

ALL INDIA BANK OFFICERS' CONFEDERATION

(Registered under the Trade Unions Act 1926, Registration No.:3427/Delhi)

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Circular No. 2016/26

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TO ALL AFFILIATES/MEMBERS OF THE STATE UNITS

Dear Comrades,

OUR STRIKE NOTICE FOR 11TH DECEMBER, 2015

RESUMPTION OF CONCILIATION PROCEEDINGS HELD ON 8TH DECEMBER'2015

Our members are aware that as per the prevailing practice, after any Bipartite Settlement is signed, the chapter is closed and no issue is discussed till next settlement becomes due. But it was our Confederation which kept the pending issues alive not only through vigorous follow ups with the IBA, but also by including them in our Strike Notice dated 27.11.15. The Conciliation Proceedings in response to our said strike notice were resumed today at Mumbai on the direction of Dy. C.L.C.(C). Due to his preoccupation, the conciliation proceedings were conducted by the Regional Labour Commissioner (C), Dr. S. Gunahari at Mumbai. Com. Harvinder Singh, Com. Ramkumar Sabapathy, Com. Ameetaa Sharma and Com. M. B. Tripathy attended the proceedings on behalf of the AIBOC, whereas, Shri K. Ganeshan represented IBA.

The proceeding started with brief introduction to the Regional Labour Commissioner. He enquired IBA representative on the status of the issues raised by the confederation in the strike notice. The Management representative stated that they have already filed their statement and forward movement could be made in six of the issues but other issues raised by the Confederation could not be resolved as they have no role to play in the issues. The undersigned countered the statement of the IBA effectively and stated that not much of positive movement has taken place in this regard except partial resolution of the anomaly in Stagnation Increment and half hearted Advisory sent by IBA to Banks. He further stressed that members are made to suffer due to delay / lack of response on the part of the Management / Government and are therefore left with no option but to resort to strike action. He submitted a fresh note on the issues raised by the confederation with the present position thereof. The Conciliation Officer requested IBA to spell out their specific stand on the issues and adopt a positive approach to resolve the issues. Thereafter, the issues were deliberated seriatim.

1. The Management representative maintained that they had no role in the policies of the Government with regards to the capital infusion, privatization, FDI in Banking Industries, Labour Laws, BBBs, Licenses to Private Sector Bank etc. and submitted a copy of their reply already filed with the Conciliation Officer clarifying their stand. We countered that

since IBA is the negotiating body on behalf of all the Bank and the Bank Chiefs are on the Management Committee of the IBA, they should escalate our concern to the Government. After detailed deliberations, the Conciliation Officer advised the Management to take up the issue with the Government. The Management agreed to convey the feelings and contentions of the AIBOC to Government.

2. On the issue of rectification of anomaly with regard to the additional Stagnation Increments, the IBA stated that they have already sent a clarification to the Banks and submitted the copy of the communication sent to Banks. Com. Harvinder Singh countered that though the IBA has sent the clarification, the issue of anomaly has not been resolved as the date of effect given is 01.05.2015. He contended that the date of effect should have been given from 01/11/2012 and not from 01/05/2015. The Management maintained that the clarification sent by them is correct and issue cannot be reopened. After detailed contentions, the Management requested the Confederation to represent the issue afresh.

3. On the issue of working on Sundays and Holidays, the Management stated that they have sent advisory to the Banks to avoid calling Officers to work on Sundays and Holidays. We pointed out that the communication is not on the lines of what was discussed before the conciliation officer during the last hearing as it does not address the issue of compensation. We informed the Conciliation Officer that most of the officers are required to work on holidays for Lok Adalats and other activities. The CCPCs are also required to work on Holidays including the important festivals. The Conciliation Officer advised the confederation to submit the data. We said that the IBA would be in a better position to collect the data. The Conciliation Officer advised the Management to look into the matter and advise the Banks to device a suitable compensation package in this regard.

4. On the issue of coverage of Domiciliary Treatment under Medical Insurance Scheme for retirees, IBA stated that they have already taken up the matter with the Insurance Company and furnished copies of the communications addressed to the Insurance Company. It was further informed that the issue was discussed in a special meeting and the Insurance Company has assured to revert. We contended that the agreement was signed by AIBOC with the IBA and therefore it was the responsibility of IBA to get the issue resolved quickly as the retirees are required to shell out huge money on the domiciliary treatment. The Conciliation Officer after hearing both the sides advised IBA to expedite the process and resolve the issue within a Month.

5. On the issue of reinstatement of Com. Mohanan and restoration of Bilateralism in the Dhanlakshmi Bank, the IBA submitted a copy of the detailed communication dated 11.01.2016 sent to the Bank. We pointed out that the Management of Dhanalakshmi Bank has resorted to victimization of office bearers of our Affiliate DBOO by transferring those to remote places much against the established practices and requested the Conciliation Officer to issue directives to the Management. Com. Harvinder Singh also appraised that the two Directors of the Bank have tendered their resignations recently on the grounds of bad Governance, mismanagement and anarchy in the Bank. The

Conciliation Officer clarified that no directives can be issued during the conciliation. IBA stated that it is the Bank level issue and they have no role to play. The RLC pointed out that IBA cannot disown their responsibility and advised them to send an appropriate communication to Dhanalakshmi Bank for restoring the bilateralism in the interest of industrial harmony.

6. On the issue of NPS, the Management reiterated their stand that the Scheme is irrevocable due to the provisions of the present settlement. Com. Harvinder Singh pointed out that NPS can be reviewed as was the case with option of 2nd pension in the salary settlement made in 2010. IBA maintained that the issue was closed in 2010 and cannot be reopened. The Conciliation Officer advised the Confederation to submit its detailed stand during the next hearing.

7. On the issue of Appointment of Officer Directors, we expressed serious concern as the positions of Workmen and Non-workmen (Officer) Nominee Directors is not filled in as many as 16 Banks for a long time now. The IBA requested the confederation to provide them with the details of the Banks in which the vacancies of Directors are not filled. The Conciliation Officer advised IBA to act promptly soon after the said information is received by them.

8. On the demand for implementation of Pension in RRBs, IBA maintained that RRBs are not their member and therefore they have no role. The matter will have to be taken up with NABARD by the confederation directly. We clarified that their sponsor Banks are member of IBA. The Conciliation Officer clarified that NABARD is only the monitoring agency and advised IBA to look into the matter categorically and file their final statement.

9. On the issue of the proposed amendments to Trade Union Laws, we maintained our stand and shared the apprehensions already recorded during the last meeting. However, the R.L.C. advised us to raise our point, if the need be, at an appropriate time.

10. On the issue of 50 % pension to the retirees of State Bank of India and issues of Retirees in other Banks like D.A. Neutralisation, improvements in Family Pension and Up-dation and Revision of Pension, the Management stated that they are in the process of calculation of the cost of these issues and have been examining the issues on positive lines. The RLC advised IBA to expedite the same.

The conciliation proceeding were conducted in a conducive atmosphere. Comrades, our efforts of continuous follow ups of the pending issues of the last settlement and its resolution will continue. We shall keep you advised on the developments.

With comradely greetings,

Yours comradely,



(HARVINDER SINGH)
GENERAL SECRETARY