

ALL INDIA UNION BANK EMPLOYEES FEDERATION

(Celebrating 60 years of Glorious existence)

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Circular No. 102/XVI/2019

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

Dear Comrades,

Latest position of following 3 ID and Complaints

- 1. Industrial Dispute : Demanding 1st November 2017 as the effective date for wages and seniority for promotion from clerical to officer cadre for 2017-18**
- 2. Complaint : Against MD & CEO for resorting to Unfair Labour Practice under Section 2 (Ra) of the ID Act, 1947 for exerting pressure upon employees in regard to ESPS**
- 3. Complaint : Against MD & CEO under Section 29 of the ID Act, 1947 for breach of promotion policy settlement from clerk to officer cadre for 2018-19**

Industrial Dispute demanding 1st November 2017 as the effective date for wages and seniority for promotion from clerical to officer cadre for 2017-18

The ID was dealt with by the Dy. Chief Labour Commissioner (Central), Kolkata. Exchange of submission and counter submission by the Federation and the Management and also discussion took place on the Dispute. After hearing both the party the Dy.CLC(C) finally opined that if the promotion process is not held as per the promotion policy then the workmen will rightly raise the demand for the benefit of the promotion from its due date. According to him, when the promotion policy has given the Management time upto 31st March of 2018 for completing the promotion process of that year then it will be appropriate for demanding the effect from 1st April 2018. We, from the Federation, stated that the Management gave the effect from 1st July 2018, which was not acceptable to us. We further stated that although we demanded the effect from 1st November 2017 we, for the sake of an amicable settlement, were prepared to accept the effect from 1st April 2018. The Dy. CLC(C) was surprised as to how the signatory union

(AIUBEA) of the Settlement could demand postponement of the implementation of their own settlement.

Finally, due to rigidity of the Management the conciliation ended in failure. Now, we have to wait for the decision of the Ministry of Labour, Government of India on the matter.

Complaint against MD & CEO for resorting to Unfair Labour Practice under Section 2 (Ra) of the ID Act, 1947 for exerting pressure upon employees for success of ESPS

The complaint was dealt with by the Regional Labour Commissioner (Central), Kolkata. Management submitted their submission on the complaint lodged by us. Our complaint was very clear that the Management under the leadership of the MD & CEO exerted pressure upon the employees for opening Demat Account and thereafter for purchasing shares. Instead of challenging our complaint, Management took the defensive position that they did not exert any pressure upon the employees for purchasing shares. However, we observed that our grievance was well understood by the RLC(C) which made him to put the remark in the proceeding that it was the Management who knew best whether any pressure was really exerted upon the employees or not. He disposed of the complaint with an advice to the Management that if at all they exerted any pressure then they were advised not to do so in future. He also directed the Management to supply to the Federation within one month State-wise number of workmen who purchased the share under ESPS with a copy to him. We are not inclined to term it a victory for the Federation – it was a legitimate protest of the Federation against an unethical action of the Management.

Complaint against MD & CEO under Section 29 of the ID Act, 1947 for breach of promotion policy settlement from clerk to officer cadre for 2018-19

The complaint was dealt with by the Assistant Labour Commissioner (Central), Kolkata. Management violated the promotion policy settlement in 2017-18 as per the demand made by AIUBEA and again they violated the promotion policy in 2018-19. In course of discussions from whatever papers submitted by the Management it appears that this time the Management and the General Secretary of AIUBEA along with his one leader sabotaged the legitimate right of the employees to be promoted to officer cadre from the due date. We shall separately circulate the machination of this sabotage to expose the collaborative attitude of said General Secretary. In this promotion process the effect of the promotion was given from 1st August 2019. Apart from receiving submission and counter submission by the Federation and the Management, the ALC(C) wanted to know from the Management the reason of such delayed effect. Management representatives took the plea of a provision in the promotion policy that for some pressing reason the process might be delayed and the same would be informed to AIUBEA. He, then, put a straight question - was any provision in the promotion policy for

giving delayed effect? Management representatives could not find any answer. The ALC(C) like that of the Dy.CLC(C) opined that at least the effect should have been given from 1st April 2019. Accordingly, he advised the Management representatives to come back with the reply on the next date whether they are prepared to give the effect of the promotion for 2018-19 from 1st April 2019 or not. Next date is fixed on 19.11.2019. The ALC(C) also opined that it should have been the recognized union (AIUBEA) who should have lodged the complaint under Section 29 of the ID Act, 1947 against the Management for breach of the promotion policy settlement.

Federation's battle will go on against all such odds and sabotages.

All our Units are requested to circulate the above information in their respective local language among all section of employees including the leaders and members of AIUBEA so that they can also understand the functioning of their General Secretary in favour of Management's interest and against the interest of the employees.

With greetings,

Yours comradely



Jagannath Chakraborty
General Secretary