	every establishment wherein 20 or more workers are employed on any day during an accounting year.	
Payment of Gratuity Act , 1972	The Act provides for a scheme for the payment of gratuity to employees engaged in factories, mines, oilfields, plantations, ports, railway companies, shops or other establishments. The Act enforces the payment of 'gratuity', a reward for long service, as a statutory retiral benefit. Every employee irrespective of his wages is entitled to receive gratuity if he has rendered continuous service of 5 years or more than 5 years.	• Payment of gratuity to employees leaving the establishment after completion of 5 years. • Notice of opening to concerned labour authority. • Displays required under the Act. • Maintenance of registers of allocable surplus, bonus etc. • Submission of annual returns.
Payment of Wages Act, 1936	The Act ensures payment of wages in a particular form at regular intervals without unauthorised deductions. It is applicable to any factory, any railway establishment and any industrial or other establishment like tramway service, motor transport service, air, oilfied, plantation, workshop, or other establishment producing, adapting or manufacturing any article, establishments engaged in construction, development and maintenance of buildings, roads, bridges or canals, navigation, irrigation or water supply,transmission, generation and	• Payment of wages without any unauthorised deductions. • Maintenance of registers of fines, deductions, advance, wages etc. • Displays as per the provisions of the Act. • Submission of annual returns.

	distribution of electricity/power and any other establishment notified by the Central or a State Government.	
The Indian Boilers Act , 1923	The Act aims to regulate the licencing and use of boilers in the Industry. It applies to all establishments using a boiler.	• Licensing of boilers • Adequate safety precautions • Appointment of trained personnel to handle the boilers. • Maintenance of registers as per the provisions of the Act.
The Weekly Holidays Act , 1942	The Weekly Holidays Act provides for grant of weekly holidays to persons employed in shops, restaurants and theatres.	• Provision of weekly holidays.
Trade Unions Act , 1926	This Act provides for registration of trade unions (including association of employers) with a view to render lawful organisation of labour to enable collective bargaining. The act also confers certain protection and privileges on a registered trade union. It applies to all kinds of unions of workers and associations of employers which aim at regularising labour-management relations.	• Registration of trade unions in accordance with the provisions of the Act.
Workmen's Compensation Act , 1923	The act aims to provide workmen and their dependents, compensatory payment, in case of accidents arising out of and in course of employment and causing either death or	• Provision of compensation in case of accident. • Submission of returns as stipulated under the Act.

	disablement of workmen. The act applies to factories, mines, docks, construction establishments, plantations, oilfields and other establishments listed in Schedule II and III of the act but excludes establishments covered by the ESI Act.	

To facilitate day-to-day functioning, a sample checklist of periodic Returns and Informations to be filed with the concerned authority, which could be effectively followed to ensure compliance of various employment laws, is given below.

Monthwise				
Month	**Legislation**	**Form**	**Return**	**Authority**
January	Employment Exchanges (Compulsory Notification of Vacancies) Act , 1959	ER - I	Quarterly return	Local Employment Exchange
January	The Factories act, 1948	Vary according to State Rules	Annual return	Chief Inspector of Factories
February	The Minimum Wages Act, 1948	Form III	Annual return	Regional labour inspector
July	Employment Exchanges (Compulsory Notification of	ER - I	Quarterly return for quarter ended June	Local Employment Exchange

	Vacancies) Act , 1959			
December	Payment of Bonus Act, 1965 and Rules	Form D	Annual Return	Regional labour inspector

Every month			
Legislation	**Form**	**Compliance**	**Authority**
Employee State Insurance Act , 1948	Challans	Remittance of contributions	Regional ESI office
Employee's Provident Fund and Miscellaneous Provisions Act , 1952	Challans	Remittance of contributions	Regional ESI office
Employee's Provident Fund and Miscellaneous Provisions Act , 1952	Returns	Return of employees joining and leaving the organisation.	Regional PF office

On occurences				
Date	**Legislation**	**Form**	**Compliance**	**Authority**
Within 15 days	Contract Labour (Regulation & Abolition) Act , 1970 and Rules	Form VIB	Commencement and/or completion of each contract	Concerned Labour Inspector of the region
Immediately in case of death and within 48 hours in	Employee State Insurance Act ,	Form 16	Report of accident	Regional ESI office

case of accident	1948			
Within 30 days of applicability of Act	Payment of Gratuity Act, 1972	Form A	Notice of opening	Regional Labour authority

6. UNFAIR LABOUR PRACTICES

According to Sec.2 (ra) of the Industrial Disputes Act, 1947, unfair labour practices refer to "any of the practices specified in the Fifth Schedule to the Industrial Disputes Act, 1947.

According to Section 25T of the Industrial Disputes Act, 1947 no employer or workman or a trade union, whether registered under the Trade Unions Act, 1926 or not, shall commit any unfair labour practice.

Fifth Schedule to the Industrial Disputes Act, 1947 provides a list as to what constitutes an unfair labour practices:

Unfair labour practices on the part of employers and trade union of employers

1. To interfere with, restrain from or coerce workmen in the exercise of their rights to organize, from, join or assist a trade union, or to engage in concerted activities for the purposes of collective bargaining or other mutual aid or protection, i.e.

    a. Threatening workmen with discharge or dismissal, if they join a trade union,
    b. Threatening a lock out or closure if a trade union is organized,
    c. Granting wage increase to workmen at crucial periods of the union organisation, with a view to undermining the efforts of the trade union organization

2. To dominate, interfere with or contribute, support, financially or otherwise to any trade union, that is to say: -

a. An employer taking an active interest in organizing a trade union of his workmen and
b. An employer showing partiality or granting favor to one of several trade unions attempting to organize his workmen or to its members where such a trade union is not a recognized trade union.

3. To establish employer sponsored trade unions of workmen.

4. To encourage or discourage membership in any trade unions by discriminating against workman, that is to say:-.

a. Discharging or punishing a workman, because he urged other workmen to join or organize a trade union.

b. Discharging or dismissing a workman for taking part in strike (not being a strike which is deemed to be an illegal strike under this act)

c. Changing seniority rating of workmen because of trade union activities
d. Refusing to promote workmen to hire posts on account of their trade union activities
e. Giving unmerited promotions to certain workmen with a view to creating discord between other workmen or to undermine the strength of their trade union
f. Discharging office bearers or active members of the trade union on account of their trade union activities

5. To discharge or dismiss workmen-

a. By way of victimization

b. Not in good faith but in the colorable exercise of the employer's right

c. By falsely implicating a workman in a criminal case on false evidence or concocted evidence
d. For patently false reasons

e. On untrue or trumped up allegations of absence without leave

f. In utter disregard of the principles of natural justice.

g. For misconduct of minor or technical character, without having any regard to the nature of the particular misconduct or the past record of service of the workman, thereby leading to disproportionate punishment.

6. To abolish the work of a regular nature being done by workmen and to give such work to contractors as a measure of breaking a strike.

7. To transfer a workman malafide from one place to another under the guise of following management policy.

8. To insist upon individual workman who are on a legal strike to sign a conduct bond as a precondition to allowing them to resume work

9. To show favoritism or partiality to one set of workers regardless of merit.

10. To employ workmen as 'badlis', casuals or temporaries and to continue them as such for the years with the object of depriving them of the status and privileges of permanent workmen.

11. To discharge or discriminate against any workmen for filing charges or testifying against employer in any enquiry or proceeding relating to any industrial dispute.

12. To recruit workmen during a strike which is not an illegal strike.

13. Failure to implement award, settlement or agreement.

14. To indulge in acts of force or violence.

15. To refuse to bargain collectively, in good faith with the recognized trade unions.

16. Proposing or continuing a lock out deemed to be illegal under this act.

If the employer of any establishment commits any of these acts then he will be liable for an offence of unfair labour practice.

Unfair labour practices on the part of workmen and trade unions of workmen

1. To advise or actively support or instigate any strike deemed to be illegal under the Industrial Disputes Act, 1947.

2. To coerce workmen in the exercise of their right to self-organization or to join a trade union or refrain from joining any trade union, that is to say-

a) For a trade union or its members to picketing in such a manner that non striking workmen are physically debarred from entering the work places
b) To indulge in acts of force or violence or to hold out threats of intimidation in connection with a strike against non-striking workmen or against managerial staff.

3. For a recognized union to refuse to bargain collectively in good faith with the employer.

1. To indulge in coercive activities against certification of bargaining representative.

2. To stage, encourage or instigate such forms of coercive actions and willful 'go slow', squatting on the work premises after working hours or 'gherao' of any of the members of the managerial or the other staff.

3. To stage demonstrations at the residences of the employers or the managerial staff members.

4. To incite or indulge in willful damage to employer's property connected with industry.

5. To indulge in the acts of force or violence or to hold out threats of intimidation against any workman with a view to prevent him from attending work.

Punishment for committing unfair labour practice

According to Section 25U of the Industrial Disputes Act, 1947, any person who commits any unfair labour practice will be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

7. LABOUR LAWS IN THE UNORGANIZED SECTOR

The unorganized sector can be defined as that part of the work force that have not been able to organize itself in pursuit of a common objective because of certain constraints such as casual nature

of employment, ignorance or illiteracy, superior strength of the employer singly or in combination etc. viz. construction workers, labour employed in cottage industry, handloom/power loom workers, sweepers and scavengers, beedi and cigar workers etc. This sector is marked by low incomes, unstable and irregular employment, and lack of protection either from legislation or trade unions. The unorganized sector uses mainly labour intensive and indigenous technology.

Out of 440 million workers in India, 93% of the workers are in the unorganized sector. The contributions made by the unorganized sector to the national income, is very substantial as compared to that of the organized sector. It adds more than 60% to the national income while the contribution of the organised sector is almost half of that depending on the industry.

Under this category are laws like the Building and Construction Workers Act 1996, the Bonded Labour System (Abolition) Act 1976, The Interstate Migrant Workers Act 1979, The Dock Workers Act 1986, The Plantation Labour Act 1951, The Transport Workers Act, The Beedi and Cigar Workers Act 1966, The Child Labour (Prohibition and Regulation) Act 1986, and The Mine Act 1952. Many of the labour and employment laws apply to the unorganized sector also.

In India, only about 8% of workers actually get the benefits available under various labour Acts. The rest 92% work in the unorganized sector, and either are not eligible for coverage, or these Acts are just not implemented for them, with the result that these workers have insecure employments and low incomes. They have no coverage of social security, and have to spend out of their meager incomes for all contingencies such as illness and children's education; in their old age they are helpless.

This is so because the Acts as they exist today only apply to those workers who have a clear employer-employee relationship. 50% of India's workers are self employed like small and marginal farmers, artisans and street vendors, many workers work for contractors or have no fixed employer like agricultural labourers and home-based workers and also, employers have been decentralizing, hiring contract labour and divesting themselves of responsibility, so that even organized workers are becoming unorganized. Second, workers are not organized and hence have no bargaining power, because of this, even when laws exist workers are too weak, too disorganized to demand them. Third, no social security system has been devised which would meet the needs of these workers. For example, many of these workers are migratory; others have no fixed income, and could pay at certain times but not at others. Fourth, the laws are supposed to be implemented through the

Government bureaucracy which has neither the manpower nor the knowhow to reach the scattered crores of workers.

Purpose of the Unorganized Workers' Social Security Act of 2008

This Act builds a social security system for the unorganized workers. It does the following:

1. It redefines worker so as to include all types of workers, not only those who have a fixed employer. In so doing, it brings in all the self employed workers as well as casual, contract, home based etc.
2. It identifies each worker and gives him/her a unique social security number and social security card.
3. It offers a variety of social security benefits to the unorganized worker. These would include health insurance, maternity benefit and pensions. As these schemes become successful, the trust and participation of workers' builds up, and more funds come in, a variety of different benefits can be included such as children's education, housing, skill building etc.
4. It binds the Central Government to providing a minimum amount of benefits and funds.
5. It creates a structure, an architecture that works with but does not rely solely on the Government system. It creates a participatory structure that builds on already existing civil society, government and semi-government organizations which have a good record.
6. It encourages the unorganized workers to organize around the social security structures and benefits, creating a voice and space for them.

Important provisions of the Act

'**Unorganized Sector Worker**" means a person who :

1. works for wages or income; and
2. directly or through any agency or contractor or who works on his own or her own account or is self employed; and
3. in any place of work including his or her home, field or any public place; and
4. who is not availing of benefits under the ESIC Act and the P.F Act, individual insurance and pension schemes of LIC, private insurance companies, or other benefits as decided by the Authority from time to time.

This includes all workers in all types of occupations including agriculture.

Functions of Worker Facilitation Centres

a) Registration of workers and giving them unique identification social security numbers and identity cards.
b) Mobilization of workers to becomes members of the Scheme.
c) Securing the contribution of members to the funds
d) Delivery of benefits to the members.
e) Maintaining a database of members in such form as may be prescribed showing the details of employment of members registered with it.

In addition, the centers may:

f. Give skill upgradation training to increase the skill of workers.

g. Maintain and provide information related to employment and marketing opportunities for workers. Training and assisting workers to form themselves into cooperatives, unions, federations and into any other appropriate form of organization.

h. Constitute employment exchanges for unorganized sector.

i. Create public awareness about schemes available for workers.

j. Collect statistics and information of workers engaged in the employments of the unorganized sector.

k. Conduct other activities as may be prescribed.

The Worker Facilitation Centres will be managed and run by a network of Facilitating Agencies. These agencies will be reputed organisations of all types which work directly with unorganized sector workers. They can include the following:

1. Self Help Groups or their Associations
2. Post Offices
3. All types of Co-operative societies
4. Micro-Finance Institutions
5. Trade Unions
6. District Panchayat
7. Village Panchayat
8. Existing Welfare Boards
9. Urban local body

10. Any other organization or agency dealing directly with unorganized workers, as may be identified by the Authority below.

Registration of workers will be through the Worker Facilitation center. Each worker will pay a nominal sum and will obtain an unique social security card and number. The worker will then be a "member" of the Welfare Fund and eligible for schemes.

The Authority may notify the schemes as under, subject to sustainability of the Fund:-

i. Medical Care or sickness benefit scheme
ii. Employment injury benefit scheme
iii. Maternity benefit scheme
iv. Old age benefit including pension
v. Survivor's benefit scheme
vi. Integrated Insurance Scheme
vii. Schemes for Conservation of natural resources on which workers depend for livelihood,
viii. Housing schemes
ix. Educational schemes
x. Any other schemes to enhance the quality of life of the unorganized worker or her family.

The Act will be executed through a **Central Social Security Authority.** The Authority will have a Supervisory Board with representatives of Central and State Government, of unorganized workers and of professionals. It will be run by a managing director and two directors appointed directly by the Union Government. The authority will be responsible for managing the funds and implementing the provisions of the Act. It will appoint the Facilitating Agencies as the implementing agencies on its behalf.

8. WOMEN LABOUR AND THE LAW

Women are known to work on farms, in road and housing construction, and of late, in factories manufacturing garments and electronic assembly plants. Skilled women workers also have been working in traditional village industries either as self employed or as paid workers. In hill areas, search for forest products including fuel wood engages a fairly large number of women. The majority

of women work in the unorganized sector for low wages and at low levels of skills. The number of women workers during the last four decades has more than doubled from 40 million to 90 million.
Women constitute a significant part of the workforce in India but they lag behind men in terms of work participation and quality of employment. According to Government sources, out of 407 million total workforce, 90 million are women workers, largely employed (about 87 percent) in the agricultural sector as labourers and cultivators.

Employment opportunities and wage disparity

In India, as in many developing countries, gender inequality persists in terms of women participation in labour force, lower wages and salaries of women and access to resources. The percentage share of female population in total population in India is around 48%, while the work participation rate of females is only 26% as compared to 52% in males. About 24.9% of women in rural areas and about 14.8% of women in urban areas were in the workforce in India during 2004-05 (UNCTAD report).
In urban areas, on an average wage/salary paid to females is only 75% of that paid to males, while in rural areas females are paid 58% of what is paid to the males. This wage disparity differs across sectors and education levels.

Applicability of Labour laws for women

In addition to the Maternity Benefit Act, 1961 almost all the major central labour laws are applicable to women workers. The Equal Remuneration Act was passed in 1976, providing for the payment of equal remuneration to men and women workers for same or similar nature of work. Under this law, no discrimination is permissible in recruitment and service conditions except where employment of women is prohibited or restricted by the law. The situation regarding enforcement of the provisions of this law is regularly monitored by the Central Ministry of Labour and the Central Advisory Committee. In respect of occupational hazards concerning the safety of women at workplaces, in 1997 the Supreme Court of India in the case of Vishakha Vs. State of Rajasthan [(1997) 6 SCC 241] held that sexual harassment of working women amounts to violation of rights of gender equality. As a logical consequence it also amounts to violation of the right to practice any profession, occupation, and trade. The judgment also laid down the definition of sexual harassment, the preventive steps, the complaint mechanism, and the need for creating awareness of the rights of women workers. Implementation of these guidelines has already begun by employers by amending the rules under the Industrial Employment (Standing Orders) Act, 1946.

The Factories Act, 1948 has the following provisions of interest to women (Sections 19, 22(2), 27, 42(1)(b), 48, 66, 79(1) and 114.):

a. The Act prohibits women from being employed in cleaning; lubricating or adjusting certain machinery when it is in motion, if that would expose them to risk of injury. Women are also not allowed to work in the part of a factory where a cotton-opener is at work unless certain conditions are met.
b. Suitable sanitation facilities must be provided.
c. If more than 30 women are employed, the employer must provide a free crèche on the premises for children under six years of age. State governments may make rules governing these crèches, which may include requirements to provide clothes washing and changing facilities, child-feeding facilities and free milk and refreshments for the children.
d. Women cannot be exempted from the requirement that the maximum working day for adults is 9 hours, and cannot work in factories between the hours of 6am and 7 pm (unless the factory falls within a specific exemption, but in any case, not between the hours or 10 pm and 5 am.). In relation to women, there must not be a change of shifts except after a weekly or other holiday. However, the State governments can change these requirements in the fish curing and canning industries.
e. Periods of absence on maternity leave are included in calculating periods of service for the purposes of annual leave.

GUIDELINES TO PREVENT SEXUAL HARASSMENT OF WORKING WOMEN

Sexual harassment is a serious criminal offense which can destroy human dignity and freedom. In an effort to promote the well being of all woman employees at the work place the following code of conduct has been prescribed :-

1. It shall be duty of the employer to prevent or deter the commission of any act of sexual harassment at the work place.

2. Sexual harassment will include such unwelcome sexually determined behavior by any person either individually or in association with other persons or by any person in authority whether directly or by implication such as :-

(i) Eve-teasing

(ii) Unsavoury remarks

(iii) Jokes causing or likely to cause awkwardness or embarrassment

(iv) Innuendos and taunts

(v) Gender based insults or sexist remarks

(vi) Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like

(vii) Touching or brusing against any part of the body and the like

(viii) Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings.

(ix) Forcible physical touch or molestation

(x) Physical confinement against one's will and any other act likely to violate one privacy and includes any act or conduct by a person in authority and belonging to one sex which denies or would deny equal opportunity in pursuit of career development or otherwise making the environment at the work place hostile or intimidating to person belonging to the other sex, only on the ground of sex.

Explanation :- Where any comment, act or conduct is committed against any person and such person has a reasonable apprehension that,

1. It can be humiliating and may constitute a health and safety problem, or

2. It is discriminatory, as for instance, when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or study, including or promotion or advancement or when it creates a hostile environment, or

3. It would result in adverse consequences if she does not consent to the conduct or raises any objection, it shall be deemed to be sexual harassment.

3. Eve-Teasing:-

Eve-teasing will include any person willfully and indecently exposing his person in such a manner as to be seen by other employees or use indecent language or behave indecently or in a disorderly manner in the work place. It will also include any word, gesture or act intended to insult the modesty of a woman by making any sound or gesture or exhibit any object intending that such word or sound shall be heard or that such gesture or object shall be seen by such women or intrudes upon the privacy of a woman employee.

4. Sexual harassment of an employee means use of authority by any person in charge of the management or any person employed by it to exploit the sexuality or sexual identity of a subordinate employee to harass her in a manner which prevents or impairs the employee's full utilization of employment benefits or opportunities. It also includes behaviour that covertly or overtly uses the power inherent in the status of the employer or the head of the institution or management to affect negatively an employee's work experience or career opportunities and/or to threaten, coerce or intimidate an employee to accept sexual advances or making employment decision affecting the individual or create an intimidating, hostile or offensive working environment.

5. It shall be the duty of the employer to prevent or deter the committing of any act of sexual harassment at the work place.

6. All employers should take appropriate steps to prevent sexual harassment of any nature. Express prohibition of sexual harassment should be notified at the work place and also published for the general information of the employees and evaluated in an appropriate manner periodically.

7. Appropriate working conditions should be provided in respect of work, leisure, health and hygiene to ensure that there is no hostile environment towards women at the work place and no woman employee should have reasonable grounds to believe that she is disadvantaged in connection with her employment in that organisation.

8. Women employees should not be treated as sex objects.

9. No male employee shall outrage or insult the modesty of a female employee at the work place.

10. No male employee shall make any type of sexual advances to woman colleagues or woman subordinates.

11. The head of the organisation shall constitute a Complaints Committee as specified in the Judgement of the Supreme Court, i.e., the Committee should be headed by a woman and not less than half of its members should be women. Further to prevent the possibility of any undue pressure or influence from senior levels such Complaints Committee should involve a third party either a non-government organisation or other body who is familiar with the issue of sexual harassment.

12. Conducting enquiry by the Complaints Committee:-

(i) Any person aggrieved shall prefer a complaint before the Complaints Committee at the earliest point of time and in any case within 15 days from the date of occurrence of the alleged incident.

(ii) The complaint shall contain all the material and relevant details concerning the alleged sexual harassment including the names of the contravenor and the complaint shall be addressed to the Complaints Committee.

(iii) If the complaint feels that she cannot disclose her identity for any particular reason the complainant shall address the complaint to the head of the organisation and hand over the same in person or in a sealed cover. Upon receipt of such complaint the head of the organisation shall retain the original complaint with himself and send to the Complaints Committee a gist of the complaint containing all material and relevant details other than the name of the complaint and other details which might disclose the identity of the complainant.

13. The Complaints Committee shall take immediate necessary action to cause an enquiry to be made discreetly or hold an enquiry, if necessary.

14. The Complaints Committee shall after examination of the complaint submit its recommendations to the head of the organisation recommending the penalty to be imposed.

15. The head of the organisation, upon receipt of the report from the Complaints Committee shall after giving an opportunity of being heard to the person complained against submit the case with the Committee's recommendations to the management.

16. The Management of the Organisation shall confirm with or without modification the penalty recommended after duly following the prescribed procedure.

17. Disciplinary Action:

Where the conduct of an employee amounts to misconduct in employment as defined in the relevant service rules the employer should initiate appropriate disciplinary action in accordance with the relevant rules.

18. Worker's Initiative :

Employees should be allowed to raise issues of sexual harassment at worker's meeting and in other appropriate fora and it should be affirmatively discussed in periodical employer-employee meetings.

19. Third Party harassment:

Where sexual harassment occurs as a result of an act or omission by any third party or outsider the employer and the persons in charge shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

20. Annual Report:

The Complaints Committee shall prepare an Annual Report giving a full account of its activities during the previous year and forward a copy thereof to the Head of the Organisation concerned who shall forward the same to the government department concerned with its comments.

Savings:-

Nothing contained in this code shall prejudice any right available to the employee or prevent any person from seeking any legal remedy under the National Commission for Women Act 1990, Protection of Human Rights Commission Act 1993 or under any other law for the time being in force.

Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the employer shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

In particular, it should ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. The victims of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.

9. INDUSTRIAL RELATIONS

Concept of Industrial Relations

The term 'Industrial Relations' comprises of two terms: 'Industry' and 'Relations'. "Industry" refers to "any productive activity in which an individual (or a group of individuals) is (are) engaged". By "relations" we mean "the relationships that exist within the industry between the employer and his workmen." The term industrial relations explain the relationship between employees and management which stem directly or indirectly from union-employer relationship. Industrial relations are the relationships between employees and employers within the organizational settings. The field of industrial relations looks at the relationship between management and workers, particularly groups of workers represented by a union. Industrial relations are basically the interactions between employers, employees and the government, and the institutions and associations through which such interactions are mediated. The term industrial relations have a broad as well as a narrow outlook. Originally, industrial relations were broadly defined to include the relationships and interactions between employers and employees. From this perspective, industrial relations cover all aspects of the employment relationship, including human resource management, employee relations, and union-management (or labour) relations. Now its meaning has become more specific and restricted. Accordingly, industrial relations pertains to the study and practice of collective bargaining, trade unionism, and labour-management relations, while human resource management is a separate, largely distinct field that deals with non-union employment relationships and the personnel practices and policies of employers. The relationships which arise at and out of the workplace generally include the relationships between individual workers, the relationships between workers and their employer, the relationships between employers, the relationships employers and workers have with the organizations formed to promote their respective interests, and the relations between those organizations, at all levels. Industrial relations also includes the processes through which these relationships are expressed (such as, collective bargaining, workers' participation in decision-making, and grievance and dispute settlement), and the management of conflict between employers, workers and trade unions, when it arises. The relationship between Employer and employee or trade unions is called Industrial Relation. Harmonious relationship is necessary for both employers and employees to safeguard the interests of the both the parties of the production. In order to maintain good relationship with the employees, the main functions of every organization should avoid any dispute with them or settle it as early as possible so as to ensure industrial peace and higher productivity. Personnel management is mainly concerned with the human relation in industry because the main theme of personnel management is to get the work done by the human

power and it fails in its objectives if good industrial relation is maintained. In other words good Industrial Relation means industrial peace which is necessary for better and higher productions.

Definition of Industrial Relations

1. Industrial Relation is that part of management which is concerned with the manpower of the enterprise – whether machine operator, skilled worker or manager. BETHEL, SMITH & GROUP

2. Industrial Relation is a relation between employer and employees, employees and employees and employees and trade unions. - Industrial dispute Act 1947

3. While moving from jungle of the definitions, here, Industrial Relation is viewed as the "process by which people and their organizations interact at the place of work to establish the terms and conditions of employment."

The Industrial Relation relations is also called as labour - management, employee-employers relations.

Labour relations can take place on many levels, such as the "shop-floor", the regional level, and the national level. The distribution of power amongst these levels can greatly shape the way an economy functions.

Governments set the framework for labour relations through legislation and regulation.

Industrial relations has become one of the most delicate and complex problems of modern industrial society. Industrial progress is impossible without cooperation of labours and harmonious relationships. Therefore, it is in the interest of all to create and maintain good relations between employees (labour) and employers (management).

A few notable features pertaining to Industrial Relations are as under:

1. Industrial Relation does not emerge in vacuum they are born of employment relationship in an industrial setting. Without the existence of the two parties, i.e. labour and management, this relationship cannot exist. It is the industry, which provides the environment for industrial relations.

2. Industrial Relations are characterized by both conflict and co-operations. This is the basis of adverse relationship. So the focus of Industrial Relations in on the study of the

attitudes, relationships, practices and procedure developed by the contending parties to resolve or at least minimize conflicts.

3. As the labour and management do not operate in isolations but are parts of large system, so the study of Industrial Relation also includes vital environment issues like technology of the workplace, country's socio-economic and political environment, nation's labour policy, attitude of trade unions workers and employers.

4. Industrial Relation also involve the study of conditions conductive to the labour, management's co-operations as well as the practices and procedures required to elicit the desired co-operation from both the parties.

5. Industrial Relations also study the laws, rules regulations agreements, awards of courts, customs and traditions, as well as policy framework lay down by the governments for eliciting co-operations between labour and management. Besides this, it makes an in-depth analysis of the interference patterns of the executive and judiciary in the regulations of labour–managements relations.

In fact the concepts of Industrial Relations are very broad-based, drawing heavily from a variety of discipline like social sciences, humanities, behavioural sciences, laws etc.

Industrial Relation encompasses all such factors that influence behaviour of people at work. A few such important factors are details below:

1. Institution: It includes government, employers, trade unions, unions' federations or associations, government bodies, labour courts, tribunals and other organizations which have direct or indirect impact on the industrial relations systems.

2. Characters : It aims to study the role of workers unions and employers' federations officials, shop stewards, industrial relations officers/ manager, mediator/conciliators / arbitrator, judges of labour court, tribunal etc.

3. Methods : Focus on collective bargaining, workers' participation in the Industrial Relation schemes, discipline procedure, grievance re-dressal machinery, dispute settlements machinery working of closed shops, union reorganization, organizations of protests through methods like revisions of existing rules, regulations, policies, procedures, hearing of labour courts, tribunals etc.