

ALL INDIA UNION BANK EMPLOYEES FEDERATION

(Celebrating 60 years of Glorious existence)

C/o Union Bank of India
15 India Exchange Place
Kolkata – 700 001

Email : aiubefhome@gmail.com

1st November 2019

Circular No. 103/XVI/2019

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

Dear Comrades,

Payment of Overtime Allowance for 9th, 10th & 11th November 2016 During demonetization exercise

The employees of our Bank must not have forgotten the battle of our Federation for achieving their right from the unwilling hands of the Management and more so in a situation when the recognized union (AIUBEA) did not even take up any battle on being satisfied by the Management's version in the I.R. Meeting that whatever overtime allowance on account of demonetization exercise was due to the employees was already paid in full. Same version was also given to our Federation but, instead of being satisfied, we rejected it and took up the battle. During the conciliation, in order to deceive the employees and weaken the battle of the Federation, the Management even went to the extent of using the weapon – when the recognized union did not agitate on the issue; the Federation also should have remained silent. But, instead of keeping silent as desired by the Management, Federation exhibited its strong determination during conciliation proceeding for implementation of the provision in Bipartite Settlement in regard to payment of overtime allowance, which made the Conciliation Officer issue a Show Cause notice to Shri Rajkiran Rai G, MD & CEO of our Bank on the charge of breach of the settlement registered under the I.D. Act, 1947. Federation's aim was not for any such show cause notice but for achieving the right for the employees. However, the show cause notice shook the determination of the Management for not to pay the due allowance to the employees and brought down them from their obstinacy to pay overtime allowance for the period from 20.11.2016 to 31.12.2016. This way the battle led to a historic achievement for the employees to uphold their legitimate right.

But, the battle of the Federation was not over. We went on demanding the overtime allowance for the remaining 3 days i.e. 9th, 10th and 11th November 2016. Being defeated in a battle, Management this time became fully adamant not to pay any more overtime allowance on account of demonetization exercise. During the early stage of conciliation, when the Management stated that there was no claim for any overtime allowance beyond whatever was paid to them, we submitted to the Conciliation Officer claims of 40 employees from different States as token, which included claims for those 3 days also. Among those 40 claims Management reportedly found a wrong claim for two

days during the period of 20.11.2016 to 31.12.2016 and had threatened during conciliation held on 27.09.2018 to take disciplinary action against the employee. On that day in addition to said 40 claims a bunch of 172 claims for those 3 days were submitted. The Conciliation Officer closed the Dispute on that day stating that those claims would be sent to the Management for scrutiny and disposal and if there remained any further claims, the Federation was advised to raise a separate Dispute. Accordingly, those 172 claims were sent to the Management. In the meantime, in order to terrorize battle, Management initiated disciplinary action against said employee who found to have made wrong claim for two days even after in a situation when the employee himself realized the mistake and refunded the amount of overtime allowance paid to him for two days. As usual, Management proved the misconduct in the enquiry and issued order of punishment to him on the day of his retirement from the services of the Bank but could not implement the punishment order. On the other hand, the Conciliation Officer was following up the claims that were sent to the Management. Management remained silent. Finally, the Conciliation Officer issued a notice to the MD & CEO for his attendance under Section 11(4) of the I.D. Act, 1947 for resumption of conciliation proceeding on 28.10.2019.

Accordingly, conciliation was held on 28.10.2019 but the MD & CEO did not attend. On our pointing out such lapse on the part of the MD & CEO, we were informed that it would be taken care of by the Conciliation Officer. During the conciliation, Management produced a letter addressed to the ALC(C) dated 29.03.2019. Management took the firm stand that they did not ask any employee to work beyond their working hours on any day of 9th, 10th and 11th November 2016. Naturally, the conciliation ended in failure. We believe that the Dispute will be referred to the Tribunal for adjudication. Now, we have to raise another Industrial Dispute for the hundreds of claims of those 3 days which reached to us after 27.09.2019. Copy of the Management's letter dated 29.03.2019 and minute of the conciliation proceeding dated 28.10.2019 are enclosed for your information.

Finally in one sentence – the Battle of the Federation will go on till we achieve the legitimate rights for the employees.

With greetings,

Yours comradely



Jagannath Chakraborty
General Secretary