

# **ALL INDIA UNION BANK EMPLOYEES FEDERATION**

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22<sup>nd</sup> February 2018

## **Circular No. 38/XVI/2018**

To All Units and CC members &  
Woman Sub-Committee Members

Dear Comrades,

### **Issues recently taken up with the Management**

During the last few days we have written to the Management on 3 issues (1) **Arbitrary Mass Transfer of Clerical Staff**, (2) **Payment of overtime allowance in terms of Bipartite Settlement** and (3) **Refund of excess premium deducted from employees who retired from the services of the Bank since 01.10.2016**. First two letters were addressed to the MD & CEO and the last one to General Manager (HR). We reproduced below full text of the letters for your information and circulation among the employees.

With Greetings,

Yours comradely



Jagannath Chakraborty  
General Secretary

### **Full text of letter to MD & CEO dated 22.02.2018 :**

#### **Arbitrary Mass Transfer of Clerical Staff**

It is learnt that in the wake of fraud case in Punjab National Bank, the Central Vigilance Commission has on 19<sup>th</sup> February 2018 issued an advisory to all the public sector banks ordering them to immediately transfer the services of not only the officers who have completed 3 years in a branch/office as on 31<sup>st</sup> December 2017 but also the services of all clerical staff who have completed 5 years in a branch/office as on 31<sup>st</sup> December 2017. Situation demands exemplary punishment upon the culprits who looted the Bank. But, instead of that the employees of the banks are targeted for en-mass transfer on account of which they in general are subjected to various uncalled for criticisms in the society. This has tarnished the image of the bank employees in the eyes of the public. While in the difficult situation of the banks employees' co-operation is badly needed, we are afraid such en-mass transfer will de-motivate the employees. Therefore, if in consonance with the said order of the CVC Management of our Bank transfers the services of clerical staff members we hereby lodge our strong protest against such move of the Management.

For your kind information, a policy on transfer of services of the Award Staff members is already in existence in the Bank since 1988 circulated through Staff Circular No. 3270 dated 12<sup>th</sup> April 1988. The policy was framed through a Settlement between the Management and the recognized union and registered under the Industrial Disputes Act, 1947. The policy has an exclusive provision for rotation transfer of the clerical staff within the station who have completed 5 years or more in a branch/office.

The order of the CVC seems to be even for clerical staff of those stations in which there is only one branch/office therefore if it is so, the order is against the extant policy in the Bank. The policy being the outcome of a Settlement registered under the I.D. Act, 1947, no order even if from CVC can prevail upon the same. Implementation of such order without statutory restriction will not only amount to breach of Settlement but also cause a serious disturbance in the organised family life of the employees without any cogent reason.

In this connection, we also would like to state that transfer of the services of all clerical staff can never be the substitute to Management's failure to monitor the happenings in branches. It is also to be noted that Government's failure to book the culprit of bigger scams give impetus to such fraudsters within the bank itself for committing the fraud.

Under the aforesaid, we would like to make it clear that no such transfer leading to disturbing the organized family life of the employees will be tolerated by our Federation and hence, the same will invite avoidable unrest in the Bank.

**Full text of letter to MD & CEO dated 17.02.2018 :**

**Payment of overtime allowance  
in terms of Bipartite Settlement**

We draw your kind attention towards a reported letter of instruction issued by the General Manager (HR) on 15.02.2018 to all the Regional Heads for sending data of employees who have actually worked overtime during the period from 20.11.2016 to 31.12.2016 for the obvious purpose of paying overtime allowance. By now, you are aware of the fact that through the letter dated 25.01.2017 we demanded payment of overtime allowance for the following period:

From 9<sup>th</sup> to 11<sup>th</sup> November 2016  
12<sup>th</sup> and 13<sup>th</sup> November 2016 beyond 6 ½ hours of working  
From 20<sup>th</sup> November to 31<sup>st</sup> December 2016

When there was no response, we took up the matter with the CMD through our letter dated 13.02.2017 as we wanted to resolve the issue within the Bank. But there was no response from the CMD also. Finding no other way, we had to raise an Industrial Dispute on 22<sup>nd</sup> February 2017 before the Regional Labour Commissioner (Central), Kolkata as the question of paying overtime allowance was in terms of Bipartite Settlement that is registered under Section 2(p) and Section 18(1) of the Industrial Disputes Act, 1947 read with Rule 58 of the Industrial Disputes (Central) Rules, 1957. Conciliation on the Dispute has been started by the Assistant Labour Commissioner (Central), Kolkata. Subsequent developments are well known to you.

In such a situation, decision to restrict the period for paying overtime allowance from 20.11.2016 to 31.12.2016 leaving other days and time as mentioned above will not satisfy the employees and naturally will not help in any way to do away with the imminent complications. For your kind information, almost all the employees of the Bank had to work beyond working hours till late night on 10<sup>th</sup> & 11<sup>th</sup> November 2016 and beyond 5.00 PM on holidays of 12<sup>th</sup> & 13<sup>th</sup> November 2016. Also a good number of employees in most of the currency chests and may be in some branches had to work beyond their working hours on 9<sup>th</sup> November 2016 for completing the preparatory works of demonetization drive as per instruction of the Bank / RBI.

We, therefore, request you kindly to advise the concerned department to reissue the said instruction covering the above-mentioned dates and time in order to settle the Dispute in its entirety.

**Full text of letter to GM (HR) dated 10.02.2018 :**

**Refund of excess premium deducted from employees  
who retired from the services of the Bank since 01.10.2016**

We refer to our letter dated 17<sup>th</sup> March 2017 (copy enclosed) in the matter of deduction of pro rata premium for one month from employees who retired from the service of the Bank during 01.10.2016 to 30.09.2017. We requested for refund of the excess premium. But, neither the same was refunded nor our letter was responded to with reasons; rather deduction of excess premium instead of pro rata for one month continues.

We, therefore, once again request you kindly to look into the matter and advise the concerned department to refund the excess amount so deducted and the respective menu in the system has to be modified so that there will be no recurrence of such irrational deduction. In the event of no response from the Management, we shall be compelled to approach other forum for enabling the employees to get the refund which may kindly be noted.