

Trade Unions and Industrial Relations in Bangladesh: Human Resource Aspect

¹Taslim Ahammad; ²FarjanaRahman Shanta; ³Mohammad Morad Hossain;
⁴Md. Julker Naim

¹Assistant Professor, Bangabandhu Sheikh Mujibur Rahman Science and Technology University, Gopalganj, Bangladesh

²LLB, LLM, University of London, UK

³MPhil Researcher (M150047) of Bangladesh University of Professionals, Dhaka, Bangladesh

⁴MPhil Researcher of Bangladesh University of Professionals, Dhaka, Bangladesh

Abstract: The trade union, through its leadership, bargains with the employer on behalf of union members (rank and file members) and negotiates labor contracts (collective bargaining) with employers. The most common purpose of these associations or unions is "maintaining or improving the conditions of their employment. Industrial relations (IR) is an inter-disciplinary field that covers the study of all aspects of the workplace. IR is a fascinating topic for discussion and practice in understanding the study, as it covers the whole range of human relations within the industry. IR is a combination of different social science, the arts and the cycle of Bangladesh, which is a mixed effect. The word IR can only be human based on human relationships and good human relationships, that should be human behavior, honor of human dignity, fair sealing and physical and social needs concerns for humans. Research desk is based on research. In addition, consultants, researchers, planners, policy makers and educators will be recommended to those involved in the relevant areas.

Keywords: Trade Unions, Situational Analysis, Industrial Relations

Introduction

Trade unionism is the core of industrial relations. Primarily it is also referred to as phenomenon of the capitalist society, where in trade unions seek to remove the power imbalance between the buyer (i.e., employer) and individual seller (i.e. worker) of the labour power. Infact, trade unions are born of the necessity of working class people to protect their rights and privileges as well as to defend themselves against enrichments, injustices, and exploitation by their employers. Thus, trade unions provide a platform for workers' collection action and constitute an integral part of the relationship between employers and the employed.

Individually a worker is too weak to protect and advance interests in his own and he can do so only when he acts collectively in his trade union with his fellow workers. The solidarity of workers through trade unions is indispensable to collective action because a trade union gives an individual worker the support of an organization capable of representing and safeguarding his interest, which he himself is unable to do either for fear of dismissal or for lack of knowledge. The immediate object of trade union is not ensuring equilibrium in the interests of the profiteering employers but to realize the worker's interests. Trade unions in developing an under developed countries are however, beset with innumerable odds. As far as trade unions in post-colonial societies under autocratic regimes are concerned, there can be found very little area of trade unionism unfringed by power. Moreover governments ruling parties in the post-colonial societies of Asia and Africa take direct part in trade unionism thus making the industrial environment more violent and explosive. In such societies employers are backed by the law and administration of the State.

Literature Review

A trade union or labor union is an organization of workers. The trade union, through its leadership, bargains with the employer on behalf of union members and negotiates labour contracts with employers. This may include the negotiation of wages, work rules, complaint procedures, rules governing hiring, firing and promotion of workers, benefits, workplace safety and policies. The agreements negotiated by the union leaders are binding on the rank and file members and the employer and in some cases on other non-member workers. According to Webb (1910), "A trade union is a continuous association of wage-earners for the purpose of maintaining or improving the conditions of their working lives. Allen (1971) mentioned "trade unionism is an attempt by otherwise relatively powerless individual employees to rectify the power imbalance. It is substitute for individual action and is an integral part of the relationship between the buyers and the sellers of labour power. Flanders (1975) also regarded that trade unionism is an integral part of complicated yet on the whole trade union means "any combination of workmen or employers formed primarily for the purpose of regulating

the relations between workmen and employers or workmen and workmen or employers and employers or for imposing restrictive conditions on the conduct of any trade or business and includes a federation of two or more trade unions.

According to Cole (1955) "A Trade Union means an association of workers in one or more professions carried on mainly for the purpose of protecting and advancing the members' economic interest in connection with their daily work. Cunnison (1930) viewed that trade Union is a monopolistic combination of wages-earners who as individual producers are complementary to one another but who stand to employers in relation to dependence for the sale of their labour and even for its production, and that the general purpose of the association is in view of that dependence to strengthen their power to bargain with the employers or bargaining collectively.

Objectives

The study has the following objectives

1. To understand the philosophy and concept of Trade Union and IR;
2. To focus on present scenario of IR and Trade Union policy in Bangladesh;

Methodology

Given the nature of the present study, it was required to collect data from the secondary sources. The authors were always careful of the objectives of the study and collected data accordingly to achieve those objectives. Secondary data were collected from research studies, books, journals, newspapers and ongoing academic working papers. The collected data may be processed and analyzed in order to make the present study useful to the practitioners, researchers, planners, policy makers and academicians of the concern area.

Analyses and Findings

The analyses and findings have been discussed the following the sub-heads

Trade Union and IR in Bangladesh: An Overview

Democracy in the larger society is a prime and essential condition for the development of industrial relations. In Bangladesh, the extent of democracy is very poor. It is surprising to note that after independence, the frequent changes in government and emergence of military rule during 1975-1979 and 1982-1990 hampered the democratic environment for industrial relations in general and trade unionism in particular.

The level of industrialization in Bangladesh is very poor. The level of employment is very poor too. Here the supply of labour is always much higher than that of the demand for labour. So the labour cost is low. Out of a total civilian labour force of 70 million about 2 millions are unemployed. Here the industrial workers are not at all class conscious. Due to very poor literacy level, workers of Bangladesh are completely in the dark about their rights and obligations. The labour force participation rate in trade unionism is only 12%. Due to improper physical fitness and lack of sufficient skill the productivity of our workers is very low. As a result, they cannot contribute towards the higher level of profitability to the employers, thereby causing their level of wages to remain low. Till now the Government of Bangladesh could not ensure a satisfactory level of minimum wage for the workers (Khan and Taher, 2009).

Multiplicity of trade unions is one of the great weaknesses of labour politics in Bangladesh. As a result of weak strength, trade unions in Bangladesh is facing a number of problems like increasing political influence, inter and intra-union rivalries, unhealthy competition in Collective Bargaining Agreement (CBA) election, employers, tendency to avoid CBA process, etc. The opportunistic nature of trade union leadership has been responsible for poor labour movements. Most of the time, the trade union leaders acted as agents of employers and of the political governments. Another major hindrance to good industrial relations is the politicization of labour unions by outside political leaders. This leads to multiple unions on the one hand and inter-union rivalry on the other. Inter-union rivalry depresses both a union's membership and its finance. The final result is that a union finds itself unable to carry out constructive activities or to play an effective role in collective bargaining. Its status is reduced to a mere strike-committee.

Situation Analysis of Trade Unions and Industrial Relations: Discussion

Situation analysis discuss under the following heads

State Intervention

The maintenance of a climate of good Industrial Relations in society depends largely on the role-played lay the State as an 'actor' in the industrial relations system. Because it is the duty of the State to formulate labour laws and policies, to administer them and also to uphold justice so that neither the worker nor

the employers should suffer. Thus in any society the State acts both a planner and an administrator in the industrial relations systems. The Development of healthy labor management relations. State appears on the list of priorities of development planners, but in demographic societies with a vocal and well organized labour force such as omission may have costly and disastrous consequences. The State has had a major role to play, as a leading actor in industrial relation. It has played a dual role one as the initiator of policy and the other as an employer, or owner, by setting an extremely large public sector. Having embarked on a path of rapid industrialization to take the nation out of poverty and into an era of progress and employment.

Multiplicity of Unions

At plant level at many levels, the interconnection challenge often creates a managerial problem. Due to disagreements between the unions on the terms of technical change, rationalization, automation or employment and conditions, the work ceases. Sometimes when one union agrees to do another, because of various reasons. These changes are mainly due to the differences between differences between ideology or ideology. A clash of personality and emotion also plays in his part. Many unions are also multiple unlisted and non-membership members of the unions, which in turn result in failure to get delay or recognition. During the strike, the unions kept control of the databases during the strike, when the unions were establishing dominion among themselves, the workers were deprived of their wages and reduced production of plants. The primary role of a union is to protect the workers and limit their logic to more reasonable guidelines so that the effectiveness of plants is increased. Both the macro-and-micro-level impact of building multiple trade unions only weakens the labor force of workers, while at the same time negatively impacting the plant's effectiveness. However, it should be noted that despite the previous, there are many organizations where there are many unions and the management effectively negotiates and concludes the agreement. Many plants, workers are united - on a craft - their special skills or training together them. Multi-Unionism is more problem where common union exists, for which all classes can be organized in a common union.

Leadership of Trade Unions

Leadership role in a trade union has a variety of demand placed on it. Not only does it require a certain amount of technical knowledge of the nature of business of the particular organization, but also a sympathetic understanding of the workers, their attitudes and their problems. A certain amount of commitment and empathy for a cause, even in uncertain conditions, is necessary. Till now the attraction for persons entering this occupation has been the possibility of a political career in the future. However, there have been some plants unions, which have been run, vary professionally and have at the same time been concerned with the viability of the firm or the enterprise as well as the good of the workers.

A trade union is not only operated but is also known by the people who provide leadership through thick and thin. Sometimes the strength of a trade union is synonymous with the strength of its leadership. Trade union leadership is thus the core of the country's trade union structure, specially in a society where large-scale unemployment on the one hand.

The question of the right type of leadership is relevant here. A leader who remains loyal to his organization and also to the rank –and- file members can be designated the right type. Because his primary duty is to serve his organization and its members against any encroachment from either management or government. This is no doubt a difficult task for him in a backward society like Bangladesh where they are left with only two alternatives-

- ◆ To remain loyal to workers and to suffer innumerable oppression, even to the point of imprisonment and dismissal, and
- ◆ To playing into hands of management and government and thereby becoming in rich overnight.

It is an acid test for them when it comes to choosing between these two alternatives, and most of them most often fail. During field work most of the trade union leaders, especially at plant level, were found to have failed in the acid test and were called traitors by the workers. Only an insignificant portion of the trade union leader, who were mostly outsiders, were found to have survived the test of time either because they had strong political motivation due to ideological commitment. Because they had more a craving for popularity among the workers than for money or anything else.

Another phenomenon has been the role of the 'outside' leaders in the union. This is partly due to the low level of education of the workers, their lack of opportunities to gain experience and therefore their dependence on a small elite of educated and influential people. All these factors have led to the domination of the trade union positions by 'outside' leaders. The technical demands in terms of understanding the voluminous

and all embracing legislation are formidable and a legalistic approach seems to be all – pervading. Therefore, familiarity with the various pieces of legislation does play a part in getting things done. The social distance between the manager and the worker has also played its part. In a, tradition bound society which gives due difference to authority, the distance between the managers the worker has been substantial

Trade union leader are also formed to maintain direct or indirect relationship with political parties. In Bangladesh, legal frame work of political parties requires such direct link, for under the rules, each political party needs to have its ‘workers’ and ‘students wing. Hence, it is formed that majority of the national and industrial federation and almost all the plant level trade unions have direct link with political parties.

It is needless, to say that Bangladesh, the repressive measures rampantly used by the employers (management) ultimately led to the inadequate supply of able, competent and dedicated ‘ insiders’ for trade union leadership. As a result ‘outsiders’ participation is vital for healthy trade union leadership as well as labour movement of Bangladesh.

Industrial disputes

An industrial dispute, as defined by section 2(k) of the industrial Disputes Act, means any dispute or difference between employees and employers between employers and workmen or between workmen and workmen, which is connected with the employment or non- employment or the terms of employment or with the conditions of Labour or of any person. Industrial dispute doesn’t mean a dispute between on individual workman and the management, but if other workmen or majority of workers of the establishment, or takes up an individual dispute by their union, then it becomes an industrial dispute.

Conflict, as one of the features of industrial relations, is general concept. When it acquires a concrete and specific manifestation, it becomes an industrial dispute, that is industrial conflict is general, where as industrial dispute is specific. Industrial disputes may be said to be disagreement or controversy between management and labour with respect to wages, working conditions, other employment matters or union recognition. Such a dispute may include controversies between rival unions regarding jurisdiction also. There can be as many industrial disputes as there are points of contract between management and labour or one industrial dispute may cover many issues of conflict. When issues of conflict are submitted to the management for negotiation, they take the form of industrial disputes. Therefore, the specific causes of industrial conflict may be treated as causes of industrial disputes also.

Disputes between management and workman can be caused sometimes, by very minor matters in a place where industrial relations are poor. Normally immediate causes for disputes are wages or bonus or Leave or poor- working conditions or non-compliance with provisions of law and changes made in the conditions of service. Trade disputes arise in the employment or non – employment of any person; the terms of employment of any person and the conditions of Labour of any person.

Industrial disputes are a common phenomenon of the industrial way of life in all countries. What ever may be either accepted economic systems or levels of economic development? It is a hard fact that industrial disputes can never be absolutely eliminated, they can only be minimized and resolved as and when they occur.

They inability of the government and courts to settle disputes peacefully to the reasonable satisfaction of the parties concerned generates resentment and frustration which might cause irreparable damage to the credibility of national or trade union leadership. The economy’s growth prospects are imperiled as social tensions mount and the investment climate deteriorates. Role of the State in industrial relations as well as dispute settlement increases substantially, if the state is the single largest employer of labour.

Industrial disputes in Bangladesh are quite high. As relatively low percentage are resolved through employer- employee bargaining. There is a long chain of settlement of industrial disputes in Bangladesh. The process in short is charter of demand placed by trade union or CBA – collective bargaining – settlement or failing at this stage follows requisite for conciliation settlement or certificate – settlement or appeal to labour court appellate tribunal –settlement not writ petition to high court. Disputes are mostly settled in any stage of midlevel in chain. In Bangladesh, disputes in the public sector are largely resolved either at the corporation or at the national level, where as the disputes in the private sector are normally resolved through collective bargaining. If such settlement is not possible through collective bargaining the concerned parties may resort to the use of next course of action like conciliation, adjudication and the like. In Bangladesh, two methods and the procedure under each are now in order. International methods and external methods. Internal methods refer to settlement of industrial conflict by the parties themselves without any intervention from outside. The generally used internal methods are informal discussions, grievances procedure and collective bargaining. External methods involve third party intervention in the resolution of conflict between workers and management. The parties are conciliator, mediator and committee of inquiry and arbitrator.

Trade Union Structure

Since trade unions are organizations of workers for the protection of their common interests, it is this community of interest that constitutes the base for the formation of trade unions. But there are many possible interpretations of the term “Common interests”. It is one thing to say that interests of all workers are common but in reality, the consciousness about the community of interest may not be deep enough to be widely perceived. Workers, being in different stages of group and class-consciousness, may have divergent interests and objectives, as they perceive them to be. Due to this divergence, a variety of structural types of unions have emerged.

Workers pursuing a particular craft may appreciate their common interests as being different from those of others and form a union of their own. Similarly, workers employed in a particular industry may realize that irrespective of their craft affiliations, their interests are common and may establish a union covering all the workers employed in that industry. On the other hand, workers working under a particular employer at a particular place may form a union of their own irrespective of the interests of other workers working in the same industry. Likewise, workers working and residing in particular locality, irrespective of the craft, occupation or the industry in which they are employed, may develop common sentiments and form a general union that there is a variety of bases for the formation of trade unions. Each of these bases gives rise to a particular type of union, for instance, craft union, an industrial union, a general union and so forth.

Craft Unions

A craft union is thus an organization of wage –earners engaged in a single occupation or craft. Such a craft union may cover all workers engaged in that craft, irrespective of the industries in which they are employed.

Industrial Unions

An Industrial union is organized on the basis of an industry rather than a craft. The industrial union attempts to organize into one homogenous organic group, all the workers-skilled, semi-skilled, unskilled – engaged in a particular industry or industrial establishment. Such unions may be formed at the plant, region or industry level.

General Unions

A general union is one whose membership may cover workers employed in many industries employments and crafts. It requires a very high degree of consciousness among the workers merging their separate industrial and occupational status to form such unions.

However, ever Bangladesh won its independence in 1971 and became a member of the commonwealth in 1972 with republican states. It is essentially an agricultural economy, with a high density of population a very low percapita gross national product. Trade union activities in Bangladesh have along and at times blood history doing back to revolt by tea plantation workers in 1920 and the formation in that year of the All India Trade Union congress. In broader trade unions may be compared to a body politic with a complex of individual organs. The following diagram may represent the trade union body politic from the structural viewpoint.

Basic Union

Trade union at the plant or enterprise level is usually referred to as basic unions. They are formed at the unit or enterprise level with the membership of worker or employees of the particular unit or enterprise. Such a body being at the grass root level has the advantage to be closet to the rank – and – file members giving scope to know directly at first hand the day to day problems of the workers and deal with the same within the capacity of the union and if necessary to take their appropriate measures of appropriate time to mitigate these problems.

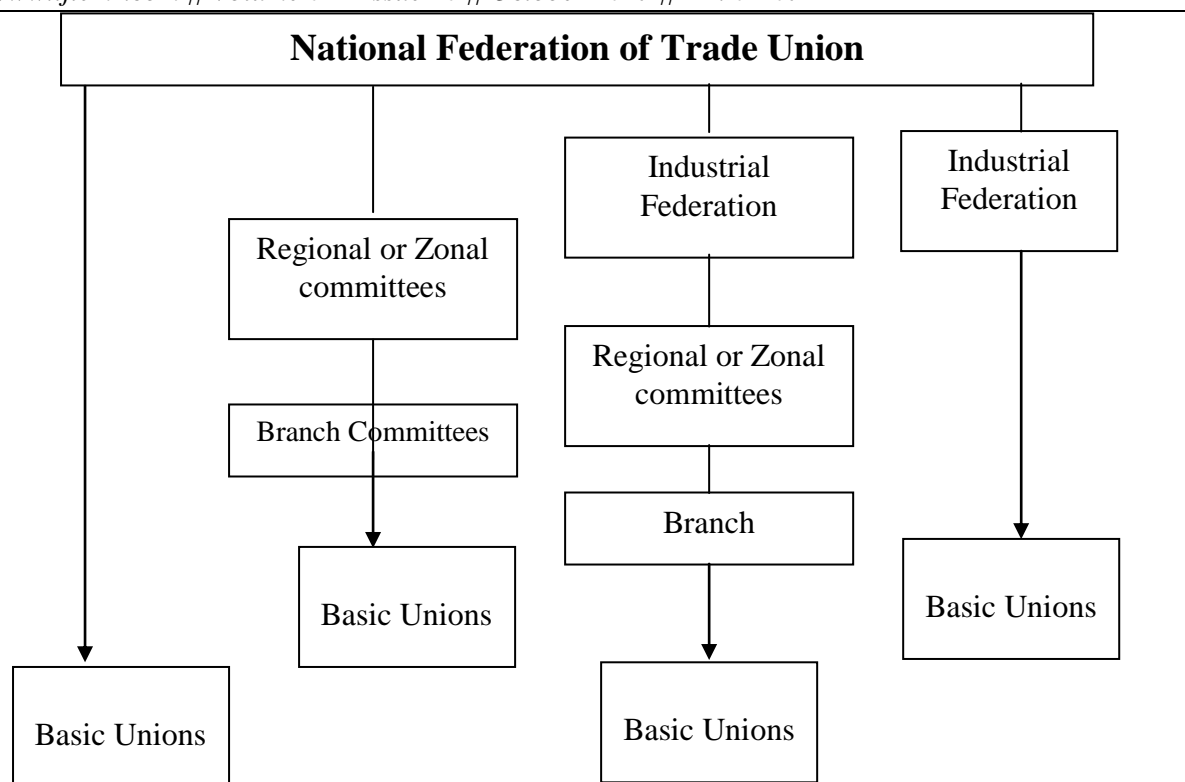


Figure 01: Structure of Trade Unions in Bangladesh

Industrial Federations of Trade Unions

A federation of trade union that works within the jurisdiction of a particular industry is referred to as an industrial federation. Such as federation, consisting of some unions (two or more) belonging to a particular industry provides a common platforms and a joint endeavor of workers employed in different enterprise or units of the industry. In general an industrial federation formulates charter of demands, convey workers’ grievances to the authority or to the Employees’ Association negotiates with the authorities concerned, and takes necessary step contingent on the result of their negotiations.

National Federation of Trade Union

A National federation is as apex organization of trade unions within the country. So far as all types of trade union organizations, including national unions and industrial federations can be affiliated with any such federation of their choice. The federations units may take guidance from it for formulating characters of demands, organizing strikes and conducting negotiations with the management.

Regional Committee

This committee is alternatively known as zonal committee and is formed in different regions at the initiative of the central executive committee of the federation. The central committee may also determine its composition. It is constituted to ensure effective communication between central committee and basic union. We on the basis of filed information inform the central committee and this is very much essential at times of crisis.

Branch Committee

Branch Committee is an organ of the central committees. This committee helps collection of subscription from units, which otherwise becomes a difficult task.

The laws and policies of a government for industrial relations in fact, reflect the attitude of the government towards labour. Bangladesh has inherited most of her labour laws from the colonial period. At present there are as many as forty or above labour and industrial laws in operation concerning the issues and problems of industrial relation. Some of these laws have been designed in the light of the ILO convention ratified by the Bangladesh.

Concluding Remarks

The most common purpose of these associations or unions is "maintaining or improving the conditions of their employment. The trade union, through its leadership, bargains with the employer on behalf of union members (rank and file members) and negotiates labor contracts (collective bargaining) with employers. Industrial relations (IR) is an inter-disciplinary field that covers the study of all aspects of the workplace. IR is a fascinating topic for discussion and practice in understanding the study, as it covers the whole range of human relations within the industry. Corruption and labour racketeering have long been present in trade unions of different countries in different forms and degrees. Economic power, political power and an unholy alliance between might and trade union leaders provide opportunities for the corruption of trade union leaders. It also observed that corruption and racketeering have long been present in trade union leadership in Bangladesh. It is rightly asserted that the strength of trade union and its leadership is synonymous. Corruption and labour racketeering have long been present in trade unions of different countries in different forms and degrees. Economic power or political power and an unholy alliance between management and trade union leaders provide opportunities for the corruption of trade union leaders. In general a corrupt union leader can get private payments from employers or management in return for a substandard contract – a so called sweet heart agreement – or in turns for settling or averting a strike would impose loss on the firm. Also employees sometimes assist in organizing such a union to forestall organization by a legitimate union.

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