

Verification of Membership of Trade Unions

1. General Verification

General verification of membership of Trade Unions affiliated to Central Trade Unions Trade Unions Organizations (CTUO) is an important exercise which undertaken by the CLC(C) Organizations on the directions of Ministry of Labour & Employment. The Purpose of General Verification is to determine the representation of CTUOs in the various national and international councils, committees, conferences, etc.

The last three General Verifications were conducted with date of reckoning 31.12.1980, 31.12.1989 and 31.12.2002 and the results of the verification were published by the Ministry of Labour in 1985, Dec., 1996 and Jan., 2008 respectively ([Annexer Results](#)).

At present all those Central Trade Unions who have verified membership of five lakhs spread over in at least four states and four industries are given status of Central Trade Union Organization. This criteria is likely to be revised upward for the fresh General Verification.

The process of fresh General verification of trade unions affiliated to Central Trade Unions has been initiated as per directives of the Ministry of Labour & Employment. Till date 5 meetings of the Standing Committee on General Verification have been held so far under the chairmanship of Chief Labour Commissioner (C) and the following issues have been decided for the fresh verification.

- (i) **Date of reckoning as 31.12.2011.**
- (ii) **Procedure for General Verification**
- (iii) **Criteria for granting status of Central Trade Union Organisation** - As per the revised procedure approved by the Standing Committee on General Verification only those Trade Union Organisations whose affiliates have at least a combined verified membership of eight lakh and unions registered in at least eight states and membership presence in at least eight industries, would be recognized by the Government of India as Central Trade Union Organisations.
- (iv) **Industries for which verification claims are to be called and verified.**

Notification has been issued on 1st Nov.,2012 through an advertisement in all important national daily newspapers inviting interested Central Trade Unions to file their membership claims for verification latest by 31st Jan.,2013.

The copies of the State-wise and industry wise results of last three General Verifications held with date of reckoning as 31-12-2002, 31-12-1989 and 31-12-1980 are enclosed as Annexure A,B and C respectively.

1. Verification of membership of trade unions operating in an establishment to identify majority union for recognition under Code of Discipline.

- The Code of Discipline was ratified by all central employers and workers organizations at the sixteenth session of the Indian Labour Conference held at Nainital in May, 1958, and came into force from June 1, 1958.
- The criteria for recognition of a trade union under Code of Discipline is annexed as Annexure-A
- As per the procedure laid down in appendix iv of Code of Discipline, the verification of membership of trade unions operating in an establishment is conducted at three stages

(i) Physical verification of records of trade unions all those workers who have paid subscription of union for at least three months in the preceding six months on the date of reckoning are considered as members of that trade union.

(ii) Muster Roll checking at this stage, muster rolls of the establishment are checked to ensure that all those workers whose membership have been physically verified as mentioned in para-i above, were actually on the rolls of establishment on the date of reckoning.

(iii) Spot verification at this stage certain percentage of selected sampled workers, out of those objected by the other rivalry unions, are personally interrogated to confirm the membership of union which has claimed him as its member.

Thus finally verified membership of a trade union is arrived at.

Verification through Check-off method In this method management extends the facility of deduction of unions subscription from the salary of the member worker and the amount is given to the union in favour of which a workers has given his written consent for deduction of subscription. The management verifies the membership of a union on the basis of subscription given by the workers to different unions operating in the establishment.

Verification through Secret Ballot method In this method majority union is identified on the basis of secret ballot conducted in the establishment. All workers who are on the rolls of the management on a particular date (i.e. date of reckoning) are allowed to cast their votes in favour of one union through secret ballot.

However, as there is no law in this regard, the verification through secret ballot is conducted only if all the unions operating in an establishment and management give their consent in writing for conducting verification through secret ballot.

On the basis of unanimity arrived in a meeting of Central Trade Union Organisations under the Chairmanship of AS, Mo L&E, Ministry of Labour has issued instructions dated 8.4.2011 regarding method of verification to be adopted in the different establishments of Central Sphere. As per these instructions if in any establishment verification was last done through secret ballot, this method will be adopted even if consent of the recognized union is not available. However, if there is demand for changing the mode of verification, this will be done only if all parties are unanimous for the change of mode.

Verification of membership of trade unions operating in the State Bank of India, its Subsidiary Banks and Nationalized Banks to identify representative union and for the purpose of appointment of a workman as Employee Director.

The verification of Membership of Trade Union operating in the State Bank of India and its various Subsidiary Banks, as well as other Nationalized Banks, to identify the representative union, is governed by the following four statutory schemes/ Rules-

1. Ministry of Finance (Department of Financial Services) NOTIFICATION dated 19th November, 2008 S.O. 2695(E)- Nationalized Banks (Management and Miscellaneous Provisions) (Amendment) Scheme, 2008.

- The above scheme has come in place of the earlier scheme known as Nationalised banks (Management and Misc. Provisions) Scheme, 1970.
- The following Nationalised Banks are covered under this scheme.

1. Union Bank of India
2. Indian Bank
3. Syndicate Bank
4. Dena Bank
5. Bank of Maharashtra
6. Bank of India
7. Indian Overseas Bank
8. Allahabad Bank
9. United Commercial Bank
10. United Bank of India
11. Central Bank of India
12. Punjab National Bank
13. Canara Bank
14. Bank of Baroda

2. Ministry of Finance (Department of Financial Services) NOTIFICATION dated 19th November, 2008 S.O. 2696(E) - Nationalised Banks (Management and Miscellaneous Provisions) (Amendment) Scheme, 2008.

- The above scheme has come in place of the earlier scheme known as Nationalised banks (Management and Misc. Provisions) Scheme, 1980.
- The following Nationalised Banks are covered under this scheme

1. Corporation Bank
2. Punjab & Sind Bank
3. New Bank of India (Now merged with PNB)
4. Oriental Bank of Commerce
5. Andhra Bank
6. Vijaya Bank

3. Ministry of Finance (Department of Financial Services) NOTIFICATION dated 19th November, 2008 S.O. 2697(E)-State Bank of India(Appointment of Employee Directors) (Amendment) Rules,2008.

- The above scheme has come in place of the earlier scheme known as The State Bank of India (Appointment of Employee Directors) Rules, 1974.
- This scheme covers The State Bank of India.

4. Ministry of Finance (Department of Financial Services) NOTIFICATION dated 19th November,2008 S.O. 2698(E)-(Appointment of Employee Directors) (Amendment) Rules,2008.

- The above scheme has come in place of the earlier scheme known as The State Bank of India (Appointment of Employee Directors) Rules, 1974.
- The following subsidiary banks are covered under the above scheme.

1. State Bank of Saurashtra
2. State Bank of Bikaner & Jaipur
3. State Bank of Hyderabad
4. State Bank of Mysore
5. State Bank of Patiala
6. State Bank of Travancore
7. State Bank of Indore

The procedure of verification of membership of Unions operating in the respective banks, provided in the above four schemes is through check off system. Under these schemes the verification of membership of trade unions is conducted through check off system by the designated officer at the level of General Manager nominated by Chairman or Managing Director. An appeal can be made against the report of the designated officer before the Appellate Authority, if the difference in membership contested or objected is more than five per cent of the total workmen employee strength of the bank or such that it can change the status of the representative union.

Appellate Authority for the above purpose is the Central Government or the Deputy Chief Labour Commissioner(C), Ministry of Labour & Employment, Govt. of India.