of Learning

Derived from its mission, ASB has adopted five learning goals, (apart from the discipline competency) - the management-specific attributes, knowledge and skills that its graduates are expected to possess when they complete the programme. The six outcomes of this course are mapped to the '*Critical and integrative Thinking*', '*Societal and Environmental Awareness*' and '*Leadership*' learning goals. The assessments, written report for the field visit and the writing exercise would reinforce the second learning goal, '*Effective written and oral communication*'.

CO \ LG	Critical and integrative Thinking	Effective written and oral communication	Societal and Environmental Awareness	Ethical Reasoning	Leadership
CO1	3	1	2	3	1
CO2	3	2	2	3	1
CO3	3	2	2	3	1

Key: 3 – Highly relevant; 2 – Moderately relevant; 1 – Low relevance; 0- No relevance

Unit-wise scope for outcomes and Bloom's taxonomy

Industrial Relations is an intense application oriented program, facilitating learning on the analytical, critical thinking, evaluating and implementing paradigms.

	CO 1	CO 2	CO 3
Bloom's Levels of Learning			
Creating			
Evaluating			X
Analyzing		X	X
Applying		X	X
Understanding	X	X	X
Remembering			

Structure of the course

Industrial Relations is a course designed to acquire in-depth critical reasoning and ethical reasoning. The course enhances participants' knowledge and skills to analyse, evaluate, apply and deal with industrial disputes and frame relevant employee policies and practices. This is an HR elective that builds in-depth skills to analyse the organizational context and design appropriate IR strategies and policies. This course is an integral course for those who are looking at IR as a career or play the role of a HR manager or who would take responsibility of unit operations or head a plant. It builds on strong conceptual knowledge and builds sharp skills to implement effective IR solutions.

Pedagogy

An intensive practice oriented course to create, sustain and leverage excellent employee relations based on analysis of current trends in Industrial Relations, the course draws out lessons from specific cases of disputes and conflicts. Retracing the major incidents and events of recent times and examining the root cause of the problems, the course helps participants to review their people processes and focus on creating and sustaining best practices in employer-employee relations, dealing with collective bargaining and

Assessment (Grading Policy: Relative)

S. no	Assessment exercise	Description	Weight
Group assessment (25%)			
1	Presentation	<i>Explain the concepts relating to the legal issue, Identify all the legal aspects relating to the specific topic, Show application of relevant legal principles, Demonstrate independent legal research & to be clearly expressed and presented and present the report in about 5 pages</i>	15
Individual Assessment (75%)			
1	Attendance	<i>Expected attendance, as per the rules</i>	5%
2	Quizzes	<i>Participants are evaluated on the conceptual clarity and evaluation will emphasise on application based or Scenario based questions</i>	10
3	Mid-term examination	<i>An open book exam with emphasis on the ability to apply and appreciate learning principles and theories and models to case scenarios</i>	30%
4	End-term examination	<i>An open book exam with emphasis on designing specific effective learning and development initiatives in specific organizational contexts</i>	40%

Course Requirements

Throughout this course, the students are expected to demonstrate highest levels of involvement and commitment, in terms of efforts, quality of work, and conduct both at individual level and as groups. The potential of making learning interesting and effective lies primarily in the hands of the students and are expected to use the same for this course throughout the term. The course demands **study efforts of 6 hours/week outside classroom (3 hours for every one session of class). Preparation is mandatory for attending the classes.**

COURSE CONTENTS -

1. Introduction to Industrial Relations

- a. Definitions of Industrial Relations
- b. Strategic Importance of Industrial Relations in the Industry
- c. Terminologies used in Labour laws and in Industrial Relations
- d. Relationship between management and workforce
- e. Reasons for failure in relationship between Management
- f. Trade Union related causes of failures in relationship
- g. Management-related cause of failures in relationship
- h. Industrial Harmony - the definition, and the need
- i. Costs of and examples of unhealthy industrial relation

2. Trade Union (also known as Labour Union)

- a. Trade Union as a representative body of workmen
- b. Trade Union as a registered legal entity
- c. The Trade Union Act, 1926
- d. The Key provisions of the Trade Union Act, 1926
- e. Understanding the evolution of Trade Unions in Industry
- f. Trade Union Movement in India
- g. Central Trade Union Organisations
- h. Types and political ideologies of Trade Unions
- i. Unfair labour practices related to formation of Unions
- j. Unfair labour practices adopted by Trade Unions
- k. Immunity against certain criminal action against Office-bearers
- l. Protected Workmen under the Industrial Disputes Act, 1947

3. Major Causes of Disputes

- a. Wages
- b. Benefits
- c. Bonus
- d. Protests against disciplinary action
- e. Protests against mismanagement of workforce
- f. Recognition of Unions
- g. Inter-union rivalry
- h. Rationalisation of Work
- i. Changes in output norms
- j. Introducing Automation in work
- k. Threat of job security
- l. Unfair labour practices by management
- m. Unfair labour practices by the Workmen and their Trade Unions

4. Industrial Disputes at the core of relationship with workmen

- a. Definition of Industrial Disputes
- b. Introduction to Industrial Disputes Act, 1947
- c. Salient features of Industrial Disputes Act, 1947
- d. Types and Classifications of Industrial Disputes
- e. Dispute Resolution Mechanisms
 - i. Conciliation Proceedings
 - ii. Adjudication Proceedings
 - iii. Arbitration Proceedings

- f. Settlements of Disputes- Legally sanctioned settlements
- g. Types of settlements and their Significance**
 - i. Settlement under Section 12(3)
 - ii. Settlement under Section 18(1)
- h. Failure reports prepared by the Conciliating Officer**
 - i. Failure Report under Section 12(4) of the ID ACT
 - ii. Reference by the Appropriate Government to Labour Courts/ Industrial Tribunals
 - iii. Matters within the purview of the Labour Courts
 - iv. Matters within the purview of Industrial Tribunals**
- i. Direct Actions by the Union**
 - i. Strikes
 - ii. Go-slow
 - iii. Work-to-rule
 - iv. Dharna/ Bandh
 - v. Hunger-fast/ Sit-in-strikes
 - j. Direct Actions by the Management
 - i. Lockout
 - ii. Lay-off
 - iii. Retrenchment
 - iv. Closure of the Establishment
- 5. Special Provisions relating to Public Utilities
- 6. Protected Workmen as provided in the Industrial Disputes Act, 1947
 - a. Sections dealing with Protected workmen
 - b. Who can be declared as the Protected workmen
 - c. Who cannot take shelter under the clause relating to Protected workmen
 - d. Process of applying for and declaring Protected workmen
- 7. Strike as a tool of gaining concessions from the management
 - a. Is there a right to strike, if so what is the extent of this right
 - b. Situations under which a strike may be illegal
 - c. Who is the authority to declare a strike illegal or legal?
 - d. What are the remedies for the management in the event of an illegal strike
 - e. Case laws relating to strikes
- 8. Practical insights into handling a Strike by Workmen
 - a. What is a lockout?
 - b. Discussions on Lock-out
 - c. Why lockout the factory
 - d. Partial or complete lockout
 - e. Legality of Lockout
- 9. Retrenchment of Workmen
 - a. What is retrenchment?
 - b. Difference between retrenchment and lay-off
 - c. Retrenchment compensation
 - d. The legal interpretation of separation of an employee
- 10. Closure of an Establishment
 - a. Section 25A and 25 B as they related to closure of an establishment
 - b. Is closure legally possible and easy?
 - c. Implications of Closure of an Establishment
 - d. Closure Compensation
- 11. Discipline in Industries
 - a. Importance of Discipline in Industry
 - b. Standing Orders as the framework for maintenance of discipline
 - c. Model Standing Orders
 - d. Certified Standing Orders
 - e. The Industrial Employment (Standing Orders) Act, 1946
 - f. Misconduct as defined in the Model Standing Orders
 - g. Procedure for dealing with misconduct alleged to have been committed

- i. Charge-sheet
 - ii. Suspension Pending Enquiry
 - iii. Domestic Enquiry Process
 - iv. Findings of the Enquiry officer
 - v. Punishment to be imposed if the charges are proved
 - vi. Appeals against punishments imposed
- h. Section 2A of the Industrial Disputes Act, 1947 - appeal against wrongful dismissals or termination of employment
- i. Collective misconduct - How to deal with it?
 - i. Concerted action by 10 or more workmen
 - ii. Penalties for concerted action by 10 or more workmen
 - iii. How to establish the fact of concerted action
- j. Other important provisions of the Standing Orders
- k. Process of certification of the Standing Orders
- l. Process of amendments to certified standing orders

12. Industrial Harmony

- a. What is industrial Harmony
- b. Why Industrial Harmony is a strategic necessity
- c. Basic Principles of creating an organisational culture
- d. Employee Engagement Initiative
- e. Creating trust in the minds of workmen for actions by Management
- f. Workers' Participation in Industry
- g. Regular engagement of the Trade Union in all major decisions
- h. Regular consultations with the Union on issues affecting workmen

Text and Reference books –

Industrial Relations in India – E I Ravindranath

Useful Websites

1. www.law4india.com
2. www.taxmann.com
3. www.unilawbooks.com
4. www.sconline.com
5. www.ebc.india.com
6. www.vakilno1.com
7. www.asianlaws.org