SETTLEMENT OF INDUSTRIAL DISPUTES IN PUNJAB WITH SPECIAL REFERENCE TO TEXTILE INDUSTRY.

QUESTIONNAIRE

All information will be treated as confidential.

Respondent's Profession/Designation:

Institution/Unit:

Place:

Date of Issue:

Date of Return:

1. Kindly strike out which is not applicable to you.

2. Questions requiring elucidated answers/information may kindly be given to on separate sheet.

3. Unless otherwise mentioned, responses should be in the context of Textile Industry in Punjab.

PART I GENERAL

Q.1. What do you think about the present industrial relations situation in Punjab?

If Good, what factors have contributed towards that?

If poor, then is it because of difference in problem solving orientation on both sides?

Very Good/Good/

Average/Poor/Very Poor.

Q.2. Do you think that the awareness of rights created by education has contributed to industrial disputes?

Yes: Significantly/

Insignificantly

No: Can't say.

Q.3. What, in your opinion, have been the major causes of industrial disputes in Punjab since re-organisation?

Contd: P -2.
Q.4. "... influences behind the strikes were political than economical..."
Do you agree with this observation? Yes/No/Don't know/Can't say.
If yes, then what should be the relationship between unions and politics, particularly party politics?

Q.5. Is the concept of one union in one establishment desirable? Yes/No/Can't say.

Q.6. Do you favour the criteria for determining representative character of bargaining agent as described in the Industrial Relations Bill pending in the current Lok Sabha? Yes/No/Don't know/Can't say.

Q.7. Have the voluntary measures like code of discipline, etc, helped in prevention of industrial disputes? Yes/No/Don't know/Can't say.

Q.8. Have Joint Management Councils wherever they are set up, helped in creating a climate of mutual trust between employers and employees? Yes/No/Don't know/Can't say.

Q.9. The Industrial Disputes Act, 1947 provides for the setting up of Works Committee to promote measures for securing and preserving amity and good relations between the employer and the workmen."
To what extent, in your opinion have they contributed in achieving its objectives? Very good/Good/Average/Poor/Very Poor.
Please elaborate.

Q.10. Have tripartite committees like Indian Labour Conference, standing Labour Conference, etc, been successful in preventing industrial disputes by providing a common platform for mutual discussions? Yes/No/Don't know/Can't say.

Contd: P - 3.
<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
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<tbody>
<tr>
<td>Q.11. Has the Model Grievance Procedure evolved under the code of Discipline served its purpose?</td>
<td>Yes/No/Don't know/ Can't say.</td>
</tr>
<tr>
<td>Q.12. If no, then do you favour the need for the statutory provisions for the formation of an effective grievance procedure?</td>
<td>Yes/No/Don't know/ Can't say.</td>
</tr>
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<td>Q.13. Have the statutory dispute settlement machinery created under Industrial Disputes Act, 1947, been active in settling industrial disputes in Punjab, especially in Textile Industry?</td>
<td>Yes/No/Don't know/ Can't say.</td>
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<tr>
<td>Q.14. If yes, which organ has been more active and useful?</td>
<td>Conciliation/ Arbitration/ Adjudication/None.</td>
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<td>Q.15. Statistics of Settlement of Industrial Disputes show that conciliation machinery has played a pivotal role in maintaining industrial peace. At the same time, many major disputes like those relating to discharge or dismissals, may not be amenable to settlement through conciliation machinery. Do you agree with the account of the functioning and utility of the machinery? Please elucidate.</td>
<td>Yes/No/Can't say.</td>
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<tr>
<td>Q.16. It is said that availability of adjudication has obstructed the successful working of the conciliation machinery. Do you agree?</td>
<td>Yes/No/Can't say.</td>
</tr>
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<td>Q.17. Should the Industrial Disputes Act, 1957 make it obligatory for an employer/workman/trade union or an agent to attend conciliation proceedings?</td>
<td>Yes/No/Can't say.</td>
</tr>
<tr>
<td>Q.18. What is your over-all assessment of the working of the conciliation machinery in settling industrial disputes?</td>
<td>Satisfactory/ Unsatisfactory/bad/ Can't say.</td>
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</table>

Contd: P - 8.
Q.19. Has voluntary arbitration any role to play in settlement of industrial disputes?

Q.20. Kindly indicate the area of industrial disputes where voluntary arbitration could be preferred to adjudication?

Q.21. Do you think the present system of adjudication has played any significant role in maintaining industrial peace? Yes/No/Don't know/Can't say.

Q.22. Are the existing arrangements for reference of disputes to adjudication satisfactory? If not, how can the arrangement be improved? Yes/No/Don't know/Can't know.

Q.23. Do you think adjudication has encouraged litigation and thus, has become costly, especially for workers? Yes/No/Don't know/Can't say.

Q.24. What measures should be taken to ensure full and speedy implementation of Tribunal Awards, and Agreements? 

Q.25. Do you favour giving the Labour Courts appropriate legal powers to implement their decisions and impose penalties? 

Q.26. Is collective bargaining possible and suitable method for settlement of industrial disputes in Punjab, especially in Textile Industry, where a big majority of units are of small scale? Yes/No/Don't know/Can't say.

Q.27. "....as long as adjudication is on Statute Book, collecting bargaining cannot develop...." Do you agree with it? Yes/No/Don't know/Can't say.

Q.28. Indian Labour Legislation, it is said has hindered the growth of Collective bargaining? Do you agree? Yes/No/Can't say.

Contd: P- 5.
Q.29. What do you consider to be the chief obstacles in the maintenance of good industrial relations?

Q.30. How do you propose to remove them?
For Employers/or their Representatives

PART II  Specific

Q.1. What is the industrial relations situation in your factory?  
Very Good/Good/  
If very good, what factors have  
Average/Poor/  
contributed towards that?  
Very Poor

Q.2. To what extent in your opinion, the following personnel management functions play their part in causing industrial disputes.

1. Recruitment and selection policy
2. Wage and salary administration
3. Performance appraisal
4. Training and development
5. Welfare
6. Discipline

Q.3. Do you think informal groups in the organisation creates role conflict and hence contribute to conflict in the organisation?  
Yes/No/Don't know/  
Can't say

Q.4. What is grievance procedure in your concern?  Kindly illustrate.

Q.5. Do you have any standing orders in your concern?  If yes, how have they been framed and how is its implementation?  
Yes/No/Don't know

Q.6. How many trade union recognised or unrecognised-function in your factory?  
Kindly give their names

Q.7. What has been the role of each one of these in maintaining industrial relations?  
Helpful/Hostile/  
Neutral

Q.8. What has been the attitude of trade unions in your factory towards the reduction of industrial disputes?  Kindly illustrate.

Q.9. What methods and measures are used by you to gain the desired degree of cooperation from the workers.
Q.10. Is there any works committee constituted and working in your factory? Yes/No

Q.11. How the workers' representatives have been chosen for this committee? Yes/No/Can't say.

Q.12. Is there any Joint Management Committee, by whatever name it is called, working in your factory? Yes/No/Can't say

Q.13. Have these Committees been helpful in preventing and settlement of disputes in your concern? Yes/No/Can't say

Q.14. What has been the attitude of workers' representatives in these Committees? Helpful/Hostile/Reasonable

Q.15. How may collective agreements have been signed with the workers? Yes/No/Don't know

Q.16. What has been the subject matter of such agreement? Yes/No/Don't know

Q.17. Have there been any breach of the above agreement/s by the workers? If yes, then on what grounds? Yes/No/Don't know

Q.18. Which do you favour most in the settlement of disputes?
1. Negotiation/collective Bargaining
2. Conciliation
3. Arbitration
4. Adjudication.

Q.19. Who represents your case in the conciliation proceedings? Legal practitioners/Secretary of employers' Association/personnel officer/others.

Q.20. How often adjournments in conciliation are sought by you? And, usually on what grounds? Quite often/Occasionally.

Q.21. Conciliation has not been very successful, because:
a. It is of recommendatory nature.
b. There are discriminating reference of disputes for adjudication.
c. Conciliation officers are not fully trained for the jobs, have lack of experience, and their integrity doubtful.

d. Insincere approach of disputants.

e. Availability of compulsory adjudication.

give your own views in order of preference.

Q.22. Whether conciliation should be made compulsory in every type of concern or the present system of distinction between public utility service and all others be remain there?

Q.23. Voluntary arbitration has not taken its roots. Is it because of:

1. Availability of adjudication in case of failure of conciliation

2. Shortage of experience arbitrators having the confidence of both the parties.

3. Absence of recognised unions which could bind the workers to common agreement.

4. Expenses of arbitration, particularly from workers' angle.

5. Finality of the Arbitrators award.

Q.24. Would you have any suggestion to offer for the amicable and speedy settlement of industrial disputes?

Thanks
Q.1. Which trade union organisation do you represent?  

Q.2. Is yours a registered union?  

Q.3. Is yours a recognised union?  

Q.4. What is the basis of recognition?  

Q.5. Are the officials of the union mainly workers in the establishment?  

Q.6. What part has your union played in organising strikes during the period 1976-77?  
   a. What were the causes of the strikes?  
   b. What was the response of the workers at the call of the Union?  
   c. What was the attitude of the employer?  
   d. What was the ultimate result?  
   e. What was the attitude of other unions?  

Q.7. If the number of strikes is nil or small in your factory, what are the main factors responsible for that?  

Q.8. In case of disputes other than strikes and lockouts what steps during the above period (1976-77) did the union take in negotiations with the employers?  
   a. What was the response of the workers?  
   b. What was the attitude of the employees?  
   c. What action did the union take?  
   d. What was the ultimate result?  

Q.9. Are you associated with any of the following committees?  
   a. Works Committee  
   b. Production Committee  
   c. Joint Management Council/Committee  
   d. Other Committee (specify it)
Q.10. If yes, then are you satisfied with the attitude of the management regarding the functioning of the above committees?

Yes/No Can't say

Q.11. Are you satisfied with the grievance procedure, if any, in your establishment? If not, what changes would you like?

Q.12. What procedure your trade union follows for going on a strike?

Q.13. What is the procedure that your Union follows for raising issues? Kindly give illustrations.

Q.14. What are your suggestions for strengthening trade union movement with special reference to the following problems:
   a. Rivalry and multiplicity.
   b. Absence of welfare activities.
   c. Unsound finance.
   d. Undue politicalisation.
   e. Any other.

Q.15. Through which method usually do you settle your disputes?
   b. Conciliation.
   c. Voluntary Arbitration.
   d. Adjudication.

Q.16. Conciliation is preferred by you to:
   a. Settle the disputes with the help of the conciliation officers.
   b. Convert the collective agreement into settlement.
   c. As a matter of procedure.

Q.17. In what percentage of disputes do you avail the following methods:

<table>
<thead>
<tr>
<th>Method</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>1. Collective Bargaining</td>
<td>1. 100%</td>
</tr>
<tr>
<td>Conciliation</td>
<td>2. Less than 100%</td>
</tr>
<tr>
<td>Arbitration</td>
<td>3. Actual percentage.</td>
</tr>
<tr>
<td>Adjudication</td>
<td></td>
</tr>
</tbody>
</table>
Q.18. Of the following categories of disputes, which would you prefer for conciliation/arbitration/adjudication:

Termination disputes.
Demands disputes
Both types
None.

Q.19. In your opinion, what are the reasons for withdrawal of disputes from conciliation?

Q.20. What changes do you suggest for the improvement of the present conciliation system?

Q.21. In your view, what have been the major cause for the poor popularity of voluntary arbitration as a method for settling disputes?

Q.22. What would you suggest for popularising arbitration in the State?

Q.23. Do you suggest any changes in the present adjudication system to make it more effective and less time consuming?

Thanks.
Q.1. For the last how many years you are working on the present job?

Q.2. In what types of disputes conciliation is often sought for?

A. Collective Disputes

B. Individual Disputes

What is your view on the basis of your experience? Cross which is not applicable.

Q.3. How do you react to the view/belief that many conciliation proceedings are nothing but used as a practice of converting Collective agreements into settlement?

If yes, then do you subscribe to the view that conciliation is a substitute to the collective bargaining?

Q.4. From what size of establishments you normally receive requests for intervention?

Large/Medium/Small

Q.5. How much time is usually allotted for a conciliation meeting?

Q.6. May you, please, indicate some of the preliminary steps you take before taking up the case like preparation of case history, etc.

Q.7. How often adjournments are sought in conciliation proceedings? Who seeks it more?

Employers/Workers

Q.8. Disputants seek the intervention of the conciliation officers often as a matter of procedure rather than with a keen desire to settle it at this stage. What are your views?

Q.9. Conciliation is a highly tactical job. What sort of tactics do you adopt?

Q.10. What is the usual pattern of conciliation in disputes involving discharge, dismissal of the workers?
Q. XI. Do you favour suggestion of giving powers to conciliation officers to issue summons for compulsory attendance of disputes in the conciliation proceedings?

Q. 12. A period of sixty days have been suggested in the New Industrial Relations Bill to conclude the conciliation proceedings? Do you think it is sufficient?

Q. 13. Do you favour legal support to conciliation settlements?

Q. 14. Do you get proper cooperation from the employers while investigating the disputes?

Q. 15. How do you view your conciliation job?

Q. 16. Did your enforcement-cum-conciliation duty come in your way of attending to conciliation job?

Q. 17. Conciliation proceedings are delayed, because:
   a. Employers delay the submission of remarks.
   b. Employers found excuses for not maintaining the records or for providing required information.
   c. Employers seek frequent adjournments.
   d. Lack of cooperation from workers/trade unions.

   Kindly place them as 1, 2, 3, 4 in order of your preference.

Q. 18. How do you react to the charge that conciliation officers precipitate or aggravate the labour unrest, by:
   a. Being inactive in intervening and mediating.
   b. Taking undue interest in either party.
   c. Being amenable to influence.
   d. Not mediating at proper time.
   e. More interested in disposing off the dispute as failed.
Q. 19. Please indicate the specific changes/improvements you suggest for making effective and expeditious disposal of conciliation work.

Q. 20. What procedural functions you undertake while promoting settlement of disputes?

Thanks.
WORKERS' INTERVIEW GUIDE

All information will be treated as Confidential.

Designation of the worker:

Unit:

Place:

Date of Interview:

Q.1 May I ask you to describe your work particulars in the factory?

1. Department
2. Section
3. Official Designation
4. Grade of Pay
5. Present Daily Wages
6. Mode of Wage Payment
7. Actual Operation on the job

Q.2 May I know your age?

Q.3 For how long have you been working in this factory? Your total work experience.

Q.4 How do you find your job in your factory?

Q.5 Do you consider unions necessary or unnecessary?

Q.6 What do you think about the principal functions of unions?

Contd: P–11.
Q.7 Unions are formed for social and economic upliftment of the workers. To achieve it, unions have to
a) Fight militantly
b) Mutually negotiate with management
c) Work whole-heartedly
d) Give a helping hand to the management
Which in your opinion is most important in terms of degree?

Q.8 Are you a member of a Union?
Which Union?
When did you join it?
If not a union member, what are the reasons for not joining?

Q.9 If a union member, how often union meetings are held in the factory?
How often do you attend those?

Q.10 If a union member, are you satisfied with the job the factory union is doing?

Q.11 Do you think that your job is secure?
If not, what is the reason of insecurity?

Q.12 Are you satisfied with the union efforts for ensuring your wages and job security?

Q.13 What is your attitude towards the role of political parties?

Q.14 Generally to what extent is your union successful in negotiating with the management?
Mainly successful
Mainly unsuccessful
Partly successful

Q.20 In successful case, what were the main factors responsible for success?
Solidarity of Workers
Justified Demand
Capable Union leadership
Helpful Management
Weak case of the Management

Contd: P- iii.
Q.16 In unsuccessful case, what were
the main factors for failure?

Q.17 How do you represent your
grievances? And whom do you
approach for redressal?

Q.18 What is the attitude of the
following in the redressal of
your grievances?
   i. Management either direct
      or through supervisor.
   ii. Union Leaders

Q.19 What is grievance procedure in
your factory?
   Are you satisfied with its
   working? If not, why?

Q.20 Are you aware of the Standing orders?
   Is there any in this factory?

Q.21 Are you a member of Works Committee?
   Production Committee?
   Joint Management Council?
   Any other Joint Management Committee?
   If yes, what has been your role in
   these Committees?

Q.22 What has been the attitude of
management towards labour repre-
sentatives in these committees?

Q.23 Do you think such Committees can
perform a useful function in
promoting industrial relations?

Q.24 What has been, in your factory,
major cause(s) of industrial disputes?
Q.25 How far the above Committee have been successful in preventing the disputes? If little or no, who is to be blamed for that?

Q.26 Do you favour workers going on strikes? Have you taken part in any strike during the period of your service? What were the reasons for the strike?

Q.27 If the number of strikes in your factory is large/small, what have been the main factors responsible?

Q.28 Were the strikes successful/partially successful/unsuccessful? Give the reasons for your success or failure?

Q.29 Have you ever been involved in any other dispute besides strikes?

Q.30 What was the result of such dispute?

Q.31 Are you aware of the statutory dispute settlement machinery?

Q.32 Have you ever appeared before the following:
   a) Conciliation Officer?
   b) Arbitration Board?
   c) Labour Court?

Q.33 If not, who represented you in case of any of your disputes which were taken before the above bodies?

Q.34 If any outsider or leader did so, did he represent your case effectively?

Q.35 What has been your experience with the working of the Conciliation Machinery? Has it been helpful in sorting out all sorts of disputes?

Q.36 In your opinion, is arbitration an effective method in the settlement of industrial disputes?

Contd: P- v.
Q.37 Based on your experience, could you say that adjudication has increased litigation?

Q.38 Do you favour the continuation of the present machinery?

Q.39 What are your opinions about mutual settlement, i.e., settlement by collective bargaining, of industrial disputes?

Q.40 Are you aware of any collective agreement signed in your factory?

Are you satisfied with its implementation?

If not, on what account do you feel dissatisfied?

Q.41 Do you think that government is doing all that it can about problems of workers?