

ALL INDIA UNION BANK EMPLOYEES FEDERATION

C/o Union Bank of India
15 India Exchange Place
Kolkata - 700 001
Fax No. : 033-22420690
Email : aiubefhome@gmail.com

05.04.2018

Circular No. 42/XVI/2018

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

Dear Comrades,

Discussion with the Federation on list of issues

In continuation of our Circular No. 40/XVI/2018 dated 27.03.2018 on the abovementioned subject, we inform you that besides the undersigned the following comrades will represent the Federation in the discussion on its issues on 18th April 2018 with the Management at the central office.

Com. Rajesh Matkari
Com. Sanjay Malkar
Com. C.J. Nandkumar

Com. M.V. Madhav Rao
Com. Biplab Acharya
Com. P.K. Sarangi


Outsourcing - Violation of Bipartite Settlement to be stopped

We reproduce below full text of our letter written to the MD & CEO on 02.04.2018 on the above-mentioned issue. You are aware that right from 2007 our Federation has been opposing outsourcing of various jobs undertaken by the Management as the action of the Management has been a clear breach of 8th Bipartite Settlement dated 2nd June 2005. General Secretary of AIUBEA, despite the fact that his apex organization AIBEA was a signatory to the 8th Bipartite Settlement, has not yet been found to have acted to resist such illegal action of the Management. It is a fact that AIUBEA's indifferent attitude towards outsourcing of various jobs beyond what is provided in the Bipartite Settlement has undoubtedly weaken Federation's struggle against outsourcing.

In any case, our Units are requested to launch organizational action according to the strength at their disposal and also to raise Industrial Dispute whenever they find outsourcing of any job beyond what is provided in the Bipartite Settlement. Such struggle should continue till any further decision on outsourcing comes in the future Bipartite Settlement. Units are also requested to take up campaign on this serious issue through issuing leaflet in local language and by holding meetings etc.

With Greetings,

Yours comradely


Jagannath Chakraborty
General Secretary

Full text of the letter written to MD & CEO :

“ Till today our Federation addressed following letters on the issue of outsourcing requesting the Management not to resort to outsourcing of any job beyond what is provided in the Bipartite Settlement.

To Whom addressed	Date	Subject
GM (HR)	18.08.2007	Cash Collection (Pick-Up)/Delivery at customer's doorstep Scheme
GM (HRM)	22.01.2008	Outsourcing - engagement of Courier Service for clearing cheques
GM (HR)	09.10.2010	Outsourcing of the jobs of Armed Guard
GM (P&HR)	05.07.2011	Appointment of Guards/ Armed Guards for ATMs and Branches and their service conditions
GM (P&HR)	19.09.2011	Recruitment of Armed Guards
GM (P&HR)	31.03.2014	Outsourcing of the jobs of Armed Guard
CMD	21.04.2014	Outsourcing of the jobs of Bank's Training Centers

That apart, matters relating to outsourcing of jobs beyond Bipartite Settlement are being adjudicated upon in CGIT-cum-Labour Courts in Bhabaneswar and Dhanbad, being conciliated upon before RLC(C), Kolkata and Ernakulam and already answered in favour of Union through an Award passed by the Hon'ble CGIT-cum-Labour Court, Guwahati. We, vide our letter dated 17.09.2015 addressed to the CMD requested for implementation of the Award by recruiting Armed Guards through District Sainik Board. It is evident from these that the matter of outsourcing is pending in adjudication and conciliation and therefore it attracts Section 33 of the Industrial Disputes Act, 1947.

It is not unknown to you that in Clause 31 (h) of Bipartite Settlement dated 2nd June 2005 it is clearly stated, “While it shall be the banks' endeavour to retain/re-skill staff and to develop in-house competencies, they may outsource IT and its related activities in respect of specialized area where in-house capabilities is not available”. Therefore the Bank has no permission to outsource any job except IT related activities and that too where in house capabilities is not available. This restriction provided in Bipartite Settlement has not yet been changed / removed.

In the charter of demands for 11th Bipartite Settlement submitted to the IBA by the workmen unions on 5th June 2017 it has been demanded under serial number 17, “All types of outsourcing of regular permanent jobs to be withdrawn which are not covered by existing settlement provisions”. On behalf of members banks (including Union Bank of India), the Indian Banks Association (IBA) also handed over to the unions a 9 point Management Issues. Under serial number 8, the IBA has demanded, “Specific provision to be inserted in the Settlement for allowing outsourcing in any activity in Banks without any restrictions as per its business needs, within RBI guidelines. Outsourcing has emerged as an effective strategy for reduction in cost of products and services and outsourcing is steadily emerging as an industry.”

It is more surprising that on one hand the Management (through IBA) requesting the Unions for removal of restrictions; on the other in defiance of restrictions went on formulating the outsourcing policy year after year - latest being for 2018-19 circulated through Instruction Circular No. 1133-2018 dated 27th March 2018.

We would like to make it clear that such decision of formulating outsourcing policy / outsourcing of any job except IT related activities not only amounts to clear breach of Settlement that attracts penalty under Section 29 of the I.D. Act, 1947 but also liable for invoking Section 33 A of the I.D. Act, 1947.

Under the aforesaid, we request you kindly to advise the concerned departments to desist from formulating any policy for outsourcing and also from outsourcing of any job except IT related activities till such time that Management's demand (placed through IBA) is clinched in the 11th Bipartite Settlement.”