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TRADE UNIONS AND INDUSTRIAL
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ABSTRACT

The author describes the various organizational, social, economic and political factors which contributed to the emergence and development of trade unionism in the banking industry. The structure of unionism in this industry is examined in the background of the general trend of the trade union movement in India. The problem of multiplicity of unions and rivalries among them is discussed in some detail in relation to unions objectives, struggle for power among leaders and management response to trade union activity. The special features of trade unionism among bank officers are discussed in the context of their distinct position and experience as employees. The structure of industrial relations in the industry is then briefly examined in a historical perspective. Finally, some suggestions are offered to management, unions and government to adopt a professional approach to the issues in labour-management relations in the interest of industrial harmony as well as effective performances of their respective tasks.

TRADE UNIONS AND INDUSTRIAL RELATIONS IN BANKING INDUSTRY

H. R. Sheth

Bank employees seem to have acquired a certain reputation for strong and militant trade union activity. Public discussions and private gossip continue to express disapproval and resentment at the frequent agitations among bank employees including sporadic work stoppages, token strikes, regular strikes and noisy demonstrations. Bank managements show deep concern over the problems faced by them as a result of staff agitations and work stoppages. We may recall the sense of relief experienced by bank managements during the period of emergency (1975-77) when government action resulted in almost a total ban on trade union activities implying dislocation of work. In contrast, many captains of the banking industry expressed fear and anxiety in early 1977 when they faced the prospects of restoration of democratic rights to industrial employees.

Such attitudes are understandable as employee agitation obviously causes disruption in banking services and hardship to the trading community as well as to the general public. Most people among bank management and the public are led to believe that bank employees and their counterparts in other white-collar oriented industries are relatively more affluent among unionized workers. It is therefore regarded unfair and socially illegitimate for such people to indulge in radical industrial action to improve their economic and working conditions at the cost of the rest of

the community. It is also believed that the tendency among bankmen and similar employees to indulge in frequent agitations has arisen from the following factors:

- i) lack of commitment on the part of such employees to their work;
- ii) their disproportionate concern for economic and social betterment regardless of the consequences of their action for other sections of the society, especially the poorer sections of the working classes; and
- iii) the political overtones of their trade unions which encourage them to exert pressures on employers, government and the public in order to reinforce or enhance the unions' power in a situation of inter-union rivalry.

Whether or not we approve of the agitational behaviour of bank employees and their unions, it is naive and simplistic to ascribe such behaviour to the greed and selfishness of employees or to the politics of trade unionism. It is necessary to understand such behaviour in the context of the forces characterizing not only employees and trade union leaders but also managements and the society at large. My intention in this paper is to discuss the salient features of the structure of trade unionism and industrial relations in the Indian banking industry in a historical perspective.

The Beginning

Although trade unionism in India had begun to take root in the last quarter of the nineteenth century, the banking industry was not affected by it until 1946. The industry is known to be one of the

most traditionalistic in its structure and management practices due to the factors of financial security and risk dominating it. As in the case of other sectors of business and industry, the major banks were dominated by large trading houses which followed a paternalistic style of management. Traditionally, recruitment in the industry was based mainly on social connections between employers and employees. As jobs in the industry were essentially clerical and administrative, employees were drawn from the upper and middle strata of the socio-economic hierarchy. Consequently, employees had a tendency to identify themselves with employers and refrain from giving expression to any dissatisfaction and deprivation they might experience in their jobs. On the other hand, the jobs were mainly of a routine character and left little scope for the employees to feel involved and interested in the process of work. The salary structure and working conditions in banks were comparatively very poor. Employees were expected to work as long as their bosses wanted without expecting any extra remuneration. Cases are known where bank employees were required to give free tuition to their officers' children after spending long hours in the office. In spite of such conditions, employees had no inclination to protest against their exploitation as employee protest was supposed to be within the domain of trade unions which were associated with the poorer, low status sections of industrial workers.

The Second World War gave rise to severe inflation and poverty within the country. Bank employees also were affected by these economic

forces. However, they did not see any improvement in their income in the wake of soaring prices while other sections of the working classes such as industrial workers and government employees received some extra compensation. In the case of industrial workers, their trade unions were instrumental in articulating their economic grief and exerting pressure on employers to provide relief. This created a general awareness among the white-collar employees, especially bankmen, about the need and usefulness of trade unions in fighting for employees' rights. In this background, bank employees began to form unions in order to protect wages against rising prices and seek redressal against the exploitative management practices. In some cases, union activities were initiated by employees who were dissatisfied with the managements' policies (or the absence of policy) with regard to transfers, promotions and method of resolving grievances. The first union among bank employees was formed in Calcutta around 1945 and was followed by unions of bank employees elsewhere. The process of unionization as well as the nature and extent of unionism varied from place to place depending on the magnitude of employee grievances in an organization, the type and quality of leadership available, and above all, the exigency of the situation.

Management Response

In the formative period, the major stumbling block to bank unionization was provided by strong resistance from employers and fear and apathy among employees. Employers were guided by the traditional notion of their exclusive right to manage their business in relation to employees

Although a trade union has been a legally and socially approved entity in the country since 1926, most employers and the public had learnt to associate trade union activity with communism, anti-management work and social mischief. Moreover, paternalistic employers believed that it was their function to look after their employees' interests and that there was no need for an external agency to represent these interests. Accordingly, the employers' common response to an emerging union was to refrain from any dialogue with it to avoid trouble. They also often applied penal sanctions against active unionists by oral threats, long distance transfers and disciplinary action. In one case, an active trade unionist was promoted to the rank of officer and then dismissed on some minor charge.¹ Conversely, those employees who promised to keep away from trade unions were offered handsome fringe benefits and promotions. In this background, most employees were scared to identify themselves with any trade union activity. In almost all banks, it took the unions several years to build a viable membership support.

As the unions gained ground in course of time, both management resistance and employee apathy gradually diminished. As trade unions and their action were protected by the government's industrial relations machinery (conciliation, arbitration, adjudication etc.), managements had to become more realistic in dealing with them. Some of them accordingly began to respond positively to union action and negotiate their demands and grievances across the table. This gave confidence to employees who began to take active interest in union affairs with less fear of victimization.

Union Structure

A significant structural characteristic of bank unionism seems to be its jurisdictional independence from the major national trade union centres such as Indian National Trade Union Congress (INTUC), All India Trade Union Congress (AITUC) and Hind Mazdoor Sabha (HMS) which have dominated the trade union scene at the All-India level. For the most part, bank unions are federated into one or the other national organization of bank employees. A large number of bank unions are affiliated to the All India Bank Employees Association (AIBEA) which was formed in 1946 as the first national federation of bank employees in the country. AIBEA enjoyed the position as the sole representative of bank employees until the emergence of new federations in the 50's and 60's. The All India Bank Employees' Federation (AIBEF) was formed in 1958 and the National Organisation of Bank Workers (NOBW) in 1965. Some banks (such as State Bank of India and Bank of Baroda) have their own national federations of employees. These federations have over the years acquired considerable power in terms of employees' support as well as dealing with management. In 1970, soon after nationalization of major commercial banks, several federations of employee organizations in various banks joined together to form a confederation called National Union of Bank Employees (NUBE). Another federation called the Indian National Bank Employees Congress (INDEC) was formed in 1972.

While most of these union federations are organised independently of political parties, some of them have clearly recognised (although not officially acknowledged) political patronage maintained through the

political affiliations of their top leaders. For instance, it is known that there is a close connection between the AIBEA and the Communist Party of India. Similarly, NCBW has close political connection with the erstwhile Jan Sangh. INDEC was officially affiliated for some time to INTUC which had a close connection with the Congress Party. It was disaffiliated from INTUC after the end of emergency in 1977.

Multiplicity of Unions

All bank unions at the industry level as well as at the organization level have their regional and local branches. In most cases sections of employees within a bank, in its regional offices and in the various branches owe allegiance to more than one union. This multiplicity of trade unions and the consequent phenomenon of inter-union rivalry is a well-known characteristic of industrial relations in India. However, in the banking industry it is in most cases possible to identify a union commanding the loyalty of the majority of the concerned employees. Managements usually recognise the union with majority support among members for negotiations and resolution of employees' grievances. The major aspects of economic rewards and working conditions of bank employees are governed by some comprehensive awards of industrial tribunals as well as by bipartite agreements between the Indian Banks Association (representing employers) and the major trade unions. Hence the unions at regional and branch levels mainly deal

with routine matters of employee grievances and disciplines. It is however not unusual for minority unions to create difficulties for management as well as for majority unions under the pretext of protecting the interests of their members. Of course the Indian industrial relations law permits minority unions to function with the same rights and obligations governing majority unions. At the same time, most bank managements have adopted the government-sponsored but voluntary code of discipline according to which an employer can recognize the majority union as a spokesman of all employees for the purpose of negotiations and resolution of grievances. Accordingly, a minority union has a limited role in industrial relations matters. Nonetheless, in practice, minority unions possess the power of creating obstacles in the way of management and the majority unions by disapproving agreements reached between them.

In this sense, Indian banks are significantly affected by the problem of inter-union rivalry. As one should expect, the main goal of a minority union is to gain acceptance by larger numbers of employees and attain the status of a majority union. On the other hand, a majority union has to try to retain its current status. There is therefore, a considerable degree of "power politics" among unions representing a group of employees. The most popular and supposedly most effective weapon for unions to impress members in a situation of union rivalry is for each to claim that it is the most effective representative of members' interests and to allege that its rivals are

corrupt or in collusion with management. In this context, disagreement among rival unions is often pursued as an end in itself rather than as a means to promoting employees' interests. A typical illustration of this approach is provided by the fact that during 1971-72 government had to postpone for several months its announcement of new boards of directors for some banks primarily because the concerned unions failed to reach consensus on the appointment of worker-directors.

On their part, managements usually claim that they are always neutral regarding rival unionism and that they would like to deal with any union which adequately represents their employees. In reality, however, it is not uncommon for managements to take sides between rival unions and support one against another. Managements are known to promote rival unions or to provide unofficial support to minority unions when they find it inconvenient to deal with an established union holding support of the majority of employees. Managerial support to a rival union is usually provided in the form of special favours to leaders of the wanted union in terms of transfers, promotions and fringe benefits such as overtime allowance. There is no scarcity of bank managers who sincerely believe that management efficiency can be raised by a policy of "divide and rule" in relation to employees guided by rival unions.

In this context, it is interesting to note some observations made by AIBEA on inter-union rivalry:

"Some organizations have been formed by the patronage of the management and some have been pampered by the party in power. it has sometimes happened that an agreement by a majority union has been challenged by the majority union and the government without going into the matter has referred the matter to the Tribunal".²

On the other hand, the Indian Banks Association reflected on union rivalry as follows:

"Due to historical reasons, different unions exist at various branches and the all-India pattern presented by such unions on account of their affiliations with the central organizations of their choice is that in some cases the all-India majority union of a bank is a minority union at branches in certain states and vice-versa. Consequently, several local unions have acquired patronage and power to such an extent that they disown agreements reached by all-India unions, particularly if they owe allegiance to a rival camp and disrupt work. The experience of banks has been that settlements unless they are agreed to by the major constituent units, are difficult to be enforced with the units at the branch level. The only alternative open to the bank managements, therefore, is to associate the various unions according to their respective strength with the settlement of disputes at different stages, rather than drive the hostile units into opposite camps, leading to a further aggravation of the present unreasonable attitudes adopted by the unions".³

It may not be out of place to provide an account of how rival unions are formed at the local level on flimsy grounds. According to an observer:

An active member of a union wanted a job for his wife in his bank. This should have been normally no problem but somehow he did not succeed in his efforts. He soon broke away from the union and formed a rival union with the support of other forces who wanted to make a dent in the trade union movement and capture power. Trade unionism is a lucrative vocation and gullible employees fall an easy prey to the vagaries of its leadership."⁴

The presence of rival unions and their negative impact on industrial relations has evoked concern among industrial relations experts. The study group for banking industry appointed by the National Commission on Labour took cognizance of this issue and suggested some remedies. In spite of the management's lukewarm support for recognizing only the majority union in a unit and their stress on taking into confidence the minority union, the study group recommended that

"A single union should be the sole bargaining agent in a collective bargaining unit. Since banking is an all-India industry with uniform service conditions, the majority union should be determined on an all-India basis."⁵

As regards the problem of recognition at the industry level, the study group recommended as follows:

"Industry-wise negotiations should be conducted with two major all-India organizations, viz., the AIDBA and AIDBF and allowing representation also to those unions having substantial membership in individual banks and which are not affiliated to either of these two organizations.

Similarly, in each bank, representation at different levels (branch/region/all-India) may also be given to unions on the basis of verified membership in the bank."⁶

In spite of all these useful thoughts and suggestions, union rivalries have continued to plague the banking industry. Whether employees are led by single-bank federations (as in State Bank of India or Bank of Baroda) or whether they are led by multi-bank organizations (such as AIDBA), inter-union rivalries have grown in the wake of fragmentation among union leaders, political factionalism or social groupism.

For instance, some single-bank federations have been infested with struggles for power among top leaders. Each of these leaders tries to gain control over rank-and-file members and influence top management to recognize his clique as the true representatives of employees. In this process, these leaders sometimes split a viable union into smaller rival unions which become dysfunctional both for employees as well as for management.

The role played by political factionalism in emergence of destructive union rivalry is highlighted by the events which overtook AIBEA in 1980, especially in the eastern region. As Mohan Das has stated in a perceptive analysis,⁷ the top leadership in AIBEA began to split as a result of the decision of some of its leaders to break away from CPI and support the Communist Party (Marxist) which controls government in West Bengal. At the same time, another group of leaders in AIBEA was inclined to join a relatively moderate faction within CPI which had planned to form a new political party. Such divisions within a powerful radical organization such as AIBEA has resulted in a struggle for control over employees as well as for the right to deal with management. This struggle would inevitably lead to increasing industrial unrest as agitations, strikes, mutual vendetta and violence have conventionally been used by many unions to establish their supremacy over rivals. In such a race for power, efficiency of work as well as the genuine interest of employees would inevitably be sacrificed.

In some banks, employees from the socially backward classes have begun to develop increasing awareness of the special privileges available to them (in respect of recruitment, promotions, education, welfare etc.) by statute and government action. In the background of such privileges and the social exclusiveness characterizing their interaction with other groups in society, the socially backward

employees seem to have realized the special advantage for themselves in forming separate trade unions. Hence a few unions exclusively representing the scheduled castes and tribes have already come into existence and begun to plead for special benefits and concessions in employment conditions. Perhaps such unions may claim some justification for origin and existence in view of the social, economic and political exploitation by groups with higher social status. It is however, clear that the emergence of such ethnic unions will promote the fissiparous tendency among bank employees and eventually result in struggle for power, and industrial strife similar to those entailed by political fragmentation as suggested in the preceding paragraph.

Changing Managerial Strategy

It was mentioned earlier that the initial hostility of bank managements gradually gave way to a more realistic approach on their part by negotiating and solving problems across the table. As the unions gained membership strength and competed with one another to secure various types of benefits for the employees, they began to adopt a progressively more firm and ruthless attitude to management in their negotiations on various matters. Consequently, unions took increasing recourse to coercive measures such as noisy demonstrations, spontaneous work stoppages and strikes. As any small dislocation in the banking services creates immediate disturbances within the larger community, bank managements often felt compelled to yield to union pressures regardless of their judgement on the merit of a given case. This eventually led to a vicious circle : as a management yielded

to union pressure, the union learnt that such pressure yielded good result for the employees. Hence the union would exert still more pressure on management which might have to yield again. In the process, managements have gone to absurd lengths to please unions. It is widely known that in several prominent banks, unions enjoy various types of physical facilities (accommodation, furniture, means of communication) at management's cost and union activists not only do not perform their contractual obligations to the management but also frequently interfere in the business of management to secure extra benefits for themselves and their friends. While there must be many exceptions to this state of affairs, the industrial relations pendulum in banks seems to have swung from management's felt supremacy to a collusion with union leadership in the interest of immediate survival.

Unionism Among Officers

An important feature of bank unionism is the organizational drive among officers and supervisory staff. Most banking companies have their separate officers' associations. In some cases where officers have not organised separate associations they form part of clerical unions. It is interesting to note that a strike lasting for 73 days took place in the Andhra Bank in 1972 primarily on the issue of whether or not officers could become members of a clerical union.⁹ There is evidence to suggest that bank officers are not unwilling to stop work and indulge in militant action if the situation so demands. Such action and attitudes on the part of bank officers can be explained with reference to the sanefactors

which gave rise to unionism among clerical employees during 1940s. While analysing the strike by supervisory staff in the State Bank of India in 1969, Dayal and Sharma observed that the supervisors suffered

"a mounting sense of being squeezed between what were perceived as the two powers in the bank, the management and the clerical union. This was more strongly reflected in the feeling that (a) supervisors got the crumbs of what the management could spare from the table of the award staff; (b) in their anxiety to maintain peace and avoid trouble, the management placated the clerical union at the cost of the supervisory personnel and (c) a growing belief that without pressure and show of strength the supervisory staff could not obtain the advantages that clerical employees had forced out of the management by being aggressive and by showing their solidarity and strength.¹⁰ "

Similarly the agitation by the officers of the Reserve Bank of India in 1975 was explained on the following grounds:

"The issue in the case of officers was that the traditional differential in emoluments between the officers and Class III (clerical) staff has not only evaporated but has started working in reverse direction in the bank with the result that majority of the officers' take home pay (sic) was less than

that of the clerk, the basic pay being the same in both the cases. The officers who had been consistently taking up the matter with the management had at least to take agitational approach to get some sort of response. They first held demonstrations, then went on mass casual leave for a day and ultimately took to work-to-rule."

As in the case of clerical unions, the officers' associations realised the advantage of forming an all-India confederation to gain more strength. The idea of such a confederation was mooted in 1970 but materialised only in 1975 when the All-India Confederation of Bank Officers' Organizations (AICOB00) was formed. This confederation joined INTUC soon after its formation in the wake of emergency. However, as soon as the emergency was lifted the confederation began to criticise INTUC and virtually became independent.

During the immediate post-emergency period AICOB00 and its constituent units adopted a militant posture against managements and government. They agitated frequently for restoration of employees' trade union rights which were denied during emergency. During the early post-emergency period (1977-79), bank officers launched agitation including mass demonstration, mass casual leave, token strikes etc. and also frequently threatened to go on indefinite strikes. The major bone of contention between bank officers and their employers was the government's decision to implement the recommendations of the so-called Pillai Committee which sought to create a rational

and uniform structure of salaries and working conditions among officers in the various commercial banks in the public sector. Such a move was regarded by bank officers as likely to result in a fall in the actual benefits enjoyed by some sections of bank officers. Apart from this prospect, the officers also alleged that the recommendations of the Pillai Committee were a move on the part of government to deunionize bank officers. The government therefore dragged its feet for a long time before introducing partial rationalization of emoluments and allowances.

It is interesting to note that during recent years a large number of officers in banks have been promoted from the ranks of clerical staff. These officers have already been exposed to the reality of militant unionism, union rivalries and their implications for employees and management. Officers with experience in active leadership positions in clerical unions are often interested in leadership roles in officers' associations. On the other hand, some officers continue their association with unions of clerical staff after being promoted as officers. In such cases, the major characteristics of clerical unions (struggle for power, agitational approach to employees' demands etc.) would continue among officers' associations. However, some of the officers' associations adopted a more conciliatory approach to union activities. They may represent individual and collective grievances of officers with a considerable degree of strength and vehemence. But they still regard themselves as an important part of management and hence may spend a large proportion

of union time and resources to improvement of banking service, discussion of contemporary social issues and educational and welfare needs of their members.

More recently, efforts have been made by AIBEA to form officers' associations under its banner although it has traditionally been concerned with clerical and ministerial employees. It is too early to predict at present whether such efforts will be adequately successful. Such success is however likely to change the basic structure of trade unionism in banks. In so far as officers and other staff achieve unity in their objectives and methods as trade unionists, the industry will face much stronger and more effective unions. As the bargaining power of such unions is likely to be much greater than at present, the unions may develop more militancy. This may lead to increasing industrial unrest and hence disruption of banking services. On the other hand, if the leadership roles are dominated by more educated and professionalised groups of employees (such as senior officers and specialists), the current climate of struggle for power and militant approach to employees' grievances may turn more sober and conciliatory.

Industrial Relations

Till the middle of the 60's, industrial relations in the banking industry at the national level were mainly characterised by active intervention by government in the form of adjudication. In 1946 the newly formed AIBEA served strike notices to bank managements in

various regions. The respective state governments intervened in the disputes and referred them to adjudication. The awards of adjudicators which varied from state to state created serious administrative problems in the process of implementation. These awards created disparities among employees working in different regions in the same bank as well as among employees of different banks. Consequently, employees, inspite of their general satisfaction with the awards, launched new agitation to achieve equality of emoluments and working conditions among their ranks. Finally, in 1949 the government brought the banking industry within the purview of the Industrial Disputes Act and constituted a National Industrial Tribunal to adjudicate on the disputes between the industry and the unions. The tribunal gave a comprehensive award in respect of pay scales, dearness allowance, house rent, bonus, provident fund, gratuity etc. However, the bank managements were not satisfied with this award and challenged it in the Supreme Court which struck it down on technical grounds. This led to a spate of agitations among bank employees who gave strike notices to their managements. The government then appointed another tribunal which gave its fresh award in 1953. This award however created discontent among both employers and employees. The award was then modified to make it acceptable to the parties. Again in 1959, the government appointed another National Industrial Tribunal in the hope of maintaining industrial peace in the country. This tribunal made another comprehensive award which was in operation from 1962 to 1965. At the end of this period the parties concerned realised the need for

institutionalising bipartite negotiations in the industry. The first comprehensive bipartite settlement was made in October 1966. The substantial part of this settlement is still in force in the industry although it has been modified from time to time in response to changing situations.

Strikes and agitations are not infrequent among bank employees. However, stoppage of work in the banking industry is largely of short duration and occurs usually when an agreement in force is about to expire so that employees can generate some pressures on employers. It should also be noted that militant action by bank employees has resulted in their achieving significant betterment in wages and working conditions. A study conducted by the National Council of Applied Economic Research⁸ reports that the index of real earnings of a bank clerk in the scheduled banks in India had grown from 100 in 1957 to 133.89 in 1965. The corresponding growth in cash earning was from 100 to 200.23. This information suggests the relative affluence of the bank employees in comparison with other industrial workers whose real income has hardly registered any significant rise.

Current Trends and Challenges

The government in recent years seems to have reacted negatively to unionization and agitations among bank employees. This is indicated by a statement made in 1978 by the Union Finance Minister¹² implying that government should deal firmly with these employees (referring to bank employees) whose emoluments are far above the national average.

Apart from criticising the attitude of bankers, the Finance Minister suggested that banking might be declared an essential service under the Industrial Disputes Act if bank employees continued their agitational approach. This threat has recently been implemented by government through an ordinance empowering the central and state governments to prohibit strikes and other forms of work stoppages in key services such as banking. Such legislation is understandably regarded as anti-union and anti-labour and hence been opposed by most unions and their constituents including bank employees. It appears that industrial relations in the banking industry will continue to be marked by inter-union rivalry and mutually negative attitudes among government, managements and unions. Of course, the banking industry is not the only industry showing such trends.

One can only hope that the direction indicated by the National Commission on Labour for solving the problem of industrial relations will be implemented sooner than later. Meanwhile, those who ascribe the restlessness and mounting agitations among bank employees as well as other sections of the working class to selfishness of white-collar employees and union politics may like to adopt a more realistic view of the phenomenon by a clearer understanding of the role played by managements and governments in creating such a phenomenon.

In any event, perhaps the greatest challenge in the area of industrial relations faced by both management and unions lies in the need for professionalization. The practice of managing labour relations has so far been marked by an overriding concern on the part of management to maintain peace. This concern often compels decision-makers to abate or encourage indiscipline by keeping employees and unions in good humour at any cost. It also restricts the concrete decisions in industrial relations at the level of top management as decentralization is likely to create conflicting conventions and methods in dealing with managerial issues. Professionalization in management of industrial relations would primarily imply willingness to take decisions in a long-term perspective and hence to take calculated risks in the short run, for instance, by refusing to dilute the norms of discipline. Such a perspective would need to be developed at all levels in the organizational hierarchy.

Trade unions, on their part, will also need to develop a professional approach to their functions in a long-term perspective. While they may need to acquire greater power in relation to management in order to serve their members' interests, they should examine the concrete long-term advantages and disadvantages of extreme militancy in dealing with management. Similarly, unions should assess the implications of multiple unionism and inter-union rivalries for the prosperity and satisfaction of employees in whose interest unions are created and sustained.

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