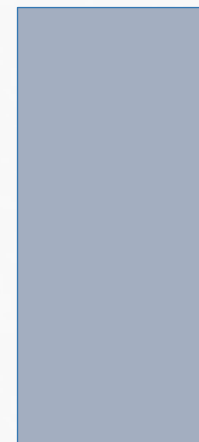


**SOCIAL JUSTICE  
DECENT WORK**



# **BUILDING RESILIENT STATE-LEVEL TRIPATISM**

**AN OVERVIEW OF THREE STATES**





## A SOCIAL DIALOGUE LEADER



- India is a founding member of the ILO
- Long history of tripartism, dating back to the colonial era
- The first meeting of the Indian Labour Conference (then called the Tripartite National Labour Conference) - 1942
- India also ratified the ILO Convention 144 on Tripartite Consultation in 1978
- Tripartite social dialogue structures have been established at state-level



## STATE-LEVEL FOCUS



- 2015-16: ILO conducted a study on tripartism and social dialogue at the state level
- Four states formed the focus of the study - Kerala, Karnataka, Maharashtra and Tamil Nadu
- Arising from this study: preliminary identification of good practices of tripartite social dialogue mechanisms
- 2018 - further research to take forward earlier research



## STATE-LEVEL FOCUS



### Focus:

- **Maharashtra:** Mathadi Boards
- **Tamil Nadu:** State Labour Advisory Board
- **Kerala:** Industrial Relations Committee



# MAHARASHTRA - MATHADI BOARDS



- Established in terms of the Maharashtra Mathadi, Hamal, and other Manual Workers (Regulation of Employment and Welfare) Act 1969
- There are 34 Boards for various markets - grocery, vegetables, dried foods, etc
- Each Board comprises a chairperson (who is a Deputy or Assistant Commissioner of Labour), and equal representation of employers organizations and trade unions
- Each Board usually comprises a staff complement comprising:
  - Enforcement Department (including a labour inspector)
  - Administrative Department
  - Accounts Department



# MAHARASHTRA - MATHADI BOARDS



- Boards charge a levy to the employers
- The minimum levy is fixed at 30% of payroll
- The levy is generally used to pay:
  - Bonuses, paid holidays, leave with pay, house rent allowances
  - Provident fund contributions



## MAHARASHTRA - MATHADI BOARDS



- Gratuity: paid at the end of employment of a worker due to resignation / termination
- Compensation: paid in the event of disablement or death
- Administration cost for implementation of the Scheme: does not include the salary payments of the government officials who chair the Boards



## TAMIL NADU - STATE LABOUR ADVISORY BOARD (SLAB)



- Non-statutory state-level tripartite body
- Established (1948) for the purposes of consultation on all labour policy matters in Tamil Nadu
- Amendments to existing labour laws / any new labour legislation expected to be referred to SLAB
- Also intended to play a labour dispute resolution function
- Expected to resolve serious disputes that may affect both labour and management





## TAMIL NADU - STATE LABOUR ADVISORY BOARD (SLAB)



- Comprises:
  - 5 government representatives
  - 6 employer's representatives
  - 6 worker representatives
  - 4 members of the State Legislative Assembly
- It is chaired by the Minister of Labour
- Membership expected to be reconstituted every three years



# KERALA- INDUSTRIAL RELATIONS COMMITTEES (IRC)



- Formation of tripartite IRCs dates back to 1940, with the establishment of the IRC for the coir sector
- Since then, a number of other IRCs have been established for different sectors
- These include:
  - Cashew
  - Textile
  - Plantation (called the Plantation Labour Committee, and deals with the cultivation and processing of tea, coffee, rubber and cardamom)



# KERALA- INDUSTRIAL RELATIONS COMMITTEES (IRC)



- Kuttanad (focus is on agriculture, particularly paddy)
- Coir
- Newspaper (includes print and electronic media)
- Toddy
- Private Hospitals
- Supply Corp (for workers in the public corporation responsible for food distribution to communities)
- Automobile Transport



# KERALA- INDUSTRIAL RELATIONS COMMITTEES (IRC)



- Representation is equal (7-a-side)
- Government representation includes the departments of labour, law and finance
- Some IRC's include representation from the Department of Tax
- IRC for cashews is chaired by the Minister for Cashews and Fisheries
- Intended to promote industrial peace in sectors which are large employers



# CONSOLIDATED GOOD PRACTICES



## Statutory status:

- Mathadi Boards established under Act
- Act defines the powers and functions of the Boards
- Makes provision for the institutional capacity of the Boards, including senior management and budget



# CONSOLIDATED GOOD PRACTICES



## Social dialogue:

- Each mechanism promotes tripartite social dialogue
- Consultation by government with social partners
- Provides a basis for trust and partnership building
- Mechanisms have contributed to improved working conditions



# CONSOLIDATED GOOD PRACTICES



## Dispute prevention / resolution:

- Mathadi Boards plays a dispute resolution function
  - Disputes not resolved between employers and unions are referred to the Boards
- Both IRCs and SLAB play dispute prevention roles:
  - IRCs: collective bargaining on conditions of employment for key sectors
  - SLAB: has been consulted on labour legislative matters



# CONSOLIDATED GOOD PRACTICES



## Capacity:

- Mathadi Boards have support staff
- IRCs and SLAB: labour department provides secretariat support





## AREAS FOR FURTHER FOCUS



- **Review:**
  - Mechanisms were established in the 1940's
  - functions, composition, statutory status, etc may require review
- **Future of work:**
  - Focus should include rapidly changing world of work
  - What will be the response at state-levels
- **Capacity – technical needs identified:**
  - social dialogue, collective bargaining, workplace cooperation, grievance handling



## AREAS FOR FURTHER FOCUS



- **Operational:**
  - Secretariat capacity
  - Schedule of meetings
  - Timely circulation of agendas and minutes
  - Sharing of research to inform discussions
- **Gender representivity:**
  - Increased representation of women



**THANK YOU**