

The 18th September, 1979.

All Member Tea Estates,
A.T.P.A.

Agreement on Staff Grievances.

Reproduced below for the information of our Members is an Agreement concluded by the Employers' Representatives with the Employees Representatives, on 14.9.79., at B.C.F. Office, Dibrugarh on the various grievances of the Staff.


Secretary.

" MEMORANDUM OF SETTLEMENT.

Name of parties:-

1. Assam Branch Indian Tea Association.
2. Bharatiya Cha Parishad.
3. Tea Association of India.
4. Assam Tea Planters' Association.

AND

Assam Chah Karmachari Sangha.

Names of persons representing the Employers:-

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| 1. Shri T.N. Barooah | { Assam Branch Indian Tea Association. |
| 2. Shri R.H. Goswami | { |
| 3. Shri R.L. Parasrampur | { Tea Association of India. |
| 4. Shri S.N. Phukan | { |
| 5. Shri G.P. Baruva | { |
| 6. Shri T. Bora | { Assam Tea Planters' Association. |
| 7. Shri D.K. Dutta | { |
| 8. Shri D. Bora | { |
| 9. Shri R. Chaliha | { |
| 10. Shri D.P. Bagrodia | { Bharatiya Chah Parishad. |
| 11. Shri S.P. Verma | { |

Names of persons representing the Union:-

1. Shri G.C. Sharma
2. Shri P. Goswami.
3. Shri R.C. Mahanta
4. Shri S.K. Bhattacharjee.
5. Shri D.C. Barbarooah.
6. Shri N.K. Thekur.
7. Shri T.R. Phukan.
8. Shri B.C. Dutta.

SHORT RECITAL OF THE CASE:-

The Assam Chah Karmachari Sangha submitted a charter of demands and a bipartite meeting was convened on 25.7.79 which, however, had to be postponed due to unavoidable reasons. The meeting was then held at Jorhat on 11th and 12th August, 1979. At the outset, the Employers' representatives expressed their surprise and disappointment at the Press reports issued by the Union and published in the

news paper about their proposed strike on 22.8.79, when a bipartite meeting was already arranged. The union stated that though they had apprised the press about the bipartite meeting this was, however unfortunately not published. After the above clarification from the Union both the parties agreed to discuss the points raised by the Union and a settlement was arrived at on the 14th September, 1979 on the following terms :-

1) Employment position:- The Assam Chah Karmachari Sangha stated that the Industry had failed to honour the 1969 Agreement relating to maintenance of gradewise level of employment and they claimed that at present there were 824 vacancies in 327 gardens in the Assam Valley from which data were collected by the Union. After discussion it was agreed that the Union would submit a list of defaulting gardens and on receipt of the list, respective Employers' Associations will scrutinise the same to ascertain the exact position by 31st October, 1979. While in the process of scrutiny, it was agreed that the undisputed vacancies will be filled up along with. It was also agreed that cases of disputes where settlement could not be reached, will be referred to an Apex body comprising of the Chairman of the four Employers' Association, assisted by Branch/Zone Secretaries and the General Secretary, Assam Chah Karmachari Sangha who will be assisted by Zonal Officers/Circle secretaries. The unanimous decision of the Apex Body will be final and binding on both the parties.

2) Additional Employment:- The union contended that there has been an increase in acreage and crop in the recent years and, as such additional employments were warranted in the number of staff from the 1.1.69 employment level. They further stated that the staff Members were performing increased volume of work and demanded the following.

- i) for increase upto 100 acres - 2 additional staff.
- ii) and subsequent increase of 100 acres of fraction thereof - one additional staff.

While appreciating the Union's contention, the Employers' representatives stated that the matter would need careful and in depth study and agreed that the Employers' views in this respect will be communicated to the Union within 31st December, 1979

iii) Irregular Employment:- The union complained that some Tea Estates adopt unfair labour practice by engaging persons/ apprentices in regular jobs and paying them through vouchers or otherwise. The Employers' representatives while denying that such a practice was in vogue in the industry, however, agreed that permanent vacancies in the staff cadre should be filled up on permanent basis.

iv) Employment of staff Children:- The union raised the question of providing employment of children of staff members in cases of death or physical incapacity of a staff member, while in employment. The Employers' representatives agreed that in such cases, other things being equal, preference for employment will be given to son/daughter of such staff member.

v) Uniform Pay Scale for all gardens:- The Union demanded that there should be uniform pay scales. The Employers' representatives have taken note of the reasons put forward in support of their demand. The Employers' representatives sought to make their decision known and 31.12.79 was agreed as the final date.

vi) Housing facilities to Staff Members including 'C' Grade Artisans.

The Union expressed their views about the standard of housing for staff members. They stated that while in certain gardens, staff housings were of approved standard, there were gardens where houses were uninhabitable and demanded the Employers' representatives to rectify the position forthwith with proper repairs/remodelling etc. The Union resented that the industry has not provided houses for 'C' Grade Artisans in accordance with the approved specification. The Union further stated that the industry, while considering construction of standard staff quarters. The Employers' representatives expressed that the building programme in the industry had taken a set-back in the past few years for non-availability of

/* labour houses, should not overlook the need for construction of

building materials, specially cement. They also stated that, subject to the availability of building materials, they would advise their members to forthwith :

- (1) Undertake urgent repair work of staff quarters to make these habitable.
- (2) remodel non-standard staff quarters and to bring them to the standard specifications.
- (3) provide quarters to 'C' Grade Artisans according to the approved Housing specifications.
- (4) construct staff quarters along with the construction of labour quarters.

vii) Workload of P.F. Clerks - The Union stated that the workload of Provident Fund Clerks have increased manifold and these clerks are finding it difficult to perform their works single-handed specially in those gardens with large number of workers and fixation of an agreed number of workers to be taken care of by one P.F. Clerk has become urgently necessary. The Union further stated that in some gardens there were no P.F. Clerks and in such cases P.F. Clerks should be appointed.

The Employers' representatives stated that there might be cases of workload being heavy in some big gardens with large number of workmen. They accordingly agreed to recommend to the management of those gardens where workload of P.F. clerks was on the heavier side that these clerks should not be over burdened with other work and clerks doing such heavy P.F. works should be given assistance for performance of their works.

In those gardens where P.F. work is done by a clerk doing other work, and if the volume of P.F. work warrants, there should be a separate clerk to do P.F. work.

- 3) Cycle Allowance:- Employees who are in receipt of cycle allowance at present and/or are required to use their cycles in performing their duties will receive an uniform cycle allowance of Rs.15/- (Rupees Fifteen) per month with effect from 1.9.79. With effect from 1.4.80 the cycle allowance for above cases will be enhanced to Rs.20/- (Rupees Twenty) per month in all estates.

In view of this settlement the Union agreed to withdraw all pending disputes regarding quantum of cycle allowance.

- 4) School Teacher:- The Union demanded upgrading of School teachers which the employers' representatives considered to be untenable.

However, in view of the fact that there is no avenue for promotion for a school teacher, it was agreed that in case of school teachers only on their completion of 10 years of service, they will receive an increment of Rs.15/- instead of Rs.10/- as at present with effect from 1.9.1979, in case of gardens of 300 acres and above. This would mean that the scale of pay for school teachers of this category of gardens will be Rs.350-7-420-15-570. In case of garden below 300 acres, this increment after 10 years completion of service will be Rs.9/- instead of Rs.8/- with effect from 1.9.79. The scale of pay for school teachers of this category of gardens will be Rs.245-6-305-9-395.

The fitment of individual employees will be on the next higher step of the revised scale.

It was agreed that the balance issues raised by the Union will be discussed on a mutually convenient date. In view of the above settlement the Union agreed not to give effect to the proposal of strike.

Employers' Representatives

Sd/-(T.N. Barooah)

Employees' representatives

Sd/-(G.C. Sharma)