CHAPTER II

REVIEW OF LITERATURE

This chapter consists of three sections. The first section deals with studies on labour rights and violations. The second section explains the studies regarding industrial democracy and workers participation in management. The third section outlines the summary of various studies.

2.1 LABOUR RIGHTS AND VIOLATIONS

In this section the studies related to labour rights and violations that prevail at the national and international levels in various sectors are highlighted.

2.1.1 International Scenario

Kinard et al. (1995) conducted a study on sexual harassment in the hospital industry and found that more than half of the complaints were filed against coworkers—more than three times the number filed against immediate supervisors. Managers other than immediate supervisors were charged in less than 10% of the cases.

According to Weil (1996), unions can play an important role in elevating awareness among employees, as well as monitoring and enforcing statutory labor policies.

According to Anita Chan (1998), of all labor rights violations, the worst involve occupational health and safety. Much has been documented in writings published in China and Hong Kong about the lack of work insurance, the high level of accidents in mines, the numerous factory fires, explosions, unguarded machines, severed and maimed limbs, the use of poisons without safeguards, with little, or no medical treatment, or compensation.

Bates and Este (2000) found that due to an increase of women and minorities in the workplace, there is an increasing focus on issues of human rights. Many corporations have human rights conflicts, but few have resources devoted expressly to human rights training. Employee turnover, absenteeism, and theft are directly or indirectly related to human rights issues. Costs could be reduced and wages could rise for all employees if workplace discrimination was eliminated. They also concluded that Human rights
educators need to move beyond the legal approach if they are to help foster a human rights culture in the workplace. They must consider the full terrain of human rights education and stress the financial benefits of human rights and equity in the workplace. The transition toward a diverse and equitable workplace is not a simple one, but by engaging senior management, and encouraging systemic, companywide change anchored in corporate business plans, the barriers which have kept corporations from adopting a human rights culture can be overcome. In the near future, the question corporations may be asking is not whether a human rights culture may be profitable, but whether they can be profitable without it.

Budd et al. (2003) found that unions serve as educators of employees regarding their rights as well as institutions that can effectively monitor and enforce implementation of worker rights.

Mondal (2003) conducted study in Bangladesh tea plantation regarding labour rights. He found that the large scale of absenteeism among workers due to illness, which may be due to occupational hazards like working under the glare of scorching sun or in the rain, insect/snake bites, exposure to fertilizers, insecticides and fungicides, and non-use of self-protective measures like mask or gloves. The problem further aggravates due to certain non-occupational hazards like unsafe drinking water, unhygienic sanitation, and poor food intake and the consequential malnutrition.

Kamaldeep Bhui et al. (2005) studied the Racial/Ethnic Discrimination and Common Mental Disorders among workers and concluded that risk of mental disorders was highest among ethnic minority individuals reporting unfair treatment and racial insults. The overall greatest risks were observed among Black Caribbeans exposed to unfair treatment at work and Indian, Bangladeshi and Irish individuals reporting insults.

Denis Arnold (2006) point out that the public sector employees are granted many rights where as private sector employees do not enjoy much rights.

High Commission on Legal Empowerment of Poor (2006) conducted a study on labour rights in informal sector in Ethiopia. They find the major costs are poor quality and unproductive jobs, unsafe work, inadequate income, denial of basic rights.
They suggested to prevent and avoid abuse of worker’s right strengthen the labour inspection and revisiting existing labour rules.

A survey of Chinese working women’s reproductive health and rights in the garment sector (2007) indicates that there are still gaps in the protection of women’s reproductive health and rights. Their special needs at work are ignored, particularly during their menstrual period. Women do not receive the kind of protection they should, but rather receive all kinds of unfair treatment.

**Datta and Milly Sil (2007)** stressed that the greater emphasis must be given on social protection of workers and law must be laid on decent work practices along with proper implementation of minimum wages in both formal and informal sectors.

**Monjur Morshed (2007)** found that labours in Bangladesh Readymade Garment industry have been denied their legal rights, they do not have appointment letters, usually work long hours in poor working surroundings, and are victims of forced overtime and irregular monthly payments. Workers are barred from forming collective organisations and the termination without any logical reason occurs frequently. In most of the cases poor female garment workers are the victims of such violations of labour rights.

**Annette Bernhardt et al. (2009)** in their study found that many employment and labor laws are regularly and systematically violated, impacting a significant part of the low-wage labor force in the nation’s largest cities. Workers in the sample were paid less than the legally required minimum wage. The employees were not paid the legally required overtime rate by their employers. Minimum wage violation rates were most common in apparel and textile manufacturing. Nearly a quarter of the workers in the sample came in early and/or stayed late after their shift. Of these workers, 70 percent did not receive any pay at all for the work they performed outside of their regular shift. More than two-thirds (69 percent) received no break at all, had their break shortened, were interrupted by their employer, or worked during the break, all of which constitute a violation of meal break law.

A study conducted by **Weller and Christian (2011)** investigated the potential links between labor rights, total trade, and trade balances and identified how labor rights affect U.S. imports and U.S. exports. Data on U.S. trade were combined with data on international labor standards and other pertinent economic variables to determine
potential links between labor rights and U.S. trade. Findings suggested that U.S. would have benefitted from more exports if there had been better worker rights around the world; however, labor rights would not have any measurable impact on U.S. imports.

**Catia Gregoratti and Doug Miller (2011)** examined the relationship between labour rights and union democracy. There is a potentially important causal relationship and he indicates that emphasis must be placed on unionism.

### 2.1.2 National Scenario

**Parthasarathy (1976)** in his study observes that in several centers, female wage rate formed only 80 percent of the male wage rate. Women workers in agriculture cannot dream of welfare measures like maternity benefits, health facilities and educational facilities for their children.

A series of study carried out by the **Labour Bureau Government of India (1981)** in a variety of industries showed a large of women working in mines did not have separate arrangements for latrines and rest rooms. Shelters and crèches were in neglected condition.

**Jaya Arunachalam (1984)** in her report on “Empowering Women for a positive revolution” revealed that small percentage of women who get into formal sector, face discrimination and exploitation in their factories and were pushed to accept jobs not accepted by men.

**Molly Moore et al. (1995)** in their study on Status of Child Labour in Carpet Industry highlighted the following: Children work an average of ten to fourteen hours a day, six and a half or seven days a week, forced to work as long as sixteen or even eighteen hours on a daily basis. The loom sheds are often poorly ventilated, poorly lighted, and cramped. Many of the children suffer from scabies, skin ulcers and other dermatological diseases, a result of the close and crowded conditions and the constant exposure to wool. Work-caused cuts and wounds are endemic and frequently become infected. The employers tend to treat the bonded child laborers harshly. One study of child weavers found that 71 percent reported being beaten for mistakes in weaving, and beaten even more severely if they asked for their wages or tried to escape.
Laabs (1995) found that 74% said that sexual harassment is a serious problem facing business today. 61% of the respondents said that management is not doing enough to address the problem and 90% of the respondents to the survey said that their workers do not understand a common definition of sexual harassment.

Martine Kruijthsbosch (1996) conducted a survey on child and adult labour in the export oriented garment and gem polishing industry of India, with case studies from Tirupur, Bangalore, Jaipur and Trichy. It was observed that the children are forced to work more hours per day and also in the nightshift because export orders have to be completed in time. This puts a tremendous stress on the children. The majority of the children in the garment industry of Tirupur suffer from exhaustion.

According to Patel (1997), the use of contract labour remains widespread in India under conditions which violate basic labour standards.

Vishal Kashyap and Krishna Shekhar Lal Das (2000) found that there was absolutely no trade union presence in the entire IT sector due to workers mobility and the absence of bargaining power. Majority of workers in this sector working beyond the normal hours, there is no concept of overtime payment. In fact, many of the workers in this sector are unaware about their rights to get payment for overtime.

Sabarirajan et al. (2001) analysed employee welfare facilities in Textile industry. The study shows that 15% of the employees have satisfaction with the welfare measures, 39% of the employees have satisfaction at average level and 16% of them are highly dissatisfied.

The study conducted by Nigel Meager et al. (2002) show that nearly 70 per cent of the sample assessed themselves as well informed or very well informed about employment rights in general. A quarter of the sample felt that they did not need to know more than they already did, whereas half felt they would like to know more. In response to direct questions about whether respondents were aware of five specific groups of employment rights (relating to parental leave, Working Time Directive, National Minimum Wage, nondiscrimination, and unfair dismissal), awareness of the National Minimum Wage was the most widespread (91 per cent), and parental leave the least (52 per cent). Over three-quarters of respondents were aware of four or more of these
rights when provided with a direct prompt. However, there is a positive relationship between individuals’ own assessment of their awareness/knowledge levels, and the number of rights of which they claim awareness when prompted.

The results of the survey conducted by **Tata Consultancy Services (2002)** on Child Labour and Labour Rights in the Sporting Goods Industry showed nearly 30 per cent of all football-stitching households surveyed had at least one child employed in football stitching. There are large differences between the wages received by workers in the stitching centres, registered units and the unregistered units for the same work and the wages are below the minimum wage. There are vast gender-wise wage differences and equal remuneration for the same work does not seem to be the practice in production of footballs. Benefits such as bonus, overtime and regular health check-ups are only given to a limited number of stitchers in the stitching centres. In the registered and unregistered units, these benefits are hardly ever provided.

**Anuradha Talwar (2002)** found that gender exploitation also exists in the form of double burden of house work and economic work. Equal wages for equal work are not given. In other words, gender exploitation exists in many forms in the agricultural sector and agricultural women workers in West Bengal are hardly unionised.

A survey conducted by the **Centre for Education and Communication (2003)** on the labour conditions in the garment exporting units existing in Mumbai, Delhi and Tirupur, revealed that there were high proportion of migrant labour, very high level of casualisation, and long working hours. The general trend was that by and large a number of companies paid less than the prevalent minimum wages and were forced to work overtime in order to increase their wages. There is no social security benefit.

The study on Labour Rights and Labour Standards for Migrant Labour in India by **Salve (2005)** found that more than 90 percent of the total workforce is engaged in the unorganized or informal sector, like migrant labour and other workforce. Migrant workers, who are not organized under any trade unions and their labour standards, are not protected by the government as well as trade unions. These migrant workers are illiterate, ignorant, and belong to backward community. They do not get minimum wages stipulated under the Minimum wages Act. Uniform labour standards in the context of
unorganized sector workers, like migrant workers, should be implemented in rural and urban areas of India. It is necessary to protect migrant and other workers in the unorganized sector by International labour standards.

The study conducted by Manicandan et al. (2006) on Transformations and Labour in the Indian Garment Industry showed that majority of the workers interviewed did not have a permanent status of employment. The terms of employment was not specified for the daily wage earners or casual workers and contract workers. The Employment practice deployed by the textile industry in Tamil Nadu is translating into captive or bonded labour. Adolescent girls from neighboring countryside are lured to work in large textile units in towns like Coimbatore-Tirupur cluster, Erode, Dindigul and Vedasanthur. These girls have to reside within the factory premises and work over 12 hours a day. Workers working hours stretched up to 16 hours or more in a day (including overtime). They found that the overtime is not paid at the premium rate (double the wage). They had no written contract or appointment letter. No worker had been promoted. They have been working all seven days in a week for a month. There is no regular system of maternity leave in the company and they were also not aware of maternity leave. The first aid box has a collection of an expired and inadequate collection of medicines. No nurse or doctor ever visits the factory. There is no canteen in the factory. Air ventilation is poor within the factory. The drinking water in the factory is not clean and hygienic. Despite laws being in place, freedom of association and the right to collective bargaining remain a distant realization for the workers in textile industry.

Khairoowala Mohiuddin (2006) stated that medical facilities to protect the health of the workers are the fundamental and human rights to the workmen. The workers in general would be able to claim human condition of work, maternity relief, hygienic conditions of work places and better standard of life and leisure, and to enjoyment of life with dignity, while in service or post retirement as a fundamental right.

Tomar Suman and Sharma Seema (2006) pointed out that the socio-economic evil of child labour is highly prevalent in our country. The Child Labour (Regulation and Abolition) Act, 1986 does not prohibit the employment of children in cottage industries,
family households, restaurants and agriculture. It is quite evident that the working conditions of the children in these small organisations are far inferior to those of large factories.

**Tulshi Kumar Das and Hasan Zakirul Islam (2006)** conducted a study on human rights of the tea gardeners in selected gardens in Sylhet and found that child labour is very commonly found in tea-gardens. Tea gardeners are socio-economically poor and therefore children are forced to work in order to support the family financially. Majority people do not have any idea about their basic rights, tolerating everything that may be termed as human rights violation.

The study conducted by **Anusha Lall (2007)** on ‘Child slavery thriving in Indian cotton industry’ found that existing employment practices in cottonseed cultivation are in denial of rights of children and in violation of national laws and international conventions (denial of children's rights to education, health and safe living). The children for most part are employed on a long-term contract basis through advances and loans extended to their parents by local seed producers, who have agreements with the large multinational and national seed companies. Most of these children belong to the disadvantaged sections as the Scheduled Castes, the Scheduled Tribes, and the Other Backward Classes, and 90 per cent are either school dropouts or have never attended schools.

**Thomas Kochan and Beth Shulman (2007)** emphasized that the employers should pay a living wage and offer decent health benefits and retirement security. Paid family and sick leave is required to restore the balance between work and family and trade agreement must include labour rights.

The Report on Bonded Labour in Chhattisgarh by **Abhay Xaxa (2007)** found out during interaction with labourers as well as employers that the minimum wage fixed by the government is seriously violated everywhere. Because of this, the labourers are caught in the vicious circle of poverty and become prone to bondage.

**Rao (2007)** in his “Labour Legislation in the making” opines that professional bodies like National Institute of Personnel Management should constitute a standing committee to monitor the proceedings in the Parliament regarding the labour welfare measures.
Misra Preeti and Pandey Pradeep Kumar (2007) stated that the existing legal regime for prevention or protection from sexual harassment in India is incompatible with fundamental rights of working women guaranteed under Indian Constitution and the state is under a Constitutional obligation to take appropriate legislative, administrative and other measures to secure the basic rights of women. As the problem of sexual harassment is against the interest of women workers, these organizations should work effectively to meet their challenges.

On the basis of empirical evidence, Amit Kramer (2008) found that the unions facilitated better knowledge regarding rights for parental leave among employees. Union played positive role in labour policy implementation. Another important finding is that employees who are more likely to use labor rights are more likely to be aware of them. Union members’ knowledge regarding their rights is better than that of nonunion members.

Sumangala Damodaran and Pallavi Mansingh (2008) in their study on leather industry found that majority of the respondents had complaints regarding health and safety conditions at the working place. Workers suffer commonly from respiratory problems, lung diseases and skin infections due to constant exposure to glue and fumes. They are also exposed to risk of nasal cancer, neurotoxicity and adverse physical factors. Workers said that if he is ill and takes a half-day holiday he loses the wage for the entire day. In Agra despite laws being in place, freedom of association and the right to collective bargaining remain a distant realization for the workers in the leather industry. There is no unionization in the entire footwear-manufacturing units in Agra. If they try to form a union the worker is removed from the work that very moment. Seeing this other workers do not try to form the union. But they are of an opinion that there should be a union to represent their voice regarding wage negotiations, dispute resolutions and about social security benefits. Working hours in the factory are long and they are unable to spend time with family.

Sobin George (2008) conducted a study on Labour Rights and Sportswear Production in India with special reference to Soccer Ball Industry in Jalandhar. Though the company claims that all workers inside the factory are getting benefits of provident fund, employee state insurance and minimum wages, workers in real terms are not getting
the same. It is found that there is no security of employment and living income in the soccer ball industry. The stitching centres are small units and the workers are not getting any statutory benefits as per the Factories Act, Maternity Benefit Act, Minimum Wages Act and Contract Labour Regulation Act as most of the stitching centres are unregistered.

Navin Chandra (2008) emphasises that substantive labour standards need to be enacted to provide a floor of rights for all workers. This may include minimum wages, maximum hours of work, basic social and income security, basic health security and so on. Women workers should be entitled to maternity benefits, extra leave in conformity with their biological cycles, and crèche facility for the suckling worker. The question of equality and equal opportunities needs to be legally resolved. Their concern against sexual harassment at the workplace needs to be effectively tackled. The present system of excluding women from enjoying these basic human rights on the basis of number of workers in an enterprise must be jettisoned. Right to employment, right to organize and right to social security are the most basic labour rights that if realized, would empower the working poor as well as give them social dignity.

Sudhershan Rao Sarde (2009) in his study found that most of the employment in construction is migrant labour. The working hours are from sunrise to sunset. The working day of women often stretches from 14 to 16 hours, combining house work and work at site. The work place is unsafe. The workers have no social security, compensation to injuries, access to drinking water, and health care. They are victims of constant verbal and sexual abuse, working without any grievance redressal mechanism. Further, they have to live in make shift tents with plastic covers. They are forced to bathe and defecate out in the open.

Manali Chakrabarti and Rahul Varman (2009) found that there is an increasing awareness amongst contract workers regarding their rights of minimum wages and working hours which also seems to be leading to situations of conflicts and disagreements between workers and contractors as well as complaints regarding wages.

Singh and Anita Pathak (2010) conducted a Study of Awareness of Labour Welfare Measures in A.G. I. O. Paper and Industries Ltd. Dhekha, Bilaspur (C.G.). They found that above 60 % workers were aware about statutory welfare measures except rest
shelter/ retiring room and crèche facilities. Maximum statutory welfare facilities were being provided and implemented but non statutory facilities were not being provided and implemented by employer. Only house rents and conveyance allowances were being given to sample workers in place of residential and transportation facilities respectively.

A survey conducted by *Rajeev Meenakshi (2010)* reveals that collusive agreements between various agents often result in exploitation of contract labour.

*Mohanasundaram (2010)* conducted a study among the garment workers in Tirupur. The study shows that the workers worked one and half-a- shifts i.e., 12 hours. Under the Sumangali System the women workers were denied the final amount at the end of agreement period and they mostly worked in night shifts. They were also compelled to work in the owners / managers’ houses located inside the premises of the spinning units. The majority of girls said the bathroom and toilet facilities were very bad. The Medical facilities offered at the work site were not at all satisfactory. They had signed / put their thumb impression on the agreements. Yet, no one seemed to have a copy of the same. On the treatment they received, in the work place, most of them said they suffered oral abuse.

2.2 INDUSTRIAL DEMOCRACY

In this section the studies related to industrial democracy with special reference to workers participation in management at the national and international levels in various sectors are highlighted.

2.2.1 International Scenario

*Kolaja (1965)* conducted a study on operations of works council in a textile company. He found that compared to the factory in Poland, the Yugoslav factory displayed a more successful pattern of management-worker co-operation in the sharing of decisions in the enterprise. He concluded that the Yugoslav workers’ council legislation has not given the workers more autonomy.

*Mills (1977)* described the spread of industrial democracy to Western Europe in the 1970s in his book titled, ‘A story of capitalism in transition’. In his words, in countries where it is occurring, industrial democracy, affects the nature, control and even with the ownership of private enterprise; the nature control, power and bargaining areas
of the labour unions and the roles and contributions and rights of the individual worker in contemporary and future industrial society. He shows that industrial democracy affects many aspects of lives of different people in modern society. This reason may explain the wide clamour for the introduction of worker participation arrangement in most countries.


Lawler et al (1992) found that participation programs have positive, or in some cases, ambiguous effect on productivity. Furthermore, employee participation and industrial relations practices may interact so that the sums of the effects on plant performance are increased.

Fashoyin (1992) have suggested that worker participation in management decision making represents a means of reducing industrial conflict, raising workers productivity and ensuring rapid socio-economic development.

Adewumi (1993) explained worker participation has been as a plank of industrial democracy.

Wen Fang Tang (1993) concluded that workplace participation must focus not only on who participates but also on how and in what one participates. Workplace democracy is possible only if inherently stable process is interrupted. The workers prefer representative system in which they are entitled to select factory directors. The decentralization of ownership alone may not promote workplace democracy.

Pfeffer (1994) found that employee participation is positively related to performance, satisfaction and productivity of an employee.

Charles Heckscher (1995) in his study of 250 managers in 14 organizations including General Motors, AT&T and Dupont, etc., makes a startling revelation that participatory management has generally not accomplished much. There has been huge gap between views of middle and top management. Companies with a sense of honesty and purpose have high levels of participation.

According to Clyde Summers (2000), Industrial democracy presupposed union democracy because the union was the worker's voice in collective bargaining. Union democracy is the essential instrument of industrial democracy.
Douglas Kruse's (2001) study reveals that greater employee participation and influence in decisions making may help to generate feeling of ownership. The study concludes employee-ownership leads to higher-performing workplaces and better compensation and work lives for employees.

Imbun (2002) in his study concluded that despite the passing of time, only few trade unions have managed to effectively represent workers interest.

In the view of Kester et al. (2002), democratic participation is no longer primarily a battleground between capital and labour, implying a win-lose game, but a common challenge, a win-win game that forces all parties to reconsider the rules of the game and the roles of the actors.

Cabrera et al. (2003) found that the services sector (e.g., hospitality and tourism) practised significantly higher levels of employee participation than firms in the manufacturing (production oriented) sector.

The Sandra Rothenberg (2003) study of 11 automobile plants at US concludes that Job security was the most important aspect for enhancing participation.

Douglas Kruse (2003), in his research found that there is evidence of employee ownership and participation positively correlated so that employee owned firms are more likely to have participative structures than other firms.

Virginie Perotin and Andrew Robinson (2004) found that financial participation has a positive or neutral effect on productivity. Suggestion that emerges from recent empirical research is that other important aspects of enterprises’ organisational and human resource practices, such as the protection of human rights at work, may also affect the impact of financial participation.

Peter Shearn (2005) concluded that larger enterprises are more likely to implement direct forms of participation. The levels of awareness amongst employees of statutory regulations for workers’ participation are low. The worker participation is more effective within workplaces where trade unions provide support for workers. Similarly, unions appear to have a positive impact upon safety performance, or conversely that nonunion workplaces have poorer levels of safety performance.
Richard Stup (2006) conducted a Special Research on Human Resource Management and Dairy Employee Organizational Commitment and concluded that participation in work by offering suggestions and joining in decisions was very important to employees.

Adya Prasad Pandey (2007) stated that Japan was by far the leading example of a successful form of industrial democracy. Of the other countries, only Singapore appears to have made any real effort to introduce serious consultative practices, but these have been strictly circumscribed and made subordinate to Government objectives of increasing productivity.

Yusuf Noah (2008) conducted a study on worker participation in Management Decision Making within Selected Establishments in Lagos, Nigeria. The study confirmed that while the workers demonstrated positive attitude towards involvement in decision making, the actual level of involvement they exercise is negative and workers in the service sector are more involved in management decision making than those in the manufacturing sector.

Saeid Emamgholizadeh et al. (2009) examined relations between employees’ participation in organizational decisions making and their empowerment. The employees felt that they have more autonomy and high level of participation in decision making.

Wolfgang Weber et al. (2009) suggested that the extent employees participate in democratic forms of organizational decision-making is positively related to the firm’s socio-moral climate as well as to their own organizational commitment and prosocial and community-related behavioral orientations.

A survey conducted by Florida International University (2011) on union members found that union membership is declining at an alarming rate and workers participation in their union is often non-existent.

Badr-al-Din Oure'I Yazdani et al. (2011) found that employees’ participation must be possible not only in decision making, but in goal setting process. In fact, organizations which enjoy empowered employees allow team-works to identify their operational goals and participate in determining strategic objectives.
2.2.2 National Scenario

Das (1964) stressed the lack of interest shown by employers and workers and the atmosphere of fear and suspicion pervading industrial relations in the country. He concluded that the socio-economic circumstance in India today is not conducive to the development of workers’ participation.

Tanic (1969) studied the problem of the possibility of workers’ participation in management in India. He concluded that the experiment of workers’ participation in India was not only at the lowest level of evolution but also that workers, unions, employers and state do not have any real interest in its success and that there existed a gulf between the proclaimed attitudes on participation and its real situation in the country.

Among Indian studies, Sheth and Sharma (1969) suggested that workers' participation in union affairs is very low. Pandey and Vikram (1962) also arrive at the same conclusion. Crouch (1966) describes the Indian workers as "status conscious', possessing a mentality to obey and hence disinterested in union work.

Sheth (1972) conducted a study on the Joint management councils in six industrial units and reached the conclusion that the Indian method of workers’ participation in management was a failure because it could not cater to the needs of the concerned at the organisational level.

Alexander (1972) investigated into the working of the participative forums in organisations where they were working smoothly as well as in organizations. The study noticed that there was no relationship between the workers’ caste, place of origin, level of skills, income and inclination for participation in any area of management. It was found that the level of education of workers was the only factor that affected their interest in participative management.

The results of the attitude survey conducted by Ghosh (1976) showed that majority of the labour was of the opinion that the working of the shop councils would not be effective unless accompanied by fair wages, decent working and living conditions.

Studies by Mehta (1977) on worker participation show that workers seek satisfaction in various dimensions of their work related situations, such as, influence in
decisions, greater autonomy at work, friendly relationships with peers, respectful relationship with supervisors, trust and support from others in the work organisation and work amenities.

**Deepti Bhatnagar (1977)** conducted an empirical study on workers’ desire for participation in management. The study revealed that there was active interest in sharing information about safety and technical decisions. Workers were happy to leave wage settlements and welfare measures to the trade unions.

**Jitendra Dholakia (1978)** conducted a study on ten Joint Management councils of different industries of both public and private sectors in Gujarat to examine the aspects of workers’ participation in management. It was found that the councils in these organisations were functioning well.

**Kumar (1978)** organized a study by collecting data from both public and private sector undertakings in Orissa state to examine the phenomenon of workers’ participation in management in Orissa. The study revealed that the managements of both sectors, instead of considering the scheme of participation as an integral part of organisations, perceived the scheme as a concession provided to the workers.

**Allen (1978)** made clear that the unions are voluntary in nature in which members have their own choice. He pointed out that along with internal opposition, formal constitutional democratic sanctions, turnover of officials and elections may be considered as indicators of union democracy. The democracy is institutionalized in large organisations which can maintain loyalty to the central organisation while retaining autonomous centres of power within the organization.

**Michael (1979)** conducted a study on the textile mills of Bombay to measure the effectiveness of workers’ participation in management and found that it had not succeeded in attaining its objectives. The study also introduced a new model of workers’ involvement in management to maintain effective industrial democracy and cordial industrial relations.

**Laxmi Narain (1984)** evaluated the attitudes and approaches of managers and trade unionists on participation and working of participative forums. According to him both the participants of the industry (workers and management) have the positive attitude
on workers participation in management. He also studied the participation levels in the micro institutions. His studies reveal that in the production committees, management representatives got higher awareness than the worker representatives.

**University Grants Commission’s (1984)** studies on workers participation in management reveal that the attitude of respondents is positive and awareness of workers on the participative mechanism is very high.

A study by **Indian Management Council (1985)** discovered that employee participation increased productivity. The study revealed that most workers lack the necessary skills to be contributing members in participative work solutions.

**Kamalesh Chandra Gupta (1985)** conducted a study on workers’ participation in the management of Indian Railways with special reference to Northern Railways. The study revealed that the scheme had a positive impact on the working of the Indian Railways. The decline in the loss of man days due to strike itself was a proof of the efficient working of the participatory system.

A case study in a cotton textile mill by **Mannan (1987)** revealed that workers were found to be much more enthusiastic in raising issues in the meetings but the overall spirit of the committee was not co-operative. The study revealed that the results of the committee were unsatisfactory which tantamount to the failure of the participative scheme.

A Study conducted on Employees/Workers Participation in Management in Bharat Heavy Electrical Limited concludes that WPM is very important tool for productivity, increased harmonious relationship and industrial growth (1988).

**Radhakrishna Vishnoi (1989)** conducted a study on workers’ participation in public Enterprises in Uttar Pradesh. The study revealed that the Government, while implementing the scheme, was guided by western experiences, which were not suitable to the Indian situation. The management also was not giving much importance to the scheme and was not interested in the scheme reaping its full benefit. Multiplicity of trade unions also stood in the way of successful implementation of the scheme. The study concluded that the socio-economic environment in and around the industry was an important factor in the successful implementation of the workers’ participation scheme.
Hanumantha Rao (1990) in his study examined the industrial relations in public enterprises giving emphasis to coal industry. It was noticed from the study that the company suffered heavy losses on account of the strikes. The main causes of these strikes were bad working conditions, accidents, wages, defective personnel policies, call of national unions and inadequate welfare policies. It was also noted that the works committees were able to settle the grievances only to a very limited extent.

The study conducted Pushpa (1993) revealed that all the workers except a few were aware of the concept of workers’ participation in management.

Sajeev (1994) in his study pointed out that the union leadership in Kerala was dominated mainly by the middle-aged group and that there was a positive attitude among workers to attend trade union courses and seminars. The trade union leaders in Kerala showed too much affiliation to political parties. The study also revealed that political influence was the main reason for the majority of the workers to join a particular union.

Indira and Harigopal (1995) made a study on participative management and concluded that the workers’ participation in the decision making process reduced industrial tensions, industrial disputes and prevented workers’ exploitation, ensured individual development and thereby increased productivity.

Balachandran Nair (1998) in his study on trade unionism in Kerala analysed the extent of workers’ involvement in trade unions. It revealed that multiple unionism with a high degree of political linkage existed in the industrial sector of Kerala. External leadership existed in the majority of the industrial trade unions. The study noted that the interest of workers in unionism had no impact on productivity and work culture.

Krishna Shekhar Lal Das (2000) found that most of the workers are not under the umbrella of a union. Absence of union is a big disadvantage for workers, as they cannot claim minimum wages, social security, or other welfare measures. Among the unionised section of workforce, most of them face threatening action or some other kind of harassment from employers. The affairs of unionisation are mainly confined to the permanent section of workforce. Temporary, casual, contract and probationary workers stay out of union affairs due to the fear of job loss and harassment by management.
A large number of auto industry employees work under hazardous working conditions like high noise, high temperature, dust and improper lighting are the major physical conditions described as hazardous.

Komal Khalid Bhatti and Tahir Masood Qureshi (2007) conducted a study on impact of employee participation on job satisfaction, employee commitment and employee productivity and found that employee participation could influence job satisfaction, employee commitment and employee productivity.

2.3 SUMMARY

The past studies relating to labour rights revealed that violations of labour are quite rampant and pervasive in all sectors in India. At the international level also in countries like China, Hong Kong, Bangladesh and Ethiopia, the violation of labour rights exists in many forms. Going by the studies in India it is found that the workers working in the sectors like agriculture, textile, garment, construction, tea-plantation, leather processing, sportswear and sporting goods are the affected lot. The practice of employing contract labours/ casual/ ad hoc labours is ubiquitous in almost all the sectors.

Labour rights violation in these sectors is rife and they are found in different forms. Absence of written contract or appointment letter, extended working hours, poor and unsafe working conditions, refusal to pay minimum wages, discrimination in wage payment, gender exploitation, lack of medical allowances, undue cuts in wages and absences of collective bargaining are some of the violations found in large number across various sectors. The IT sector is the latest addition in the band of organisations which do not enjoy labour rights. Systems of bonded labour and child labour are prevalent in many sectors and exploitation of migrant labours are phenomenal. In many cases there seems to be utter disregard in implementing even the statutory provision as per the Factories Act, the Minimum Wages Act, the payment of Bonus Act and the Contract Labour Regulation Act in the establishments.

The presence of trade unions in these sectors is minimal and the unions that function in some sectors are so weak as the employees do not show interest in joining them. There are specific issues related to women workers like refusal of maternity
benefits and health facilities, employment as captive or bonded labours (like Sumangali Scheme in Tamil Nadu), discrimination in work allotment and payment of wages, compulsion to work in nights shifts, additional work during off – hours are a few of them.

As far as awareness regarding the welfare measures, the workers are aware of various eligible facilities. With regard to industrial democracy, workers participation in management and collective bargaining are the mechanisms prescribed by the policy makers. However, these mechanisms are found to be very weak in various sectors. The awareness regarding these mechanisms is found to be low and participation in various workers participation in management forums is very minimal.