



KARNATAKA CHAPTER  
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# THE HUMAN RESOURCE

Issue 02 | July - September 2022-23



## Great Resignation and Employee Retention in Post Pandemic World

NATIONAL INSTITUTE OF PERSONNEL MANAGEMENT

KARNATAKA CHAPTER

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# THE HUMAN RESOURCE

Quarterly Publication of National Institute of  
Personnel Management - Karnataka Chapter

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**Mrs. Karuna S.G.**  
Chairperson



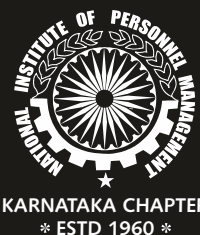
**Dr. Leena Guruprasad**  
Member



**Mrs. Dhanya T.G.**  
Member



**Mr. Girinarayan G.**  
Mentor



Editorial Committee





## CHAIRMAN'S MESSAGE

*Warm greetings to one and all !*

We are happy to bring to you the second quarterly E - Magazine of this second year of our office term and connect with you. At the outset I send my greetings to the Editorial Team of our Quarterly Magazine led by Ms Karuna S G and all the contributors for this Quarterly of "The Human Resource". We had an eventful quarter beginning with the NIPM-KC annual day celebrations on July 2<sup>nd</sup>. We had the privilege of having Mr. S N Sethuram , Retd. Dy. Commissioner, IT Department, as chief guest on the Annual day.

We organized a workshop on Labour codes - Impact - Implementation and compliance, which greatly benefited the participants.

In this Quarter as a part of Student Chapter programme we have carried out the learning sessions at Nagarjuna degree college, R N Shetty Institute and ISBR Business school for the benefit of the student fraternity.

In September we conducted a "Human Resource Conclave" in collaboration with NITTE MEENAKSHI Institute of Technology. Mr. Srikanth Vachaspati delivered the keynote address on "Organizational Transformation through Digitalization of People Processes".

We are happy to say that Karnataka Chapter stood number one in Life membership enrolment for the year 2021-22. We have crossed the mark of 300 in new life memberships as on date.

We are optimistic of many more such programmes in the coming days. I am humbled and honored to have the support of an efficient, brilliant and enthusiastic committee which is always committed to all the welfare activities of NIPM-KC.

*Wishing you all a happy festival season.*

Warm Regards  
**Robert Cutinha**  
Chairman - NIPM - KC

# EDITORIAL MESSAGE



## From the Editorial Committee

Dear Reader,

As we course through the second year of our operation, the Executive Committee of NIPM-KC under the leadership of Mr. Robert Cutinha, is proud to present this compendium of articles focused on what we may call an 'evergreen' concern - RETAINING AN EMPLOYEE. No industry, including the legal profession, is a stranger to the challenge of employee retention. While retention has been a persistent issue, the COVID pandemic has made this issue more complex by weaving such a complex web of problems that employers are now entangled in it. HR professionals require extraordinary and specific skill set to be able to retain their human resource, particularly post pandemic. If you have been successful in retaining your human resource, consider yourself top-tier in the people-management category.

This issue has an article written by Mr. Brijesh, Program - Director, HR function at MindTree Limited, wherein he suggests some concrete measures that might help companies retain employees. We also have a wonderful contribution by Dr. C R Chandrashekar, who needs no introduction. His article focuses on the mental health aspect of employee retention and employee engagement. Mr. Vittal Rao has once again contributed towards our endeavour and shared his thoughts on Collective Bargaining. This issue, we launch a new column titled 'MIND MATTERS' by author Ms. Deepa Mahesh who will be a regular feature going forward.

We hope that this compendium will ease you into the process of employee retention and aid in creating innovative strategies in retaining the human resource.

We welcome the participation of our members in making 'The Human Resource' a more meaningful and effective communication. Your feedback and suggestions are most welcome and may be sent to [nipmcc@gmail.com](mailto:nipmcc@gmail.com)

**Mrs. Karuna .S.G**

Chairperson - Editorial Committee  
EC member, NIPM - KC (2021-23)

# THE GREAT RESIGNATION AND EMPLOYEE RETENTION IN THE POST PANDEMIC WORLD



**Brijesh S**  
Senior HR Capital Professor

Most spoken topic of recent times is on the great resignation and ways to contain it. Before we delve further, we need to know what this great resignation means. In simpler terms - it is an occurrence that describes the record number of people leaving their jobs post Pandemic slows down/ends. What makes this event unique is the fact that it's not associated with one sector or industry. As per an estimate nearly 86% of the professionals in India will continue to seek new jobs in the days to come. With companies reporting steep increase with their exit number Q-o-Q, it becomes far more imperative than before to come out with innovative ways to retain the staff. The question to ponder is - What we did in the past to arrest attrition, Will it work now? And what different can we do to arrest attrition?

How did this phenomenon of exits gained traction and reached this alarming proportion that every Organization has jumped the bandwagon to implement innovative ways to retain and attract talent? Even employees who had spent long years with the company are looking for greener pasture. To know the answer, we need to understand few realities from an employee perspective.

- 1. Boredom and monotonous work life:** The last two years of pandemic made everyone to glue to their monitors with personal space getting converted into a workspace. The fatigue that got set in being confined to the four walls with less social interaction made life more monotonous.
- 2. Realization of the meaning of work life balance:** Personal life was mostly taken for granted and majority of the time was devoted towards work ignoring personal self. Pandemic brought in a great deal of maturity and inner awakening that made an employee realize the importance of having a balance

between his personal and professional life.

- 3. Passion to take risk and try out new things:** With new age technology and process coming in, employees feel an urge to take risk and try out new things.
- 4. Stressful long work hours and commute time:** Employees have realized how stressful it was to travel long hours reaching the place of work. Added, unrealistic expectations in execution of task, long working hours, absence of social life added to the mental and physical stress of employees.
- 5. Better perks and benefits:** It's a common observation that long timers who have spent considerable time in the same organization tend to have moved at a snail pace when it comes to the salary in comparison to the newcomers. As demand for experience and skill has gained traction, employees are moving out seeking better pay and benefits.
- 6. Dissatisfaction with the leadership and company culture:** Lack of clear vision, absence of developmental plans, age old technology, abusive managers are few of the reasons that has contributed to the mass movement of skilled resources.

With an alarming trend in movement of their quality and prized employee base in large numbers, it is high time that Organizations take concrete measures to retain their skill base. Few measures that can help contain exits are:

- 1) Define the purpose of existence and prioritize culture and connection:** Companies should clearly set out and drive the philosophy of their existence. The purpose gives sense of pride for an employee to be associated with the brand and to know the

larger purpose of their association and contribution. Open and transparent communication on part of leaders to assert and reemphasize the vision and the purpose of existence will influence the decision-making capability of the employees.

- 2) **No one size fits all:** Organizations should realize that employees and the IP/skill bank that they possess are the biggest asset of any Organization. No one scale can measure the needs of all. Generation gap does exist. What worked earlier need not necessarily work now. The policies and the process need to be relooked. Flexibility with process and policy is the need of the hour.
- 3) **Better and FOCUSED Engagement:** It's a well-established fact that, a better engaged employee tends to spend longer time with the Organization than the non-engaged one. But the shift should be more from merely engaging to a Focused engagement. The needs are to be addressed much before its expressed. Caring for employees should also mean and include caring for their families. A genuine and an honest effort can make or break the happening.
- 4) **Well defined performance & Compensation philosophy:** When it comes to rewarding efforts and results, transparent and clearly called out process should be the differentiator. Regular relook at the laid down compensation philosophy is very much needed to instill confidence and trust in employees. Options like ESOP, additional bonus, well defined performance linked pay, enhancement of take-home salary are few measures that can be looked at to make a well-defined compensation structure. Above

all, have the philosophy to recognize and reward loyalty.

- 5) **Adoption of new age technology, learning avenues & career progression:** Job rotation, encouragement and support to learn new technologies, sponsoring participation for technological events etc can be few more measures that assist in retention of employees.
- 6) **Embrace Flexible work model:** With the shift in the work scenario, flexibility at work is the most sought out option by employees. Options of Hybrid work model, Permanent work from Home, Flexi timings opening of satellite offices can be few other measures that aids to retain employees.
- 7) **Emphasis on the mental and physical wellbeing:** Organizations should emphasize on the importance of its employees to arrive at work feeling their best physically and emotionally. Programs around the said topic should be given importance to have higher productivity.

Attrition is a great leveler as it indicates the direction in which the Organization is heading. Exits can both be productive and nonproductive. It's always good to know whom to let go and whom to be retained. The number game can be crucial for public listed companies as the outside world looks at numbers in its totality and not the reasons associated to it. Above all, the trend that we see now in terms of movement does not seem to subside in near future. An honest and open intention on part of the Organizations to implement actions benefiting employees would be a crucial factor in deciding who wins the talent war. ■



“ I emphasize this - no matter how good or successful you are or how clever or crafty, your business and its future are in the hands of the people you hire.

— AKIO MORITA  
COFOUNDER OF SONY



# 02.07.2022 NIPM KC Annual Day Celebrations

NATIONAL INSTITUTE OF PERSONNEL MANAGEMENT, KARNATAKA CHAPTER

On Saturday  
2<sup>nd</sup> July, 2022; 6.00 PM  
At Wadiyar Hall,  
Century Club, Bengaluru

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**62<sup>nd</sup> ANNUAL DAY  
CELEBRATIONS**

**Chief Guest**  
Mr. S N Sethuram, Retd. Dy Commissioner, IT Department  
Actor, Author, Director & Playwright

**Guests of Honour**  
Mr. Vishwesh Kulkarni, National President, NIPM  
Mr. M H Raja, Hon. General Secretary, NIPM

Mr. Robert Cutinha,  
Chairman

Mr. Dinesh A U  
Hon. Secretary

**PROGRAMME**

- Welcome Address- Mr. Robert Cutinha, Chairman, NIPM - KC
- Inauguration of the Programme
- Highlights of 2021-22: Mr. Dinesh A U, Hon. Secretary, NIPM KC
- Address by the Chief Guest Mr. S N Sethuram
- Address by Guest of Honour
- Scholaric Awards
- Distribution of Sports Prizes
- Release of 'The Human Resource', Quarterly Magazine of NIPM - KC
- Vote of Thanks: Vice Chairman Mr. Sabinha S
- Fellowship @ Dinner





# 02.07.2022 NIPM KC Annual Day Celebrations



# ROLE OF MENTAL HEALTH IN EMPLOYEE RETENTION AND PREVENTION OF ATTRITION



**Dr. C.R. CHANDRASHEKAR**  
Sr Professor of Psychiatry,  
Retd. Deputy Superintendent-NIMHANS  
Samadhana Counselling Centre  
Bengaluru

## Mental Health is defined as ability to

- ❖ Remain calm and composed.
- ❖ Be comfortable and make others comfortable in all situations.
- ❖ Focus and work with concentration and commitment.
- ❖ Discharge duties and responsibilities.
- ❖ Maintain good relation with others.
- ❖ Control negative emotions like anger, fear, sadness and jealousy.
- ❖ Think and analyze any issue or problem, have good communication skills.
- ❖ Accept reality and adapt to it.
- ❖ Manage any frustration and be contented.
- ❖ Have self respect and respect others.
- ❖ Show interest to learn new skills and pass it on to others also.
- ❖ Be disciplined in taking food, sleep, personal hygiene and other daily routines.
- ❖ Avoid bad habits like smoking, drinking, doping and gambling.
- ❖ Be honest and truthful to the organization.
- ❖ Follow norms and ethics.

Employee having good mental health will be happy, comfortable and productive. But many employees who have disturbed mind, become uncomfortable, irregular and less productive. They blame others and the system for their inefficiency. They may quit or get discharged from the organization.

## Common factors for disturbed mind

1. Negative attitude towards the job / organization, colleagues and the supervisory staff.

2. Not having required knowledge and skills to carry on the work and responsibilities.
3. No interest to learn new skills or gain new knowledge.
4. Dissatisfaction arising out of salary, remunerations, facilities given by the organization. Job insecurity.
5. Discrimination, partiality done in the work place by the authorities, colleagues or subordinates.
6. Negative emotions arising out of:
  - a. Financial difficulties, low income, increased expenditure, loans, unexpected expenditures, losing money due to bad habits.
  - b. Family and marital discords.
  - c. Negative life events - death, separation, break up of relationships, accidents, injuries, illnesses, surgical intervention, loss of status etc.
  - d. Property disputes, court proceedings.
  - e. Children issues - academic failures, physical and intellectual disabilities, behavioral problem.
  - f. Old parents who have to be taken care of.
7. Social issues - class, caste, religion conflicts, social discriminations.
8. Low self esteem - inferiority feelings, self blaming, under estimating ones strength and exaggeration of one's weaknesses.
9. Abuse and addictions- tobacco, chewing and smoking, alcohol, ganja, opiates, gambling, gadgets.
10. Unhealthy life style and habits regarding food, sleep, personal hygiene, recreation, entertainment, social interaction and activities.

## INVISIBLE DEPRESSION

Like in other countries, 10% of people suffer from Depression. During and after COVID pandemic depression has increased. Depression reduces the efficiency and well being of a person. Due to ignorance, stigma, poor mental health care services, depression is not identified and treated in our country. People hesitate to accept depression as a disease because of social stigma.

### WHAT IS DEPRESSION?

Depression is not ordinary sadness. If we do not get what we expect, or when troubles/difficulties/problems arise, we feel sad and bored. But it lasts for a day or two. If a person is depressed such feelings persist for more than 2 weeks, or may last for months together. Sometimes it goes away and then recurs. So, persisting sadness and helplessness constitute Depressive Disorder.

Due to depression, we lose all happiness and joy in life. We feel helpless. We feel that we are useless, worthless and cannot complete any task. We feel that happy days will never come again, we lose all hopes. We may develop desire to die. We may get suicidal thoughts and attempt suicide.

### HOW TO RECOGNIZE DEPRESSION?

How to recognize if we, our family members, colleagues or close friends are having depression? Observe the following symptoms or problems which persist for more than 2 weeks.

- Feeling sad always, crying spells.
- Lost all interest and hope.
- Lack of interest both in routine activities (job) and enjoyable activities which gave happiness earlier.
- Hobbies are no more interesting
- Hopelessness, worthlessness and helplessness.
- Negative thoughts like 'I am useless', 'I cannot do anything', 'I am a burden to family members and society'.
- Feeling that 'I will never be happy, or successful and no good days in my life'.
- Lack of sleep, or feeling too sleepy in the daytime.
- Lack of appetite, or not relishing food, losing weight.
- Body movements become slow and clumsy.
- The person feels dull, loss of ability to take decisions, reactions become slow.
- Lack of clarity in thinking.
- Physical pains, fatigue, weakness.
- Death wish, suicidal ideas and attempts.

## WHO ARE PRONE TO DEPRESSION?

It is estimated that, at any point of time, nearly 10% of the population may be suffering from depression. Nearly 40% to 50% people who seek help in hospitals have depression. This occurs more in women. Though all age groups can suffer from depression, it is more prevalent in adolescents, middle age - old age people, and also in people who live alone away from their families. This can occur in any community, rich or poor, rural or urban. Job stress also leads to depression.

An employee with depression may not know that he/she is depressed. Others also fail to recognize it. Colleagues and supervisory staff observe that he/she has become dull, less active, not working as efficiently as earlier, has become slow, takes long time to complete a task and makes mistakes, interacts less with others. Complains of vague symptoms like weakness, fatigue, giddiness, and headache or pain other part of the body. A counsellor or doctor can identify depression.

### ARE THERE ANY TESTS TO DETECT DEPRESSION?

There are no tests. Any physical illness has to be ruled out after blood test, X-ray, scanning etc. Depending on the symptoms and based on doctors experience depression is diagnosed.

### WHAT IS THE TREATMENT FOR DEPRESSION?

#### 1. MEDICINES

Imipramine, Amitriptyline, Dothipin, Escitalopram, Fluoxetine, Sertraline are used. All these act on the brain to increase the availability of the neurotransmitters like dopamine or serotonin.

These are not sleeping tablets, do not cause addiction and are safe. There might be some side effects like dryness of mouth, constipation, blurring of vision, giddiness, drowsiness, urine stoppage. In such case contact doctor immediately. It might take up to 2-3 weeks for the medicines to be effective and reduce the symptoms of depression.

One might have to continue the medicine for nearly 2 months or even up to one year. Take medicines under doctor's guidance.

During the course of medication for depression, if other illnesses occur and medicines are required, please check with doctor for counter effect.

#### 2. COUNSELLING

Talk to the patient with empathy. Enquire about the problems, feelings. Counselling is a valuable part of the treatment for depression. This might be required to be done in 30 minute sessions, twice weekly, over a period of time. Remove negative thoughts and frustration and motivate



the person to think positively. Help in decision making. Help to overcome their problems with positive talk and approach. Counselling services should be made available in every workplace.

### ALCOHOL ABUSE AND ADDICTION

About 40 to 50% men take alcohol to feel good, to forget their worries, to sleep well or to reduce their fear and sadness. 20% of alcohol users become dependent on it. They come drunk to work. During working hours they are under the influence of alcohol. They are instable, have unnecessary arguments, disobey supervisors, misbehave with colleagues and subordinates. They may become irregular to work. They take loans from others and do not return. They steal. They become forgetful and cannot recall the information when required. They develop health problems because alcohol damages live, stomach,

heart and brain. Family members complain that the person has become irresponsible and aggressive at home. They become accident prone and injure themselves.

Abuse and addiction to alcohol are considered as bad behaviour. People try to advise the person to cut down drinking but with no effect. Addiction is a mental disorder. The employer should identify such people and send them for medical - de addiction treatment.

Thus the organization, employers should be aware of mental health problems of employees. They should organize counselling sessions to address these issues. They should arrange for healthy recreations like sports, music, drama and cultural activities. They should listen to the problems of employees and solve them as early as possible. ■

*Remember: Mental health leads to good health and efficiency.*



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# 27.07.2022 Workshop on Labour Codes

**NATIONAL INSTITUTE OF PERSONNEL MANAGEMENT KARNATAKA CHAPTER**  
 C-209, 2<sup>nd</sup> Floor, Blue Cross Chambers, Infantry Road Cross, Bengaluru, Karnataka 560001.  
 Phone : 0802591481 nipmkc@gmail.com

**WORKSHOP ON LABOUR CODES**  
**IMPACT - IMPLEMENTATION & COMPLIANCE**

THE NEW LABOUR CODE IS COMING. ARE YOU READY FOR IMPLEMENTATION.  
 CONTRACT LABOUR IS BEING ABOLISHED IN CORE ACTIVITIES OF INDUSTRY.  
 WAGE RESTRUCTURING - IS IT REQUIRED.  
 COMPULSORY RECOGNITION OF TRADE UNION.  
 FIXED TERM EMPLOYMENT - IS IT LEGALLY CORRECT.

The above are some of the issues that would be discussed at the workshop.  
 The four codes are the Code on Wages, 2019, The Code on Social Security, 2020, The Industrial Relations Code, 2020 and the Occupational Safety, Health and Working Conditions Code, 2020  
 These four new Labour Codes enacted in 2019 and 2020 are awaiting notification by the Central Government and are expected to be implemented any time.

**TOPIC COVERAGE**

By **Mr. S.N.Murthy**  
 1. The New Labour Codes and its implementation  
 2. Changes in the Law on the employment of contract labour under new codes.

By **Dr. G. Manjunath**  
 1. Overview of labour codes-Characteristics & Features  
 2. Code on wages 2019 & Industrial Relations Code 2020  
 - Impact and Implementation.  
 3. OSH Code & SS Code 2020-impact & implementation  
 4. Summing up

**Mr. S.N.Murthy** is a Senior Advocate and Management Consultant based at Bengaluru. He is a Post Graduate in Industrial Laws and practicing, for the past 48 years in the industrial laws, in Labour Courts, Industrial Tribunals, Karnataka High Court and Supreme Court of India. He is an Adviser to several Corporate & Business Organisations.

**Dr. G. Manjunath** is the Additional Labour Commissioner (Industrial Relations), Department of Labour, Government of Karnataka. He has done his Ph.D from National Law School of India University, Bangalore, MWS (Master of Women's Studies) from Alagappa University, Karaikal, PGD in Industrial Relations and Personnel Management, Bharatiya Vidya Bhavan, Bangalore and Executive Certification in Sexual Harassment and Workplace Diversity from West Bengal National University of Judicial Sciences, Kolkata. He earlier held the position of Welfare Commissioner (Karnataka Labour Welfare Board), Joint Labour Commissioner and Joint Secretary (Karnataka Building & Other Construction Workers Welfare Board), Deputy Labour Commissioner (Belgaum Region & Bengaluru Region-II), Deputy Labour Commissioner (Publicity and Statistics).

**Mr. Robert Cutinha** Chairman  
**Ms. Sabitha S** Vice Chairman  
 Chairperson-Training Committee  
**Mr. Dinesh A.U.** Hon. Secretary

Date: Wednesday 27th July 2022 Time: 9.30 am to 5.00 pm Venue: Chancery Pavilion, Residency Road, Bengaluru  
 PROGRAM FEE Rs. 3,000/- + GST Rs. 540/- = Rs.3540/-  
 may please be submitted through Cheque / DD in favor of NIPM Karnataka Chapter payable at Bengaluru  
 NOMINATIONS To be sent on or before Saturday, 23rd July 2022  
 CONTACT DETAILS : Ms. Sabitha S. 9945232101 sabihnhr@yahoo.com Mr. B.V. Lakshman Kumar 9986133495 nipmkc@gmail.com  
 WHO SHOULD ATTEND : HR & legal Professionals, People Managers, CEOs, Line Managers.





# 13.08.2022 Diversity, Equity & Inclusion Certificate Programme (DEICP)

**ISBR Business School**  
Department of HRM and General Management  
In Partnership with  
**National Institute of Personnel Management (NIPM) - KC**

**LAUNCH OF**  
**DIVERSITY, EQUITY & INCLUSION CERTIFICATION PROGRAM (DEICP)**  
1<sup>st</sup> YEAR PGDM BATCH OF 2022 - 2024

**AUGUST 13, 2022** | **AT ISBR AUDITORIUM** | **11:00 AM ONWARDS**

**TRAINERS**

- Ms. Suja Warriar**  
HR Manager - Diversity, Equity and Inclusion, Infosys Ltd, Bangalore
- Mr. Aravind Warriar**  
HR Manager, Bariteky
- Mr. Robert Cutinha**  
Chairman, NIPM - Karnataka Chapter
- Dr. A. Narasima Venkatesh**  
Professor and Head of the Department, HRM (D-2) General Management, ISBR Business School, Bangalore
- Dr. Y. Lakshman Kumar**  
Associate Professor, ISBR Business School, Bangalore

**PROGRAM SCHEDULE**

- 11:00 am - 11:05 am  
**Invocation**  
Ms. Upasana Bhattacharya  
1<sup>st</sup> Year Student - ISBR Business School
- 11:05 am - 11:10 am  
**Welcome Address**  
Dr. Y. Lakshman Kumar  
Associate Professor  
ISBR Business School
- 11:10 am - 11:15 am  
**Objectives of ISBR Business School & NIPM KC Student Chapter Association**  
Dr. A. Narasima Venkatesh  
Professor and Head of the Department, HRM (D-2) General Management, ISBR Business School, Bangalore
- 11:15 am - 11:35 am  
**Keynote Address**  
Mr. Robert Cutinha  
Chairman, NIPM - Karnataka Chapter
- 11:35 am - 11:55 am  
**Launch of Diversity, Equity & Inclusion Certification Program (DEICP)**
- 11:55 am - 11:40 am  
**Trainer's Perspective**  
Ms. Suja Warriar  
HR Manager - Diversity, Equity and Inclusion, Infosys Ltd, Bangalore
- 11:40 am - 11:45 am  
**Vote of Thanks**  
Ms. Ipsita Panda
- Clamping**  
Ms. Anshika Srivastava  
1<sup>st</sup> Year Student - ISBR Business School





# CASE STUDY- COLLECTIVE BARGAINING



**K.VITTALA RAO**  
Management Consultant,  
Bangalore  
Email: vittalarao@gmail.com

"Collective Bargaining is a process of accommodation between two institutions which have both common and conflicting interests."

"Collective bargaining takes place when a number of work people enter into a negotiation as a bargaining unit with an employer or group of employers with the object of reaching an agreement on the conditions of the employment of the work people."

**ILO - Right to Organize & Collective Bargaining Convention (No. 98), 1949 "Voluntary negotiation between employers or employers' organizations and workers' organizations, with a view to the regulation of terms and conditions of employment by collective agreements"**

Every one of us are very familiar and also have dealt the process of Bargaining resulting in signing long-term wage agreements. But, now, the Bargaining strategy has shifted towards Bargain on Business sustenance & growth and Bargain for higher wages. **Capacity of the Industry to pay any additional wage, the "Affordability of the Product"** the main tool for bargain following the **Judicial Principles as laid out by the Hon'ble Supreme Court of India and several High Courts.**

In this bargaining process, success much depends on the prevailing **"Industrial Relations Culture"** in an Establishment. Hence, it is very much essential to create a **"Healthy & positive Industrial Relations Culture"**

**Collective Bargaining may be non-financial as well. For instance, in case of rationalisation, modernisation, change management in which large number of workers are involved, the same strategy works very well leading to successful results.**

## **The Company:**

Excel Engineering Ltd, 28 year old Company, is located in Bangalore employing 800 persons- 650 are workmen and 150 are Supervisory, Managerial & Administrative. The average age of employees is around 48 and average service is around 18 years. The workmen have a strong Union and have negotiated and signed long term wage agreements. The average emoluments of workmen are around Rs.48,000. The Company is engaged in manufacture of auto-components since inception and has been supplying its products to various automobile manufacturing Companies. The manufacturing process has been

more conventional- not much modernisation has taken place. Certain minor process change & methods change have been introduced while negotiating the Wage Agreements with the Union. The Management has also fixed productivity norms and a group incentive has also been in place. Even though there is enormous opportunity & need for further improvement in productivity and achieve cost reduction, on account of the resistance by the union, it has become a stumbling block to the Company

## **Business Scenario:**

For the last 15 years, the Company has done well in terms of consistent turnover and profitability.

From 16th year onwards, the market showed a sharp decline due to severe competition in the auto-component segment. For the last 9 years, the manufacturing capacity has gradually dropped down to 50%. Consequently, for the last 5 years, the Company has incurred loss. Since there was considerable fall in the selling prices, the profitability of the Company started falling and for the last 5 years the Company is incurring heavy financial loss

The Board of Management decided to disinvest to a French Company who are pioneers in the Auto-Sector globally and accordingly 80% of the holding was sold to the French Company about 3 years back. Accordingly, decisive power rests with the French Company. During the first year of taking over, although, the French Company diverted its requirements in the market to the Bangalore Factory, due to the high cost of manufacture, it was found not feasible. It became a big challenge for the French Company.

#### **Additional contributory facts:**

1. Demand for products is excellent in the market.
2. Components face severe competition from China, Thailand, Korea, Malaysia & Japan.
3. Cost of selling for products manufactured in Bangalore: \$ 5000. International selling price: \$ 4000.
4. In 2019/ 2020, the international selling price further came down to \$ 3000.
5. The break even at Bangalore factory: \$ 4500.

The task was to reduce the cost of manufacture. The Company continuously engaged with the Union - for rationalisation of process & methods, multi-machine operations in selected 80 stations, multi-skill operations, reduction in manpower through VRS. But, although, the Union was in concurrence with the views of the Management, due to inter-group rivalries, all the efforts did not yield any result.

#### **Current Scenario:**

The wage agreement with the Union had come an end on 31st July, 2019. As usual, the Union submitted a charter of demands seeking an increase of 80 % hike. The Company made it very clear to the Union that there is no question of any increase, but on the contrary, there shall be reduction in the employee cost. Several meetings have taken between the Union & the Management but the stalemate continues. Emotions are running very high amongst the workers, Union and the Management also. **The situation is almost explosive - the Union may resort to strike and the Management is prepared to close down the plant, the French Company to disassociate.**

Both the Management & the Union are facing mutual challenges:

#### **Business Vs Protection of Employment.**

#### **Role of HR in the crucial scenario:**

GM-HR, Mr. Rao is an experienced and a highly thoughtful & with progressive thinking.

He chalks out a strategy to create an appropriate mind-set amongst the workers as well as the Top Management of French Company. He was discussing with Mr. Murthy, the Head of the Unit Mr. Murthy, " **We need to counter the challenge of the Union. I will prevail upon the Union that their demands for increase is not all justifiable and the Supreme Court in the cases of Express Newspapers (Private) vs The Union Of India (Uoi) And Ors. on 19 March, 1958, and M/S. Lipton Limited And Another vs Their Employees on 2 February, 1959 and recently, Karnataka High Court in the case of Management of Wipro vs Wipro Employees Association ... on 28 May, 2019, have been consistently holding that Capacity of an Employer to any additional wages is the only factor. Capacity means and includes adverse market conditions, its competitiveness, losses incurred due to drastic collapse of market share"**

Mr. Rao, continued ".... Mr Murthy we need to the judicial pronouncements to our advantage and let us tell them that if the Union comes forward with promises to create an appropriate capacity utilisation to reach the level of "Affordability", then we can consider the increase to the extent of return of gains. This strategy is highly appropriate as otherwise, there would be industrial unrest and the French Partners may even sell off their share and walkout." Mr. Murthy felt encouraged saying "look Mr Rao, I am in agreement with you and the proposed strategy looks practical, but you have two major tasks, firstly to convince Mr Harrys, the Director and secondly to convince the present Trade Union Leaders and thirdly, create a proper mindset of all the rival groups. All these are quite major challenges.....".

"Mr. Murthy, I am in agreement with your apprehensions, firstly, I would like have a personal elaborate discussion with Mr. Harrys at New Delhi and I try to get a positive response broadly and secondly, we will work out the cost benefit analysis on our proposals to achieve our market share. Once we are ready, we both meet Mr. Harrys and make a detailed presentation. In case, he gives us a broad approval, then, I will take up with our Union as well as rival groups. Yes, I know, it is a challenging one, but let us accept the challenge". Mr Rao, had a detailed

discussions with Mr Harrys while broadly accepted the approach, and to work out details with facts & results. Later Mr Murthy and Mr Rao worked out the detailed cost analysis details and it was found that, in case, the requirements of the Company are accepted by the workmen, this would be a WIN - WIN situation. On presentation to Mr Harrys, although he accepted the strategy and plans, imposed a condition that he would formally approve only after the Union & workmen accept and agree.

Now the ball is in the court of Mr.Rao.

Mr Rao succeeded in convincing the Union Leaders as step one, since the whole presentations & explanations were very transparent. The Union posed an issue that although they may agree, they expressed their serious apprehensions about the negativity by other opposition groups. Mr Rao assured them to not to worry and said " Leave it to me".

Next step was a lengthy one, namely, the bilateral discussions on the COD as well as neutralising the additional cost. Finally, there was a broad mutual understanding and the outcomes were not made known to the workers.

Then, Mr Rao had several informal separate talks with opposite groups as well as important opinion makers amongst the workers and took them into his confidence.

Finally, the Union was able to pass a resolution in its General Body meeting.

It was a WIN- WIN situation for the Management as well as the Workmen.

Gains for the Management were introducing multimachine operations, multiple skills, increase in productivity by 12 % in the first year, thereafter increase in 2% every year during the currency of the Settlement by which increase in cost of manufacture due to various reasons, gets neutralised, and more importantly, around 230 workers accepted the VRS, thereby, the manpower got reduced.

**Here in this case study, following are the take-aways:**

1. Collective Bargaining is a process of transparency, open minded, legal & justifiable, mutual trust & confidence of both the Parties.
2. Following the judicial principles, namely, capacity to pay any increase depends on affordability of the product in the market, Collective bargaining succeeds based on the various relevant data, facts & objective situations, the "Affordability" of the product. Means thereby, how much the product can bear while selling in the market. This strong principle which is pronounced by the Supreme Court and also several High Courts. Many Companies have successfully signed long term wage cum productivity settlements.
3. The success mainly depends on the "Human Relations" at macro as well as micro level. Genuine Human Relations leads to success. ■

No country can really develop unless its citizens are educated.

Nelson Mandela



# 16.08.2022 HR Conclave



**NITTE EDUCATION TRUST** & **NATIONAL INSTITUTE OF PERSONNEL MANAGEMENT KARNATAKA CHAPTER**

**Present HUMAN RESOURCE CONCLAVE**

**ORGANISATIONAL TRANSFORMATION THROUGH DIGITALIZATION OF PEOPLE PROCESSES**

**Keynote Address**  
**Mr. Srikanth Vachaspati**  
 GM & Head HR, Siemens Technologies and Services

**Panel Discussion**

**Ms. Sangeetha Gururaj**  
 Vice President, People & Talent-India at Qualitest

**Mr. Omkar B.N.**  
 Head HR, Autonomous Mobility Business Area, Continental Tech Centre

**Mr. Umashankar B.R.**  
 Senior General Manager, Human Resource Services  
 Bosch Global Software Pvt. Ltd.

**Moderator**  
**Mr. Dinesh A.U.**  
 Hon. Secretary-NIPM KC, Director-IRI Mittal India

**On 16<sup>th</sup> September 2022 Friday at 6.00PM**  
**at Rotary House of Friendship, Lavelle Road**

**Guests of Honour**

<b>Mr. Rohit Puriya</b> Administrator, NITE Education Trust	<b>Dr. H.C. Nagaraj</b> Principal, NITTE	<b>Dr. V. Sridhar</b> Dean - Academics, NITTE	<b>Dr. Nalin J</b> Dean - Externs, NITTE
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**Presided by**  
**Mr. Robert Cutinha**  
 Chairman - NIPM-KC

**You are Cordially Invited**

<b>Dr. S. Nagendra</b> Dean - MBA	<b>Mr. Sanjay Mitra</b> Chairman-Programs Committee, NIPM-KC	<b>Dr. Shilpa Ajay</b> HOD - MBA
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**Dinner - 8.30PM**



# 24.09.2022 Ride to life and Aftermath of Road Accidents



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**&**

**"Aftermath of Road Accidents"**

by Dr. Gautham and Dr. T R Kanmani, NIMHANS, Bengaluru  
as part of **"Accident Management and Safety"** Awareness Program

Date: 24 September 2022

Time: 6:00 pm

Venue: Seminar Hall, 3rd Floor, Nagarjuna Degree College



Mr. Robert Cutinha,  
Chairman, NIPM-KC

Dr. Harish Babu S,  
Principal, NDC & Director  
of Management Studies, NGI

Mr. Dinesh A U,  
Secretary, NIPM-KC

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## GREAT RESIGNATION ALIAS GREAT SELF-REFLECTION - AN INSIDE-OUT PERSPECTIVE



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Founder & CEO - Poorna Wellbeing

Life & Leadership Coach/Wellbeing Interventions

Expert/Mental Health Advocate

“Hi, I want to know more about Career Transitions coaching”, messaged a senior corporate professional in October 2021. I heard a sense of urgency in her voice and knew something was brewing inside to which she sensed a need to be coached. When we started working together, she became clear about her inner landscape of thoughts and emotions. She knew that her decision to resign was based on a dissatisfaction that she was feeling for a few years now, the Covid scenario just accelerated the process.

The Covid scenario had brought her closer to her inner reality. She knew that her prestigious leadership role had stopped being meaningful to her inner self. And it was not acceptable to her to be inauthentic anymore.

In the September 2021 HBR article by Ian Cook, he does mention this aspect of pent-up resignations. He also describes the age range being 25-30 and 45+ age groups experiencing slightly higher resignation rates than in 2020.

This phenomenon of great resignation can be understood from the perspective of an employee's thoughts, emotions and behaviour using the conceptual framework of Cognitive Behavioural Therapy (CBT) originated by psychiatrist Aaron Beck. An employee's thoughts, emotions and behaviour are interconnected and provide a window into their inner world:

The world of their thoughts - The external scenario could have initiated thoughts like these -

- I am not sure if my job will be there
- I feel stressed and burnt-out, I have no choice
- Will the salary cut be revised to normalcy?
- Am I good enough to be retained in this company?
- What if we are called back to work, I have found a good rhythm working from home, I am having more time for myself than before?

- Should I look for another role which is more peaceful? Will I get one in this scenario?

The world of their emotions - the thoughts could have automatically triggered corresponding emotions like these -

- Self-doubt
- Insecurity
- Unsurty
- Exhaustion
- Fear
- Peace
- Courage to look at life afresh
- Clarity for oneself

The world of their behaviour - Thoughts and emotions together trigger certain behavioural responses like these -

- Quitting without a job, when they can't manage the stress anymore
- Quitting because they have the clarity that no job is better, than being stressed in the job
- Looking for other roles and moving out
- Prioritising and giving time for mental and physical wellbeing related activities over chasing deadlines without clarity

The above thoughts, emotions, and behaviours are common which may make HRs to ask:

"Didn't employees feel this stress and pressure in the past?"

So, what's different now?

### ***An internal movement of looking inward***

The core difference was "The presence of free-time". Employees earlier spent a significant amount of time travelling to work and the rest of their time was split disproportionately between professional and personal responsibilities. With more time at their disposal during the pandemic,



employees got more spare time to focus on themselves. There emerged a possibility to turn inwards. "What you focus on grows, what you think about expands, and what you dwell upon determines your destiny.", writes Robin Sharma, a celebrated author and worlds top leadership expert. The time at hand, was the time of a pause, the time of seeing through all the inauthenticity present in their life.

### ***An external wave of wellbeing***

While a slowing down was initiated, a wave of wellbeing was coming in from outside. Most organisations were concerned about their employee's overall wellbeing. Employees also had slowly begun to think about physical and mental wellbeing separately. The uncertainty of the pandemic times had caused them to feel heightened anxiety, stress and a burnout state forcing them to assert boundaries with themselves. Boundaries with self is generally the most difficult thing to assert, because it shakes one's own past beliefs of what's right and wrong. The realisation that their mental health was more important than burning themselves for money, made the importance of working for money insignificant. When the fear is lost, new possibilities with courage and clarity emerge. And this clarity has the possibility of moving to all areas of life.

### ***A shift in thinking and feeling state***

With clarity comes courage and from that comes peace. It not that employees live free from fear and insecurity, however they are unwilling to compromise on their wellbeing and be bound by fear.

Has the state of mind become reckless? Has the insecurity vanished? Have all of them become super-confident all of a sudden?

Unlikely. They just have their priorities clear and to an extent have found comfort in shifting to the other end of the stick.

If the inner-state of the employees is understood by HR teams and leaders, retention can be tailored to their needs.

### ***Moving towards balance***

Where is the balance? Both employee's and the organisation need to look at balance uniquely, yet differently.

#### ***I (I) For the organisation (The I.A.M. approach)***

Employee retention becomes an important focus area in order to keep talented employees engaged and inspired work towards organisational goals.

- **Offer Inspiration** - The leaders and managers need to learn the art of inspiring their team.

Inspiration lifts up the emotional state, thereby showing them the big picture, the broad vision of the organisation. When alignment happens at that level, life for an employee is Beyond KRA's and goals. It's the same quality of inspiration that nature would offer when you look at a beautiful landscape or a big banyan tree.

- **Kindle their Aspiration** - Listen. Listen. Listen. Listen to the aspiration of the employees. Listen to their concerns and suggestions. Listen to their sensing of what will work and what wont, allow the upward communication to flow through appropriate channels and not just a grapevine. Listen beyond words to their feelings, to their subtle movements. Deep listening is hard work but a gift to the employee which pays off in the long run. Every individual loves to be seen and deeply listened to.
- **Strive towards Maximisation** - Communication of opportunities to learn, grow and leap is an absolutely necessity. Allowing the freedom to speak up, experiment and innovate is essential. When employees feel that their potential is maximised, that's the ultimate victory for a leader. This cannot be done by the HR alone. Every line manager needs to be a leader and a coach and demonstrate the intention to enable their team-members grow.

#### ***I (II) For the employee (the inside-out approach),***

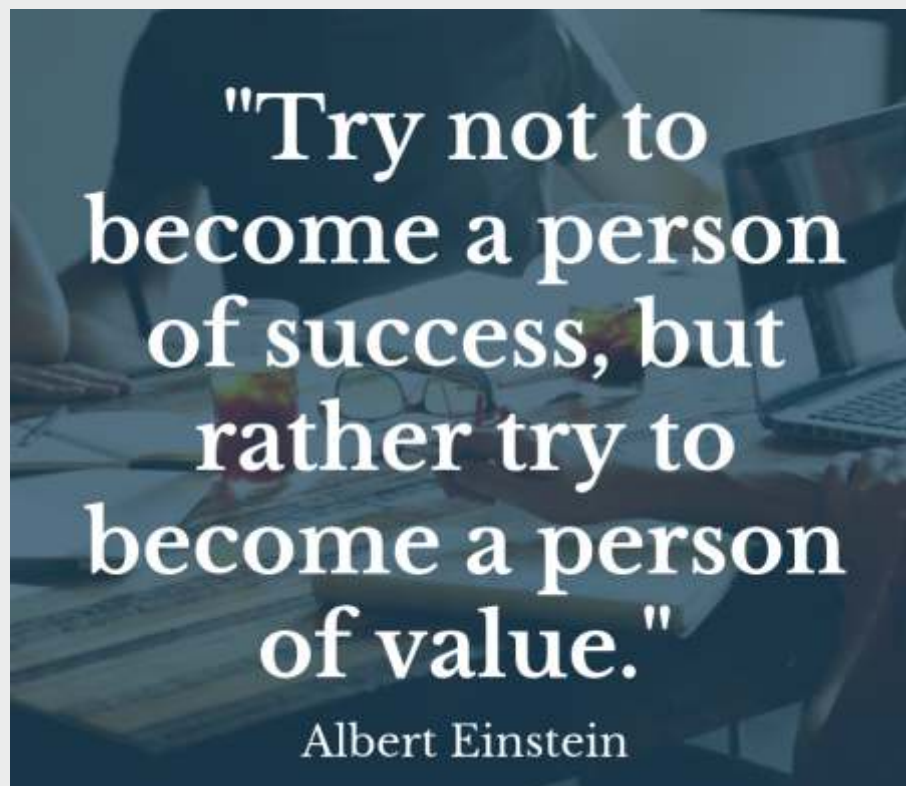
It takes two to tango, is a famous proverb. So employees have an equal responsibility in this situation. They are responsible for the accumulated stress and the burnout. Making responsible career changes, and emotional stability becomes a focus area for the employee.

- **Clarity on Career Anchors**- Career anchors are characteristics of a role, job or career line that individuals are drawn to. They usually align with an individual's perception of their talents and skills, motives and needs and attitudes and values. When the employee is making career anchor aligned choices, it will rest their insecurity and enhance clarity, which is beneficial to both the individual and the organisation.
- **Clarity on Personal values** - Values are like roots of the tree; they are who one is in the core of the being. When life actions are aligned with values, employees feel balanced and rooted. To know one's personal values is an employee's responsibility, which can be supported by the manager /organisation.

- **Anchor the Emotions** - Emotions are energy in movement, when emotions swing, moods and thoughts also switch. Anchoring them is important. Pausing before reacting and responding to situations with clarity is an important skill to develop. Another healthy activity would be to become aware of one's often repeated negative emotion. This particular emotion might be causing an upheaval in all aspects of life and keeping it in balance impacts personal and professional life positively.
- **Examine Thoughts periodically** - Negative automatic thoughts are a key feature of the mind. Stopping self from over thinking and over engaging with the negative thoughts is an employee's responsibility. One can use tools and techniques from various disciplines to keep a check on thoughts, some of which include

thought record (CBT), meditation, journaling, silence practices, dance and movement therapy, coaching, and counselling.

External realities are right in front of us. The great resignation can be contained and regulated by having an employee friendly strategy of managing individual expectations and organisational goals. Organisations have a responsibility to reorganise their employee retention, communication and engagement strategies in alignment with employee's shifting inner needs. Listening skills will play a key differentiating factor going forward and leaders have to level up their understanding of human behaviour and human potential in order to make this retention sustainable and authentic. Its time to listen in and respond out with alertness and sensitivity. ■



## Legal Precedent

### 'Non-compete Clause – NOT a way to retain employees'

MU Sigma Business Solutions Pvt. Ltd. and Ors. Vs. Sagar Balan and Ors. M.F.A. NO.7740 OF 2018 (CPC)

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The plaintiff company M/s MU Business Solutions Pvt. Ltd., sought injunctive relief to restrain the defendant employees from using company confidential information, soliciting company employees to leave employment and also to ensure that the defendants do not interact with any customers of the Company.

It was the case of the plaintiff company that the defendant No. 1 having access to sensitive and proprietary content of the plaintiff divulged such information to the other defendants and also set up a competing business i.e., Defendant No. 4 company. It was the case of the defendants that the plaintiff company was trying to enforce non-compete by restraining the defendants from carrying on lawful profession and that the business of the defendants was in no manner infringing the rights of the plaintiff company.

The concept of enforcing negative covenants after the term of employment was discussed at length. The court rejected the contention of the petitioner that the defendants are using proprietary data of the petitioner company to set up a business competing with the former employer could not be substantiated by the petitioner. Specifically, the court observed that the petitioner could not substantiate that they had developed something so unique and unavailable in public space that usage of such technology would infringe on a trade secret that the defendant/s had become aware of while working with the petitioner company. The court made very interesting observations as under:

“These decisions are relied upon to emphasize that every information that is shared with an employer cannot qualify as either trade secret or confidential information. The information which is known to others in the industry, whether a formulae or a technical know-how or a peculiar method or mode of business, cannot be called confidential information/trade secrets. If an employee, in the course of his employment, has acquired some business acumen, or ways of dealing with clients or customers, the same cannot constitute trade secret or confidential information. An employer cannot, in the garb of protecting Confidential Information or Proprietary Interest, perpetuate the thought that once a customer of the employer always a customer of the employer. Further, creating a database of the clients/customers and then claiming confidentiality would tantamount to creating a monopoly, and injunction orders cannot be granted to perpetuate monopoly.”

The court further extracted and analysed the non-compete clause in the Employment Agreement in question. The said clause reads as under:

**NON-COMPETITION.** In order to protect the company's legitimate business interests, including (without limitation) its interests in the Proprietary Information, its substantial and near permanent relationships with customers, and its customer goodwill, I agree that during my employment by the company, I will not solicit the business of any client or customer of the company (other than on behalf of the company) with whom I had contact during my employment and (ii) will not, nor will I assist another person to, directly or indirectly, as an officer, director, employee, consultant, owner, partner, or in any other capacity engage in, participate in, invest in, provide or attempt to provide conflicting services anywhere in the United States or India

Court observed that the clause is meant to be in operation during the tenure of employment. Thus the Court rejected the Appeal on the above grounds.

**Note: A non-compete clause is not enforceable in India as it is violative of Section 27 of the Indian Contract Act since it restricts free trade/profession.**



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