

MANAGEMENT PROGRAMME

Term-End Examination

December, 2010

MS-28 : LABOUR LAWS

Time : 3 hours

Maximum Marks : 100

(Weightage 70%)

Note : (i) *There are two sections A & B.*

(ii) *Attempt any three questions from Section-A. Each question carries 20 marks.*

(iii) *Section-B is compulsory for all, and carries 40 marks.*

SECTION - A

1. Briefly explain any two principles of industrial jurisprudence.

2. Explain the term :
 - (a) Industry.
 - (b) PUS.
 - (c) Industrial Disputes Act (IDA).

3. What are the objects of Standing Orders ? State the acts or omissions on the part of a workman which amount to misconduct ?

4. Explain the premium for "set-on" and "set-off" in the Payment Bouns Act, 1965.

5. Write short notes on *any three* of the following :
 - (a) Powers and duties of Inspectors under the Factories Act, 1948.
 - (b) Voluntary Arbitration.
 - (c) Framing of charges (in the context of domestic enquiry).
 - (d) Child Labour Act - 1986.
 - (e) Procedure for the registration and cancellation of a trade union.

SECTION - B

6. Read the case given below and answer the questions given at the end.

Safety cannot be taken for granted. It can only be achieved with the wholehearted effort of everyone involved.

Unilever is committed to providing uniformly safe working conditions to employees worldwide. Safety at work is a primary business objective and the company's aim is to continually improve its performance in this key area. To achieve that, the concept of safety has to be embedded in the values and practices of everyone, everywhere.

Creating a safe workplace requires dual responsibility - of both the employer and the employee in order to establish and improve standards.

Unilever companies throughout the world must comply with local safety legislation. In addition, Unilever mandates global internal standards in safety, health, and environment (SHE). It aims for continuous improvement in performance year on year.

High safety standards are an integral part of Unilever's culture. Many companies also set themselves the goal of achieving their country's nationally, and often internationally recognized safety standard. This was the case with Unilever South Africa's Boksburg twin factory site, which produces both powders and liquids for home and personal care (HPC) products as well as edible oils and margarines.

It scooped eight health and safety awards-the majority of prizes - at the National Occupational Safety Association (NOSA) awards in 2000. NOSA is an internationally recognized organization that focuses on excellence in occupational SHE risk management. Six of the site's staff received awards including the foods factory engineer Iain Reynard, who was cited as the 'health and safety personality of the year'.

Unilever South Africa subscribes to the NOSA SHE system and, as such, is required to be audited each year by NOSA professional auditors. The audit evaluates compliance with legislation as well as company SHE systems and practices, focusing on risk management. As a result of the audit, both factories on the Boksburg site received a NOSCAR (a NOSA 'Oscar'). This award is only given to companies that achieve 95 per cent or more in their annual audit and which are proactive in risk assessments.

In order to improve its safety record, the Boksburg site changed its safety programme from being system driven to risk driven, 'We analyse the risks inherent in the manufacturing site and then apply the appropriate level of SHE intervention to mitigate the risk, either by physical changes or changes in people's behaviour,' explain Iain. For example, a slippery, hazardous staircase was made safer by covering the edges of the steps with a special nonslip strip.

The results of Boksburg's safety programme are impressive. By April 2001, both factories had beaten long-standing records: the foods factory had reached 1 million hours and the HPC factory just short of 3 million hours worked without a lost time accident (where an injury means a person cannot return to work the following day). As well as increasing the gap between lost time accidents, there is also a downward trend in minor accidents. The benefits are many. Unilever South Africa has a reputation for being a safe company to work for. That in turn affects its corporate image positively and makes it a more attractive employer. With fewer incidents, there is a commensurate reduction in employee time off work, litigation, and compensation claims. Work continues uninterrupted and the factory remains a safe environment.

Perhaps the greatest benefit is the change in employee attitudes. Iain and Piet van Breda, the HPC factory engineer, regard all 1,485 employees as being members of the safety team. 'We have had total openness and honesty from people about what the factory's risks are,' Piet says. 'That has allowed us to tackle fundamental problems behind our systems.' National Safety Manager, Ailsa de Goede, also emphasizes that 'the success of any safety and health programme is the commitment of senior management in ensuring that all employees understand their SHE responsibilities'.

Unilever also believes that internal recognition for good safety performance is essential and has its own Occupational Safety Awards Scheme. In 2000 Unilever's Premier Safety Trophy was awarded to Hindustan Lever's factory in Kandla,

India. The factory employs more than 500 people and produces over 90 personal products from toothpaste and soaps to skin creams and lotions. All staff are given safety training and the factory has an active safety committee.

The commitment to safety means that employees have achieved almost 6.5 million working hours without a lost time or 'restricted work-case' accident (where an injury means a person is fit to work but undertakes light duties). Shrikant Bhide, senior vice-president, supply chain, for the region says, 'This is a highly complex factory and we identified safety as a key priority early on. Safety and quality go hand-in-hand Quality starts with a workplace that is clean and safe'.

Making safety an issue in an office is far more difficult than in a factory. People believe offices are inherently safe places to work and, indeed, they are low risk. Nevertheless, accidents can happen. With that in mind, in 1998, Unilever's London office set itself new, internal standards and put in place a fresh programme to improve safety.

The aim has been to make all staff aware of safety. New employees spend half a day on fire, security, safety, health, and environment as part of their induction course. Safety stewards have been appointed around the building; a SHE committee has been formed involving employee representatives; and safety has become an issue for consultative and steering committees to consider. 'We've raised the profile of safety and are altering the culture', explains Paul Haden,

safety, health, and environment co-ordinator. Changes in safety include the introduction of better equipment for high-risk tasks, such as cleaning the exterior windows on the multi-storey building and introducing tools to make it easier for staff to lift or handle equipment. Small changes to simple tasks can make them much safer. For example employees collecting drinks from the coffee bar are encouraged to carry no more than four cups and that too in a specially designed tray, thereby reducing the chances of spillages and burns.

As a result the office has seen a continuous reduction in accidents over the period 1997-2000. It also achieved a total of 1.5 million hours worked without a lost time accident, for which it received an internal safety award. This was the first time an office premises in Unilever received this accolade.

It is people who drive safety policies. Unilever works hard to instil safety as an important goal to which its employees are committed. Knowing that safety is not a finite point, all are encouraged to continually improve safety procedures and drive up the safety targets.

Questions :

- (a) Analyse the organizational culture in Unilever with specific relevance to the safety work conditions for the employees.
- (b) Critically analyse the various safety programmes that were conducted in Unilever.
- (c) Suggest changes in policies which can make health and safety measure attractive.