

## **OBJECTIVES**

- To facilitate the growth of industry in Chandigarh by fostering harmonious industrial relations.
- To ensure social justice with productivity and growth of industry.
- To promote industrial health and safety
- To implement labour laws for ensuring proper working conditions and labour standards.
- To introduce new labour welfare measures for enhancing the quality of life of the work force.
- To create ever-improving conditions for women workers by following policies, which take into account their special needs at the workplace.
- To eliminate employment of all forms of child labour through identification and rehabilitation.
- To energise Vigilance Committee for identification, release and rehabilitation of Bonded Labour.
- To provide and improve quality health care to workers through the ESI run hospitals and ensure their future security through implementing the Employees Provident Fund Scheme.
- To strengthen the conciliation machinery towards achieving the objectives of a harmonious worker- management relationship, keeping in view the changing economic scenario.
- To continuously strengthen and facilitate the functioning of the Labour Courts, in cases where conciliation has failed.
- To train and retrain its employees and officers so that they are better equipped to perform their duties.
- To work in a transparent and time bound manner in dealing with approvals required under various labour laws.
- To work towards creating an atmosphere wherein both workers and management perform their legally laid down roles, which will, in turn, contribute to the economic growth of the Chandigarh.

## **APPROACH**

Industrial Relations have historically been tripartite in nature wherein labour and management, if their in-house efforts fail, can seek the intervention of the Labour Department in resolving any dispute. Such disputes may arise out of any real or perceived threat to the advantage that management or labour sees as its right. Since Industrial Relations are a vital part of the economic system, even a temporary setback in the harmonious co-existence of these two factors of production can affect the whole system negatively. In fact, industrial conflict affects the community as a whole and prevention of such conflicts is and would be a high priority for the Labour Department. For this purpose, it

would re-orient its approach and become a facilitator in the proper implementation of labour laws and labour welfare measures by disseminating information and assisting in compliance. It would also place decision-making in the context of the industrial sector as a whole by assessing the impact of all decisions on the dynamics of the relative advantages for management and labour. The conciliation & mediation skills of Conciliation Officers are crucial in prevention and early resolution of industrial disputes. These skills need to be made more broad-based in line with modern management techniques in view of the intricacies of modern businesses. They could then assist in the setting up of in-house dispute-resolution processes which would then allow the day-to-day irritants to be settled on a regular basis and avoid the building up of resentments on either side. They would also be better equipped to achieve a high percentage of settlements in the initial stages.

The Labour Department would also endeavour to make proactive interventions in certain situations in order to help in avoiding retrenchments, lay-offs, strikes and industrial mishaps. The approach of the Labour Department would be to always keep in the forefront of its interventions in the labour-management relations that both need each other and need to respect each other's rights in the work place for mutual benefit and for industrial growth.

## **STRATEGIES**

The following strategies would be adopted to achieve the objectives of the Labour Policy:-

### **TRIPARTITE CONSULTATIONS**

1. Conferences will be organized with Industrial Associations as well as Trade Unions/Workers Organizations towards greater Social Dialogue and for free and frank exchange of ideas towards promoting a more transparent working environment in the Department and to bring about requisite fine-tuning of departmental policies.
2. Appropriate machinery will be evolved for receiving and handling of suggestions and complaints from workers and managements in order to get regular feedback and points raised by them will be taken into account in decision-making.

### **FACILITATION**

1. The applications for registration, licensing and for approval of factory building plans under the Factories Act, 1948 will be submitted to the Senior Assistant Director, Industrial Safety and Health in their respective areas. They will assist the applicants in ensuring that the applications are completed in all respects before sending these to the Chief Inspector of Factories. This will facilitate and speed up the process.
2. Detailed information will be disseminated to workers and managements to promote greater consciousness regarding ergonomics and prevention of industrial accidents.
3. The procedure for obtaining Registration and License under the Contract Labour (Regulation and Abolition) Act, 1970 will be simplified and made time

bound. Special emphasis will be laid on redressing the grievances of contract labour, protecting their rights and preventing their exploitation.

## **INSPECTIONS**

1. The approach towards implementation of labour laws would be to ensure compliance rather than prosecution. Whenever shortcomings are detected during the inspections of industrial units by the inspecting teams, the employers will be given notice of a reasonable period of time to rectify the same before any further action is taken.

2. An industrial establishment will not be inspected by the functionaries of the Industrial Safety and Health wing of the Labour Department more than once in a calendar year, unless a specific complaint is received in respect of their establishment.

3. Computerized statutory records under various labour laws will be acceptable and valid in any industry or commercial establishment, provided the format and information conforms to the requirement of the respective law and rules made thereunder. However, a hard copy of these records, duly signed and authenticated by the Occupier of the establishment, will have to be kept available every month for statutory inspections. Such hard copies and a soft copy will be made available to the Inspecting Officers as and when required. In cases of electronic payment of wages, a certificate from the concerned bank(s) will have to be submitted to the Inspecting officer as proof of payment of wages. However, wage slips will have to be issued to the workers as per law and there will be no exemption in this regard.

## **SETTLEMENT OF DISPUTES**

1. Trade Unions and Managements will be encouraged, through systematic intervention by the Labour Department, to set up in-house dispute resolution mechanisms in order to defuse disagreements in the initial stages by dealing with them on a day-to-day basis. Outsiders and non-workers, who are not covered under the requisite laws, will not be allowed to associate themselves in the functioning of the Trade Unions and to take part in conciliation proceedings.

2. The performance of the Labour Department Officers dealing with the conciliation work will be adjudged on the basis of percentage of settlements brought about in order to speed up the process of dispute resolution.

3. It will be the endeavour of the Department to have maximum percentage of disputes settled in the early stages, in order to avoid burdening the Labour Courts. However, functioning of the Labour Courts will be facilitated by the Government for speedy disposal of cases.

## **MINIMUM WAGES**

1. The minimum wage of industrial workers in Chandigarh is one of the highest. At present, the minimum wage of unskilled workers has been fixed at Rs. 9095/- per month and Rs.350/- per day. The Government will continue to

review and increase these wages from time to time on the basis of tripartite consultations.

## **LABOUR WELFARE**

13. Besides ensuring the enforcement of welfare provisions of the labour legislations by the department, welfare schemes for industrial workers such as kanyadan, ex-gratia help to widows, monetary grants for workers injured in industrial accidents, scholarships and financial help for worker's children for pursuing higher studies etc. are presently being implemented. The Government intends to ensure coverage of a wider section of workers under various welfare schemes and also enhancement in the existing assistance being provided to workers. New schemes will also be introduced for the welfare of the workers.

## **CONCESSIONS TO INFORMATION TECHNOLOGY/ INFORMATION TECHNOLOGY ENABLED SERVICES INDUSTRIES.**

14. In order to encourage Information Technology/Information Technology Enabled Services and Industry, malls, the Government has adopted a liberal policy in granting exemption from the operation of the provisions of Punjab Shops and Commercial Establishment Act, 1958, regarding opening and closing hours under Section 9 and 30 of the Act. A notification has already been issued in this regard on 15<sup>th</sup> September, 2003, exempting all the Information Technology and Information Technology Enabled Services industries from the provisions of Section 9 and 30 of the Act. The Information Technology/Information Technology Enabled Services industry has also been added to the First Schedule of the Industrial Disputes Act, 1947 for the purpose of declaring this industry as a "Public Utility Service", which will prevent the occurrence of strikes as well as lockouts without due notice. This will go a long way in preventing industrial unrest in this industry. The Government has also taken a policy decision to allow the employment of women workers during night shifts in this sector to encourage employment of women while ensuring sufficient protection of their rights. This permission is initially granted for one year, and on request, it can be renewed for a period of three years at a time. The permission is granted on the following conditions:

- i. The management will provide adequate security and proper transport facility to the women workers during night shift.
- ii. The management shall ensure protection of women from sexual harassment at the work place in terms of the directions of the Hon'ble Supreme Court in this regard.

## **UPGRADATION OF DEPARTMENTAL FUNCTIONING**

1. Training programmes will be formulated and organized for the officers of the Labour Department in collaboration with the industries. The technical skills of the staff dealing with industrial health and safety will also be upgraded through in-service training programme.

2. The powers delegated to Assistant Labour Commissioners and Labour Officers under various Acts will be rationalized for speedier disposal of work.

3.The departmental offices will be upgraded and work of computerization will be speeded up in order to bring in greater transparency and connectivity.