

# **TRADE UNIONISM AND COLLECTIVE BARGAINING**

## **Objectives of the Course**

In a rapidly industrializing country like India, balancing the conflicting interests in the industrial sector is necessary for the sustainable growth of economy. It is conspicuous that the social, economic and political forces influence the process of trade unionism and collective bargaining in more ways than one. Conversely, the process makes a great impact upon many factors of our socio-economic system. Necessarily, norms and standards are to be evolved in order to bring our industrial peace. The limits, the scope and the conceptual dimensions of collective bargaining along with trade unionism have to be learned in a detailed manner and with a comparative emphasis wherever possible. The following syllabus prepared with these perspectives comprising of 5 units will be spread over a period of one semester.

## **Syllabus**

### **1. Freedom of Organization**

Right To Association Industrial Labour In India- The Constitutional And Legal Aspects; Trade Union Law – Registration Of Trade Unions – Rights, Privileges And Immunities Of Registered Trade Unions ;Trade Union Problems In India- Trade Union Recognition, Multi-Unionism And Trade Unions Rivalry, Trade Union And Politics, Outsiders In Trade Unions, Trade Union Finance.

### **2. Concept of Collective Bargaining**

Collective Bargaining: Concept-Bargaining Process- Types Of Bargaining –Methodology - Collective Bargaining Agreements And Enforcements Of Agreements –Impact Of Dispute Settlement Machinery On Collective Bargaining- Factors Affecting Collective Bargaining- Merits And Demerits Of Collective Bargaining

### **3. Industrial Democracy**

Industrial Democracy: Concept- Workers’ Participation In Management-Constitutional Perspective- Works Committees – Joint Management Councils

### **4. Comparative Study**

Comparative Study on Trade unionism in UK,USA, and India .

### **5. ILO**

ILO: Aims And Objectives-Structure-Tripartite Character Of ILO- Conventions And Recommendations On Freedom Of Association-Adoption And Obligations Of Member States –Forced Labour And Discrimination –Migrant Workers- India And ILO.

### **PRESCRIBED BOOKS AND JOURNALS:**

- O.P. Malhotra, The Law of industrial Disputes. (Tripathi)
- K.D. Srivastava - Law Relating to trade Unions and Unfair Labour Practices in India. (Eastern Book Company),
- V.V. Giri, Labour Problems in Indian industry(1972) (Asia Publishing House),
- Ganga Sahai Sharma - Trade Union Freedom in India. (Deep and Deep Publication),
- S.N. Dhayani - Trade Union and the Right to strike. (S. Chand & Co.),
- Relevant Chapters of National Commission on Labour 1969.
- Otto - Kahan Freund- Labour and the Law(1977)(Stevan & Sons)
- Roger W. Ridout- Principles of Labour Law (1983)(Sweet & Maxwell).
- Gillian S.Morris and Timothy J.Archer, Collective Labour Law (2000), Oxford
- Nick Humphrey, Trade Union Law (1997), Blackstone, London
- John Bowers and Simon Hentyball, Text book on Labour Law (1998), Blackstone, London
- Stephen Dery and Richard Mitchell, Employment Relations Individualisation and Union Exclusion(1999), Blackston,London.
- Roger Blanpain, Chris Engels(Eds.), Comparative Labour Law and Industrial Relations in Industrialised Market Economies (1999) Kluver
- Indian Law Institute, Labour Law and Labour Relations, (1987)
- ILO, Conventions and Recommendations.; ILO, Collective Bargaining; ILO, Collective Bargaining in Industrialised Market Economies
- Mary Sur, Collective Bargaining (1965)
- R.W. Rideout, Principles of Labour Law, Chs. 8,9 and 10 (1983)
- Otto Kahn-Freund, Labour and the Law, (1977)
- A.V. Rajagopalan, "Approaches to collective Bargaining - Intricacies" 1982 Vol. II Labour Law Notes P.J. 42
- B.R. Patil, Sectionalised Bargaining in Textile Industry in Coimbatore" 20 Indian Journal of Industrial Relations 44. (1985)
- Elias T. Ramos, "Growth of Collective Bargaining in the Philippines, 1953-74", 14 Indian Journal of Industrial Relations 559 (1987)
- T.O. Ekeehukwu, "Collective Bargaining and Process of Settling Industrial Disputes in Nigeria" 18 Indian Journal of Industrial Relations 607 (1983)
- Y.R.K. Reddy, "Determination of collective Bargaining Agency Search for a Procedure" 14 Indian Journal of Industrial Relations 73 (1978)
- Sahab Dayat "Revival of Collective Bargaining in India: Some Recent Evidence" 17 Indian Journal 'of industrial Relations 329 (1982)
- Reports of National Commissions on Labour 1969 (relevant portions)
- A.B. Maily, "Forced Labour in India", 15 Indian Journal of Industrial Relations 77 (1979)