

# ALL INDIA UNION BANK EMPLOYEES FEDERATION

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11<sup>th</sup> October 2018

Circular No. 61/XVI/2018

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

Dear Comrades,

## **Payment of overtime allowance for 9<sup>th</sup> to 13<sup>th</sup> November 2016 beyond 5 PM**

Conciliation was held as scheduled on 12<sup>th</sup> September 2018 on the above-mentioned matter. The weight in which we could present the matter before the Conciliation Officer was not considered by her to be sufficient in favour of strong claim for overtime allowance for the above-mentioned period and time. Our persistent argument that Management was deliberately avoiding to make the appropriate payment of overtime allowance could not be sustained on the ground that there was practically no claim from the employees for overtime allowances for those periods and that the recognized Union (AIUBEA) had been totally silent on the issue. Finally, the Conciliation Officer closed the file with an advice to the Federation for raising a separate Industrial Dispute.

However, one thing has been established during conciliation proceeding on that day. Management was in favour of strong opinion that whenever an employee performs overtime work beyond his duty hours he/she has to submit the overtime claim immediately on the same day or invariably on the next day and the Branch Head is also duty bound to certify the overtime work. **We, therefore, call upon all our Units to advise their members for submission of overtime claim immediately as and when they are required to perform overtime work and mention their timing in the attendance register.** Please note that this practice will be a befitting reply to the Management's move to deny legitimate overtime allowance for the above-mentioned period.

## **Preparation of List of Issues**

Central Committee in its meeting held in Chennai on 22-23 September 2018 has called upon all the Units to send suggestions/issues of all India nature by 15<sup>th</sup> October 2018. It has also been decided that a list of issues will be submitted to the Management by the last week of October 2018. Hence, the Units are requested to send the issues immediately. If a Unit has nothing to send, please inform us immediately so that we are not required to look forward to that Unit for the issues.

**Creation & Filling up of Special Assistant posts for 2018**

We reproduce below the full text of our letter written to the General Manager (HR) on the above-mentioned subject for your information and circulation among all sections of the employees. While bringing the contents of this circular into the notice of the employees, you must tell them that it is AIUBEA who, by virtue of being recognized, enters into settlement with the Management on employees' issue and it is the same AIUBEA who, by virtue of being collaborationist, uses to give relief to the Management even when the settlement is not implemented.

With Greetings,

Yours comradely



Jagannath Chakraborty  
General Secretary

**Full text of the letter written to GM (HR) :**

“ A settlement was entered into between the Management and the All India Union Bank Employees Association (AIUBEA), which had increased the business criteria from Rs.15 crore to Rs. 20 crore and from Rs.30 crore to Rs.35 crore for creation of the post of Special Assistant in Rural and Semi-Urban Branches respectively. Management in tandem with All India Union Bank Employees Association (AIUBEA) made their settlement of 30.01.2017 effective from a back date of 01.04.2016 which took away the benefit accrued to the employees as on 01.04.2016. We, vide our letter dated 15<sup>th</sup> February 2017, drew the attention of the Management that the said Settlement was un-Constitutional since a settlement which was inconsistent with the provision of the Constitution of India was void ab-initio. It is already settled in law that the rules cannot be changed / amended with retrospective effect to deprive the workmen of the vested rights. But, far to speak of repairing the defect, our letter was not even responded to.

You must be aware of that the clause 1.4 of Higher Assignment Policy for clerical staff in regard to periodicity for filling up the post was not amended in the settlement dated 30.01.2017. Said clause of the Higher Assignment Policy for clerical staff states, “The process for filling up the posts attracting Special Allowance shall start within one month from the date of arising of the vacancy and steps will be taken to fill up the same as early as possible”. You will kindly agree with us that on the basis of aggregate business figures for March of the preceding two years i.e. 2017 and 2018, a number of Special Assistant posts were to be created as on 01.04.2018 and the process for filling up the posts should have been started within 30<sup>th</sup> April 2018. But, it was no done so. None of the parties to the settlement i.e. neither Management nor AIUBEA has taken any steps for maintaining sanctity of their settlement.

Under the aforesaid and without prejudice to our opposition to the back dated effect of the settlement dated 30.01.2017, we request you kindly to look into the matter for creating the posts of Special Assistant as on 01.04.2018 and also for their filling up without any further loss of time.”