

## **THEORIES OF TRADE UNION**

### **1. Social – Psychological Approach of Robert Hoxie**

According to Hoxie, TU grow out of the socio-psychological environment of the workers. Workers who are similarly situated economically and socially, closely associated and not very much divergent in temperament and training, tend to develop a common interpretation of the social situation and a common solution of their problems of living. This leads them to unite into a union.

Hoxie identified the following 4 types of unions on the basis of their aims and methods;

#### **a) Business Union**

Also called bread and butter union – main objective is to improve the condition of workers through collective bargaining and if that fails, strike.

#### **b) Friendly or Uplift Unions**

Evaluate not just the financial or physical conditions of workman but also their intellectual moral social standards. Believe in mutual help.

#### **c) Revolutionary union**

Main objective to throw away of capitalist system, bring in socialist system – straight fight –through political means, if that fails violent means also. Use legal channels and government also. Use all weapons, strike, gherao, picketing, etc

#### **d) Predatory Union**

Not only straight fight, even dirty fight also. Use all illegal and unethical means like kidnapping, blacking mailing – no code of conduct.

### **2. Sociological Approach of Frank Tannenbaum**

The onset of industrialization has drastically altered the old life style and identify of the workmen. It has destroyed his contended and meaningful relations with money, people and environment.

His financial side has become better but a small nut in the giant industrial machine. TU are a spontaneous reaction of workmen to reestablish their identity and have some sort of meaningful existence despite the rigors of industrial life.

### **3. Protest Approach of Kerr, Dunlop and others**

The factory system has robbed the worker of his freedom, it has changed many aspects of his life. If the workmen allow this trend to go on, it can take any of his freedom, individuality, etc

Therefore, formation of a union is one of the organized form of protest – an expression of the workers resentment over the prevailing industrial system.

#### **4. Industrial Democracy Approach of Webbs**

According to Sydney and Beatrice Webb trade unions are the means to achieve industrial democracy. Political democracy does not bring all the benefits to the workplace – because the workmen are not equal to the employer. Therefore industrial democracy is required to reform the workplace and work relationships – Trade Unions are the main instrument of bringing about the democracy.

#### **5. Classless Society**

According to Karl Marx, Trade Unions represent a prime instrument for destroying the capitalist class. There should be only one class/group in this society, - no rich poor, no boss and worker, no capitalism and the exploited. So, as a first step, destroy capitalism and make workers as bosses. Educating and enlightening the working class should end oppression and exploitation by capitalists.

#### **6. Sarvodaya Approach**

Mahatma Gandhi, TU is a reformist organization who's main job is to raise intellectual and moral standards of its members. TU should never be anti-capitalist (The webs were heavily influenced by Gandhiji). Take from the employer what is due, but never more – tools are increase inner strength, sathyagraha and non-violent, non-co-operation, work together with the employer to improve industry and country.

### **TRADE UNION STRUCTURE**

#### **1. Craft Union**

Workers belonging to a particular trade/craft organize themselves into a separate union. They may be working in same or many different organizations.

**Examples:** Drivers as a craft/trade working in an industry organize a craft union. Earlier coal loaders of railways or pilots guild of India

#### **2. Industrial Union**

“One union is work place” or “One union, one Organization” advocated by V.V.Giri NLC planning commission and all sensible authorities. It means all workmen of a particular organization are members of one union – may be mechanics, office staff, accounts people, drivers, quality department hospital staff, electricians, etc. Further improvement is “One Union, One Industry”. The workmen of all organizations engaged in one particular type of business.

**Example:** Textiles are covered in one union.

### 3. General Union

All workmen from different types of organizations, but working in the same industrial centre, town or a geographical area, form a common trade union. It could comprise of manufacturing industries, banks and agriculture, etc. Mostly for common threats.

Example: Jamshedpur Labour Union comprise of all workmen in and around Jamshedpur (in addition to being members in their industrial unions) for development of the region.

#### Federations of India

##### *i. All India Trade Union Congress (AITUC)*

The most important year in the history of Indian Trade union movement was 1920, when the all Indian trade union congress was formed consequent up on the necessity of electing delegates for the ILO –started by congress party, with Lala Lajpat Rai as first president. Later on it fell into the hands of communists.

##### *ii. Indian National Trade Union Congress (INTUC)*

Because the communists infiltrated the AITUC, the moderates started looking for a way out. In 1947, the efforts of Indian National Congress party resulted in the establishment of ITUC. INTUC started gaining membership from its inception itself. Upto today this is the official trade union wing the congress party.

##### *iii. Hindu Mazdoor Sabha*

The socialists separated from AITUC and former Hindu Mazdoor Sabha in 1948

##### *iv. Bharatiya Mazdoor Sangh (BMS)*

It was formed in 1955 – official labour wing of BJP party – the largest federation

##### *v. Hind Mazdoor sabha*

This was formed in the year 1965. Also belong to group of socialists.

##### *vi. United Trade Union Congress*

Started in 1947, with basic idea of non-violent approach – started by communists

##### *vii. Centre of Indian Trade Unions*

Started in 1970 – by communists – extreme ideas

9. National Labor Organization (NLO)

10. Trade Unions Co-ordination Centre (TUCC)

11. United Trade Union Congress (UTUC) and

12. United Trade Union Congress - Lenin Sarani (UTUC - LS)

## **TRADE UNIONS IN INDIA**

The Indian workforce consists of 430 million workers, growing 2% annually. The Indian labor markets consist of three sectors:

1. The rural workers, who constitute about 60 per cent of the workforce.
2. Organized sector, which employs 8 per cent of workforce, and
3. The urban informal sector (which includes the growing software industry and other services, not included in the formal sector) which constitutes the rest 32 per cent of the workforce.

## **FUNCTIONS OF TRADE UNIONS**

The various functions of a trade union under these four heads;

### **a. Functions relating to trade union members**

- i. To safeguard workers against all sorts of exploitation by the employer, by union leaders and by political parties
- ii. To protect workers from the atrocities and unfair labour practices of the management
- iii. To ensure healthy, safe and conducive working conditions
- iv. To exert pressure for enhancement of rewards associated with the work only after making a realistic assessment of its practical implication
- v. To ensure a desirable standard of living by providing various types of social services
- vi. To guarantee a fair and square deal and social justice
- vii. To remove the dissatisfaction and redress the day-to-day grievances and complaints of workers
- viii. To encourage workers participation in management
- ix. To make the workers conscious of their rights and duties
- x. To stress the significance of settling disputes through negotiation
- xi. To raise the status of trade union members in the industry

### **b. Functions Relating to industrial organization**

- i. To highlight industrial organization to promote identity of interest
- ii. To increase production quantitatively as well as qualitatively
- iii. To help in the maintenance of discipline
- iv. To create opportunities for workers participation in management
- v. To help in the removal of dissatisfaction and redress of grievances and complaints
- vi. To promote cordial and amicable relations between workers and management
- vii. To create favourable opinion of the management towards trade union in improve their status in industrial organization
- viii. To exert pressure on the employer to enforce legislative provisions beneficial to the workers and to keep away from various types of unfair labour practices
- ix. To facilitate communication with the organization
- x. To impress upon the management the need to adopt reformed and not punitive, approach towards workers faults

**c. Functions relating to trade union and organization**

- i. To formulate policies and plans consistent with those of the industrial organization and society at large
- ii. To improve financial position by fixing higher subscription by realizing the union dues and by organizing special fund raising campaigns
- iii. To preserve and strength trade union democracy
- iv. To train members to assume leadership position
- v. To improve the network communication between trade union and its members
- vi. To curb inter-union rivalry and thereby to help in the creation of unified trade union movement
- vii. To keep away from advocating the adoption of unfair labour practices
- viii. To eradicate various types of isms like casteism, regionalism and linguism within the trade union movement
- ix. To save the union organization from the exploitation by vested interests – personal and political
- x. To continuously review the relevance of union objectives in the context of social change, and to change them accordingly
- xi. To prepare and maintain the necessary records
- xii. To manage the trade union organization on scientific lines
- xiii. To publicize the trade union objectives and functions, to know people’s reaction towards them, and to make necessary

**d. Functions relating to society**

- i. To render all sorts of constructive co-operation in the formulations and implementation of plans and policies
- ii. To actively participate in the development of programs
- iii. To launch special campaigns against the social evils of corruption, nepotism, communalism, casteism, regionalism, linguism, price rise, hoarding, black marketing, smuggling, sex inequality, dowry, untouchability, illiteracy, dirt and disease
- iv. To enable unorganized sector to organize itself
- v. To create public, opinion favourable to government policies plans, and to mobilize people’s participation for their effective implementation
- vi. To create public opinion favourable to trade unions and thereby to raise their status
- vii. To exert pressure, after realistically ascertaining its practical implications, on the government to enact legislation conducing to the development of trade union and their members

**REGISTRATION OF TRADE UNION**

The activities of a trade union are regulated by the labour department of the state government particularly by the registrar of trade unions.

Any 7 or more members of a trade union can, by subscribing their names to the rules of the trade union and otherwise complying the provisions of this act, apply for registration under the act. This application must be accompanied by a copy of the rules of the trade union and a statement of the following particulars;

1. The names, occupations and addresses of the members
2. The name of the trade union and the address of the head office
3. The titles, names, ages, address and occupations of the officers of the trade union

According to the provisions of the act, and the rules of the union provide for the following matters;

- a. Its name, scope of operations and objectives
- b. Purpose for which general funds could be applied
- c. Procedure for admission of members
- d. List of members
- e. Subscription for appointment of office bearers
- f. Rules regarding political fund
- g. Benefits to members given to members

The name under which the trade union seeks registration must not be similar to that of any existing union. The registrar on being satisfied that the trade union has complied with the necessary provisions of the act, will enter its name in a register kept for this purpose and issue a certificate of registration. This is conclusive evidence that the said trade union has been duly registered.

### **Cancellation of Registration**

The registrar can cancel the registration, if any of the above conditions are violated.

### **Privileges of a registered trade union**

- a. A registered trade union can function as a body corporate, independent of its members
- b. Hold property in its own name
- c. Immunity for punishment from criminal conspiracy
- d. Immunity for punishment from civil suits
- e. A registered trade union can sue others and can be sued by others, but an unregistered trade union sue others, but can be sued by others
- f. A registered trade union can enter into contracts on its own name and enforce them also
- g. It can set up a separate political fund
- h. Admit members from 15 to 18 age also
- i. Can enter into check off arrangement with the employer
- j. The officer bearer get the right to inspect the register, name list, etc

### **Recognized Trade Union**

As per 16 session of ILO

1. Only a registered union is eligible to apply for recognized by the employer. There may be many registered unions in a company, but only one could be recognized.
2. If there are more than one union in a company, the union claiming recognition should have been functioning for at least one year.
3. The membership of a union should cover at least 15% of the workers in the company concerned. Membership should be only for those who had paid their membership fees for at least 3 months during the period of six months immediately preceding the reckoning.
4. A union may claim recognized for an industry in a local areas, if it has a membership of at least 25% of the workers of that industry in that area.
5. Once a union is recognized, there should be no membership change for a period of two years.

6. If there are several unions in an establishments, the one with the largest membership should be recognized.

### **Rights of the Recognized Union as per National Commission on Labour**

1. The right of check off.
2. Use of the notice board in the premises of the undertaking
3. To appoint its nominees on the workers committee and such Bi-partite and Tri-partite forums.
4. To represent an employee in any proceedings under the Industrial disputes Act.
5. Collection of subscription within the premises.
6. To enter into collective bargaining agreements
7. To act as majority representative on all matter connected with terms and conditions of service
8. To sign agreements with the employer.

### **General Fund**

A trade union may build a general funds to form a subscription and use them for

- a. Payment of salaries and expenses of office bearers
- b. Administration expenses of trade union including audit
- c. Legal assistance to any office bearers or member
- d. Conduct of trade dispute
- e. Compensation to members involved in trade dispute
- f. Allowances to members for sickness, etc
- g. Taking insurance policies on lives of members
- h. General causes of support of workmen as which such expenses should not exceed 1/4<sup>th</sup> of their credit balances.

### **Political Fund**

A registered trade union can start and maintain a political for apart from general funds provided;

- a. Its not mixed up with general fund make up of exclusive contribution
- b. It is made up to voluntary contributions from workmen – no workers shall be forced to contribute
- c. No worker shall be discriminated for not contributing to it.

### **Purpose of which a political fund may be used;**

- a. For holding political meetings
- b. To support expenses of a candidate or prospective candidate in nay democratic election
- c. For holding political meetings
- d. Maintenance of way elected persons
- e. For making and distribution of campaign literature

### **Defect /problems/short comings of India trade union**

- a. Uneven growth of trade union
- b. Predomination of small size unions
- c. Multiple union / rival unions
- d. Absence of sound leadership or full time leader

- e. Powers without responsibility
- f. Lack of financial strength
- g. Too many labour laws
- h. Too much of role for government agencies