



UNION POWER

NTUI

A monthly bulletin of the New Trade Union Initiative

August 2010

Contents

EDITORIAL

SPECIAL ARTICLE

REPORT OF 4th RIGHT TO FOOD
AND WORK CONVENTION IN
ROURKELA

AFFILIATE NEWS

JOINT STATE LEVEL TU
CONVENTION IN JALLANDHAR
AND MUMBAI

WORKERS ATTACKED IN
GURGAON – GAAWU ON HUNGER
STRIKE

JADS COURTS MASS ARRESTS IN
BARWANI

PTS LEADS DOMESTIC WORKERS
STRIKE IN TAMIL NADU

CALCUTTA HIGH COURT SEEKS
REPORT ON NREGS PAYMENT

RSMLU STRUGGLES TO
IMPLEMENT NHRC ORDER FOR
SILICOSIS VICTIMS

CAMPAIGN NEWS

CAMPAIGN FOR PEACE AND
JUSTICE

CAMPAIGN ON CLIMATE JUSTICE

CAMPAIGN ON TRADE

NEWS UPDATES

INTERNATIONAL NEWS

PRESS STATEMENTS

SWISS MULTINATIONAL
CORPORATION, HOLCIM, KILLS
WORKERS IN JAMUL,
CHHATTISGARH

EDITORIAL

7 September 2010 will mark the first ever call for a general strike of the progressive national trade union centres joined by the Indian National Trade Union Congress (INTUC). The strike is against price rise and deregulation of labour. This call will reach out to the largest number of workers in the country, most of them employed in different precarious employments with the minimum wage as their only protection. We, since our Founding Conference, have joined all the calls for action that have been jointly issued by the progressive trade union centres. This time too NTUI, with the largest membership of contract workers, and representing large sections of other informal workers, will join this call for a General Strike to make it a success.

This call comes at a time when the rapid food price inflation has clearly indicated the Government's inability in combating the price rise. The cases of rising prices of rice and sugar reveal that neither "cost push" nor drought really accounts for the food price inflation. The larger causes are the "dysfunction in distribution", which basically stands for speculative hoarding all along the supply chain from the farms to the consumer, and a government policy which is short sighted and makes no contingencies for the vagaries of nature. The government policy of exporting surplus agricultural produce without saving, profits no one but the intermediary traders.

This government, simultaneously, like most economies of the world, responded to the global economic crisis largely in the form of fiscal stimulus packages including bailout packages that aimed primarily at assisting the private sector to cover their reduced profits along with austerity measures to contain public spending. The bailout packages amounted to an injection of money into the economy, with the alleged objective of stimulating growth that invariably resulted in spiralling prices. The austerity drive, on the other hand, amongst other effects resulted in large scale reduction in social spending including reduction in public spending, job cuts and pay cuts. Thus workers faced on one hand faced soaring prices leading to erosion of their real wages and on the other faced pay cuts and sometimes even job loss. The Government of India announced three stimulus packages from December 2008 onwards to infuse confidence among investors but none of them made any attempt to regulate capital.

The economic crisis has come as a 'boon' for capital. Contractualisation and non-payment of minimum wages is being justified under the pretext of crisis. Government estimates show that the ratio of contract to permanent workers have magnified manifold especially in sectors that were beneficiaries of the stimulus, for example, in garments and auto. Innovative avenues of increasing

irregular workers are also being employed – hiring of apprentices and trainees to perform tasks of permanent workers at much lower wages is becoming a norm. Minimum wages across states are far from being anywhere near the wage rate set by the 15th ILC and successive Supreme Court directives. In fact, it is in most cases less than subsistence wage and yet the most violated legislation. The right to association and collective bargaining of all workers are under severe attack. The employers in close collusion with the governments and the judiciary have come down heavily on any protest by workers against these violations.

The public sector, that traditionally set the standard for work and employment, is also under tremendous attack with renewed attempts at disinvestment along with increasing rationalisation. Restructuring of the public sector is essential to cut conspicuous spending but it should simultaneously uphold the fundamental idea behind a public sector – that it produces goods and services for consumption and provides employment to citizens, not for profit.

The attack on workers has been on rise as never before. Let us unite today to ensure that this general strike succeeds.

SPECIAL REPORT

4th National Convention on Right to Food and Work, Rourkela

More than 2500 people from 25 states attended the Fourth National Convention at Meera Bhavan, Rourkela, Orissa from 6-8 August 2010. The convention was called to bring together a spectrum of organisations across the country that have been struggling on issues of right to food, work, livelihood and community control over natural resources. The three day Convention marked a turning point in the Right to Food Campaign as it laid greater emphasis on the broad issues of food security including the production of food which itself was in danger due to not just the agrarian crisis, but also policies that caused development-induced displacement, alienation of adivasis from their land and other natural resources, privatization of water, etc. Related issues of health and nutrition, employment and decent living wages, forest rights, distress migration were also discussed.

The Convention was structured as a mix of plenary sessions and parallel workshops over a period of three days. Plenary sessions focussed on three key themes –

on day one, it focussed on issues of food security; on day two, it was on the proposed food security legislation and on the last day, the plenary focussed on issues of right to food and livelihood in regions of conflict, including those where struggles against displacement were on.

The inaugural address in the plenary on food security was given by noted human rights defender, Prafulla Samantara from Orissa who spoke on the state of hunger in Orissa. Delivering the keynote address at the plenary P. Sainath, referred to the 27 July 2010 Supreme Court's order on rotting foodgrains, and said that since the government would never distribute the grains, efforts should be made by the people to take the grains away from the godowns and distribute them to so that no one would sleep hungry. Showing the seriousness of the situation of malnutrition in the country, Dr. Binayak Sen, Vice President, PUCL, said that the data of the National Bureau of Nutrition showed that more than 33 percent of all adult people are malnourished. It was this situation that needed to be addressed today by the Government. The failure to do so shows that the welfare project of the Indian State is over. Gautam Mody, Secretary NTUI also spoke in this plenary on the increasing marginalisation of labour and consequent intensification of the struggle for wages.



Anuradha Talwar presenting the Right to Food Campaign Document on NFSA

The second day of the Conference focused on the forthcoming National Food Security Act. With the UPA Government having announced that they would bring a National Food Security Act, the campaign debated on what ought to come into the act. Anuradha Talwar, Secretary NTUI and member of the Steering Committee of the Right to Food Campaign presented the position of the Campaign. The Right to Food Campaign is demanding a legislation that deals with the causes of hunger and provides every citizen universal food entitlements from all schemes including the Universal

PDS. In this it is also imperative to link production of food with local procurement and storage to distribution. The campaign believes that such a model would not just provide food for all but also revitalize agriculture.

The conclusions of this discussion were as follows:

- The legislation should be comprehensive that will address issues of production, procurement and distribution.
- Universal PDS based on decentralized procurement that provides foodgrains (including millets), pulses and oils for all should be a non-negotiable part of the legislation.
- The legislation must have special provisions for children, women, aged, urban poor, homeless, disabled, transgendered and other marginalized and vulnerable sections of the society.

Simultaneous workshops and meetings were held on thematic issues. NTUI with others conducted two workshops – one, on Wages and Employment and the other, on NREGA. Both these workshops saw a huge participation from organisations in Orissa, West Bengal, Bihar, Jharkhand and Chhattisgarh. The conclusions arrived at the wages workshop is as follows:

- a) The Government must declare a need based national floor wage for all workers based on the 15th Indian Labour Commission norms and subsequent Supreme Court orders that is indexed to inflation.
- b) The issue of a wage subsidy should be explored in cases where employers are unable to pay due to non viability of their businesses.
- c) The national floor wage cannot be a piece rated or productivity linked wage but must be time rated ensuring a 8 hour workday and 48 hour work week.
- d) The power to inspect a workplace where there is minimum wage violation must be extended to a registered trade union.
- e) Non-payment of minimum wage must be made a cognizable offense.

In the NREGA workshop it was decided that a national convention should be held on NREGA. This would address among other issues the specific issue of wage freeze using section 6(1) of the NREGA.

The convention concluded with resolutions on 17 issues including some exclusively on Orissa. The convention strongly condemned the hunger deaths in Orissa and atrocities and oppression unleashed by the government and corporate machinery on the people's struggles for their rights and justice. The convention resolved to work towards ensuring food security and sovereignty of the people of Orissa through ensuring control over land, forests and water to the people who live in and out of these resources. It resolved to fight against displacement of forest dwellers and traditional communities, to

promote and preserve Orissa's rich tradition of ecological and nutrition-based agriculture and stop inundation of any commercial and corporatized crops that include GM and BT crops/seeds. It also resolved to stand with the people's struggles in Orissa against corporate land grab. It also resolved to stand by the victims of communal violence in Kandhamal in their struggle for justice and rehabilitation.

The convention resolved to pressurize the governments in States as well as at the Center to demand an universal and decentralized PDS based on local traditional crops; universal and unlimited employment guarantee with the demand for universal coverage of all children under ICDS and MDM schemes without any discrimination against children of SC/ ST/ other minority communities and universal, free and qualitative education and health care for all. Last but not the least the convention resolved to work among the people towards ensuring transparency and accountability in all food and employment related programmes of the government.



4th National Convention of the Right to Food and Work Campaign, Rourkela

The Convention also gave a call for action to protest against rotting of food grains in FCI godowns across the country. It was also resolved that a national action week be undertaken between 22-28 September across all states. Participants of the Convention joined a large protest outside the FCI godown in Rourkela, demanding free distribution of grains to the poor and vulnerable.

AFFILIATE NEWS

Joint State level TU Convention in Jalandhar and Mumbai: 30 August 2010: A Joint State-level Convention calling for the strike was held in Desh Bhagat Yadgar Hall, Jalandhar, Punjab on 17 August. It was attended by over 2000 workers, of which 700 were mobilised by NTUI. Joint campaign and preparation was done for this Convention along with CITU and

AITUC. The Presidium at the Convention consisted of Vijay Sharma (CITU), Subhash Sharma (INTUC), Nirmal Singh Dhaliwal (AITUC), D. Kapoor (HMS), Tarsen Jodha (NTUI) and Inderjit Singh (CTU). Comrade Gurudas Das Gupta (General Secretary AITUC), Rajiv Dhimire, (Secretary, AICCTU), Ashim Roy (General Secretary, NTUI) addressed the meeting. A press conference was also organised after the Convention. Following this convention, 6 joint rallies were organised by NTUI, CITU and AITUC in Bhatinda and Ludhiana. NTUI Punjab State Council mobilised in a large way and organised 19 rallies in the 20 districts of Punjab.

In Mumbai, the Trade Union Joint Action Committee (TUJAC) organised the convention at K C College on 30 August to prepare for the 7 September strike. The TUJAC of Mumbai is an umbrella organization of city based AITUC, CITU, HMS, HMKP, State Government Employees Union, Kamgar Aghadi, AIBEA, AIEA, BEFI, NRMU, TUSC, TUCI, Sarva Shramik Sangh, Sarva Shramik Sanghatana, BUCTU, Air Corporation Employees Union, Central Government Employees Union, State Transport Employees Union and others. There are 33 members of TUJAC. NTUI mobilised for this convention and Comrade M A Patil addressed on behalf of NTUI along with Sanjeeva Reddy (INTUC), Gurudas Dasgupta (AITUC), Tapan Sen (CITU), Umraomal Purohit (HMS) and others.



Viva Global Workers protest before factory gate

Workers attacked in Gurgaon – GAAWU on hunger strike: *Delhi, 28 August 2010:* On 21 August 2010, contract workers at Viva Global in Gurgaon, that produces for many large global brands including Marks and Spencer, were locked out of the factory in an attempt to illegally terminate them. A complaint was filed by the union with the Labour Department which led to a tripartite agreement for reinstatement of all workers who were locked out. On 25 August, the said workers were brutally beaten up with hockey sticks and lathis by goons called in by the management and a union leader, Anwar Asari, was abducted. The incident

happened at 9:30 in the morning when the workers were entering the factory following the tripartite agreement. Ansari was severely beaten and dropped back over 12 hours later. He is undergoing treatment for multiple injuries.

In protest, the President of the union, Garment and Allied Workers Union Comrade Anannya Bhattacharjee launched an indefinite hunger strike outside the gates of the factory. Following the complaints, three people from PND contractors, which supplies workers to Viva Global, have been arrested in connection with kidnapping of Anwar Ansari.

JADS courts mass arrests in Barwani: *7 August 2010:* Six police stations of Barwani district in Madhya Pradesh were immobilized for three days as adivasi activists of Jagrit Adivasi Dalit Sangathan (JADS) poured into them demanding that they be arrested. They were protesting the wrongful arrest of three adivasis, including senior JADS leader Valsingh Sastia, in a case filed by the forest department. They said that the police repeatedly files false cases against them whenever they demand their legal rights. In the recent case, Valsingh and Bhaisingh Davar and his son, Shera Davar, were arrested by the district police on complaints from the forest department for allegedly “stealing” wood from protected forest land. They were arrested and a tractor belonging to one of them was forcibly brought from his home and seized and they were charged under sections 392, 353 and 332 of the IPC.

This incident resulted in widespread anger among the villagers. When their protests on 27-28th July yielded no results, they started pouring into 6 police stations- Pati, Silavad, Palsud chowki, Niwali, Pansemal and Khetia on 3rd August demanding that since all adivasis live in timber houses they, and in fact, the entire community should be arrested. Alarmed, the police have locked up the police stations for three days. The Sangathan, in a written complaint to the Collector and SP has demanded that the police stations be opened.

PTS leads Domestic Workers strike in Tamil Nadu: *Chennai, 18 August 2010:* Domestic workers in Tamil Nadu staged a state-wide protest on 18 August demanding immediate implementation of minimum wages to them and protesting the Union government’s stance on the ILO Convention on the Domestic Workers. The state has about 6.4 million domestic workers.

Sujata Mody, president of Penn Thozhilalar Sangam, PTS, one of the participating organisations, reiterated the long-standing demand to implement minimum wages, recalling that it took years of lobbying for them to prompt the Central government to issue a directive to

the states to fix minimum wages for the domestic workers. “While media reports say Tamil Nadu is fixing the minimum wage of Rs 30 per hour for us, nothing has happened so far.”



She said the domestic workers were “disappointed with the way India sided with the Arab countries instead of being with the democratic nations at the ILO Convention on Domestic Workers, in introducing more rights-based clauses to enhance our quality of life. The government still had a year to amend its approach before the ratification of the convention, she pointed out.

Calcutta High Court seeks report on NREGS payment in response to PBKMS PIL: *13 August 2010:* The Calcutta High court ordered the state government to file a report on the wages given by it to beneficiaries under the National Rural Employment Guarantee Scheme (NREGS) in 2009. Paschim Banga Khet Mazdoor Samity (PBKMS) had filed a PIL this week alleging that the state government had paid Rs 81 as daily wages to beneficiaries in 2009 against the provision of Rs 87.50 minimum wages for unskilled workers under the NREGS in the state.

In April 2009, the Central government had asked the state government to pay Rs 100 instead of the minimum wages of Rs 87.50 under the NREGS. But the state government started paying Rs 100 to the beneficiaries only from December 2009.

Rajasthan State Mine Labour Union struggles to implement NHRC order for silicosis victims: *Jodhpur, 15 August 2010:* The National Human Rights Commission (NHRC) issued an order for paying compensation to 21 silicosis victims in the state of Rajasthan but the state government is yet to respond. On 12 January 2010, a three-member team from the NHRC visited Jodhpur following a complaint by an activist of the Rajasthan State Mine Labour Union, regarding rampant cases of silicosis disease among mine labourers and the poor working condition in the mines. The team

visited mines around Jodhpur and recorded the statements of the next of kin of those who died due to silicosis. They also met labourers working in mines. Following this, the NHRC ordered for payment of compensation to the next of kin of 21 persons who died due to silicosis contracted while working in various mines in Jodhpur. It also ordered for payment of interim relief to 40 sick persons who are suffering from silicosis contracted while working in the mines in Jodhpur and asked the district administration to make the payments directly to the victims.

The directives, passed on April 8, were to be complied with within six weeks but nothing happened. The NHRC also sent a reminder on 8 June with a six week deadline to respond with an Action Taken Report. The report was due on 27 July but there has been no response. The struggle for the implementation of this order is continuing.

CAMPAIGN NEWS

CAMPAIGN FOR PEACE AND JUSTICE

Bhopal victims stage dharna in Delhi: *18 August 2010:* Enduring the heavy rains, hundreds of victims of the Bhopal gas tragedy held a dharna in Delhi for 20 days starting 26 July 2010. Their demands included compensation, medical care and rehabilitation, legal action, site remediation and a site memorial. On 18 August, the dharna concluded with the assurance to resolve all pending rehabilitation issues related to Bhopal by the 26th Anniversary in December 2010.

Labour Rights and Environmental Justice Activist Naba Dutta arrested in Bengal: *Kolkata, 17 August 2010:* Naba Dutta, Secretary of Nagarik Mancha-Kolkata, was arrested on 17 August in Midnapur along with several other activists. According to the SP-Midnapur, he was picked up on charge of arson in a sponge iron factory in Jitusol, Jhargram last December.

Naba Dutta was in Midnapur town to attend a sit-in demonstration organised by Lodha-Sabar Kalyan Samitee and Adibasi-Banabasi Adhikar Manch. Nagarik Mancha has been crusading against pollution and violation of labour rights in the sponge iron industry in West Bengal for long.

CAMPAIGN ON CLIMATE JUSTICE

UN refuses carbon credits to an Indian super-critical coal plant project: *2 August 2010:* The UN has rejected 22 projects for carbon finance, including a 4,000-MW coal plant in India. The Indian project, the Tata-Mundra ultra mega power plant, was projected to generate 3.8 million certified emission reductions by 2013, worth

around 45 million Euros. It was rejected on the ground that it failed to show “additionality” – i.e. it would have occurred even in the absence of carbon finance.

CAMPAIGN ON TRADE

Indian pharma products to get easier approval by Japan and face stiff resistance from EU in proposed FTAs: 23 August 2010: Indian generics are likely to get an easier entry and time-bound approvals in Japan as both countries finalise the related clauses under the proposed India-Japan Comprehensive Economic Partnership Agreement (CEPA). As part of the proposed agreement, Japan will treat Indian companies in the same way it treats the local companies and it would make the entry of Indian firms easier and faster. The parameters for drug approvals and registration will be same for the companies in the two countries, without any discrimination.

Recently a dispute was initiated by India against the EU at the WTO. EU customs authorities had seized authorized generic pharmaceutical products to Latin America and Africa when they were transiting through the Netherlands. More than 20 cases of seizures took place in 2008 and 2009. Though the seized shipments were released, the delays caused in transit not only affected the commercial interests of the exporting Indian firms but also denied patients in the importing countries access to crucial life-saving medicines. Given the strong position that it has taken against “TRIPS-plus” standards in WTO, India could find itself constrained in the ongoing EU-FTA negotiations.

In the domestic market, generic pharmaceutical producers are facing the heat as the EU pushes for changes to Indian laws that govern marketing of pharmaceutical products. The EU is seeking to introduce in India laws that are similar to its own. In the EU, any firm seeking marketing approval for a new pharmaceutical product can get exclusive marketing rights on the product for 10 years. Introducing these provisions in India, through the proposed FTA, can dent the market prospects of generic producers.

NEWS UPDATES

Haryana Government increases minimum wages of workers: Chandigarh, 20 August, 2010: The Haryana government announced an increase in the minimum wage of unskilled workers by Rs 134. The enhanced minimum wage in the state for unskilled labourers will now be Rs 4348.21 per month or Rs 167.23 per day, semi-skilled (A) will get Rs 4478.21 per month and Rs 172.23 daily, semi skilled (B) will receive Rs 4608.21 per month and Rs 177.23 daily. Similarly, skilled labourers (A) will now get minimum salary of Rs

4738.21 per month and Rs 182.23 daily and skilled (B) will get Rs 4868.21 per month and Rs 187.23 on a day to day basis. Highly skilled workers will get Rs 4998.21 per month and Rs 192.23 daily.

NREGA extended to all small agricultural farms in Goa: 11 August 2010, Margao: The scope of work under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) has now been extended to include all agricultural works on small land holdings owned by small and marginal farmers. It was further announced that the wages under the same will now be raised to Rs 157 per day, up from Rs 110.

Supreme Court order on Tea Workers: 6 August 2010, Delhi: The Supreme Court directed the Centre to “deal with” the problems of workers of closed and sick tea gardens, including those in Bengal, within six months. The International Union of Foodworkers (IUF) had filed a petition in the apex court in 2004, claiming garden owners owed around Rs 300 crore to more than 30,000 tea workers in wages, PF, ESI and other dues. The hospitals and schools in the tea gardens had also been shut down, denying the workers access to basic healthcare facilities and education. The court has also directed the Centre to invoke the Tea Act, 1953, which states that the government can sell tea gardens to clear the dues of the workers. The Centre can also take over closed and sick gardens under the Act.

Wage Board constituted for jute in West Bengal: Kolkata, 2 August 2010: The West Bengal Government has set up a wage board for jute industry workers in accordance with the tripartite agreement signed between the mill owners, trade unions and the State Government. The wage board will be headed by the former judge, Mr Pradipta Roy, with representation from the mills and trade unions. A two-month-long strike in jute mills in the State ended on 14 February with jute mill owners and trade unions signing a tripartite agreement in the presence of the State Labour Minister. The agreement had agreed upon payment of arrears in dearness allowance and a wage hike for new entrants. The arrears in dearness allowance was resolved to be settled in six instalments spread over three years as per the agreement. Earlier, the entry level wage was at Rs 100 a day but it was increased to Rs 157 after the signing of the agreement.

The Industrial Disputes (Amendment) Bill, 2010 passed by the Rajya Sabha: New Delhi, 3 August 2010: The Industrial Disputes (Amendment) Bill, 2010 seeks to:

- (i) Amplify the definition of ‘Appropriate Government’. The industrial disputes between a contractor and contract labour employed in any industrial establishment to be brought under the purview of ‘appropriate Government’.

- (ii) Provide a grievance ventilation and redressal machinery within an establishment having 20 or more workmen with one stage appeal at the level of the Head of the Industrial Establishment.
- (iii) Provide individual workman direct access to Labour Courts/ Tribunals in cases of retrenchment, discharge, dismissal or termination of services.
- (iv) Empower Central Government Industrial Tribunals, Labour Courts and National Tribunals to execute their awards/orders/settlements as a decree of the civil court.

Supreme Court orders Central Government to distribute rotting foodgrains: *New Delhi, 31 August 2010:* The Supreme Court of India, in a PIL filed by PUCL, directed the Union government to conduct a fresh survey of the BPL/ABPL/AAY beneficiaries on the basis of the figures available for 2010 and said the authorities cannot rely on a decade-old data to extend the benefits. The government must take urgent steps to prevent further rotting of food grains while maintaining that it must procure only that much quantity which it can preserve, the two-judge bench said. The bench reiterated its earlier order that persons above the poverty line shall not be entitled to subsidised foodgrains, but if the government was determined to extend the benefit, the same shall be given to those families whose annual income is below Rs 3 lakhs. The bench also ordered free distribution of foodgrains to the poor instead of allowing them to rot in godowns, and added that it was not a suggestion as made out by Union Agricultural Minister Sharad Pawar.

INTERNATIONAL NEWS

China's basic work-related death compensation award nearly doubled: *26 July 2010:* The State Council on 26 July announced that the standard compensation award for work-related injuries and death will be increased from next year. From 1 January 2011, the basic one-time compensation award for work-related death will be raised from 2,00,000 yuan to 3,43,500 yuan. And when funeral expenses and monthly pension payments to the relatives of the deceased are included, the total payment will come to around 618,000 yuan on average. This announcement came as a response to the mine accidents that claimed lives this year.

Bangladeshi government cracks down on labour rights activists: *Dhaka, 17 August 2010:* Arrest warrants have been issued against hundreds of workers and several labour rights activists. This crackdown is taking place amidst massive public demonstrations by apparel workers who have been demanding increases in the country's minimum wage.

Supreme Court of Pakistan agrees to release 100 Indian fisher-people: Pakistan released 100 Indian fishermen imprisoned for fishing in its territorial waters. Another 342 fishermen will also be released in the coming week after serving their sentences. Pakistan and India seize each other's fishermen, accusing them of violating their respective zones in the Arabian Sea. Hundreds of Indians and Pakistanis are languishing in prisons on both sides of the border on charges of spying or illegal entry.

Mexican Miners agree on payrise with ArcelorMittal: *9 August 2010:* Los Mineros of Mexico achieved 14% gains in renewal negotiations recently. The contract covers 4,000 steelworkers at the massive ArcelorMittal's Lázaro Cárdenas SA de CV complex in Michoacan state. The new agreement was signed on 4 August 2010 in Vancouver, Canada where from the General Secretary of the union lead the struggle while in exile. There was no involvement by the Mexican Ministry of Labour in the negotiations. The new agreement increases direct wages by 8 per cent, and benefits by 6 per cent, to be paid retroactively from 1 May 2010. The agreement also includes a one-time payment of US\$ 1,300 to each worker for social benefits, including those permanently employed and those employed through subcontractors. Los Mineros and ArcelorMittal had been negotiating for several weeks prior to a 1 August expiration of agreement.

Autoworkers on indefinite strike in South Africa: On 11 August, National Union of Metalworkers of South Africa (NUMSA) began an indefinite national strike. Around 31,000 autoworkers are participating in the strike affecting all vehicle producing companies including Ford, General Motors, Toyota, Volkswagen, BMW, Nissan and Mercedes Benz. The union's demands include a 15 per cent wage increase; same benefits for short term and constant contract workers with permanent employment after three months of work; scrapping the use of labour brokers; reduced working hours to eight hours a day 5 days a week; and six months paid maternity leave. The last agreement signed in 2007 expired on 30 June 2010.

Italian labour Court orders FIAT to reinstate dismissed workers: *12 August 2010:* The Melfi Labour Court ordered FIAT on 11 August to reinstate 3 members of FIOM, the largest metalworkers union in Italy affiliated to the CGIL, dismissed on 14 July for alleged sabotage of factory work during the internal strike against work intensification imposed by the management. The workers will return to their workplaces on 23 August. The company had accused the workers of hindering the production process. The judge condemned the company for anti-trade union behaviour and subsequent violation of the national

legislation in a bid to undermine the union by dismissing its activists. FIAT has decided to appeal against this decision.

PRESS STATEMENTS

Swiss Multinational Corporation, Holcim, kills workers: *24 August 2010, New Delhi:* An industrial accident on 15 August 2010 at the Swiss multinational corporation Holcim owned ACC Ltd-Jamul Cement Works plant has resulted in the death of two workers and two more workers are still in hospital battling for their lives.

The workers were instructed to work on a jammed coal hopper where the coal falls from a storage pile. Despite protests by workers and their supervisor that they had received no safety training to undertake the hazardous job, the Holcim management forced the workers to work on it. It was during this operation that the molten coal was suddenly released and fell on the workers, leading to the fatalities.

The Pragatisheel Cement Shramik Sangh (a union of contract workers in the cement industry in Chhattisgarh) has been repeatedly demanding emergency facilities or procedures in place at the plant to deal with industrial accidents with no response from management. The union had also alerted the management that contract workers are pressurised by contractors not to report accidents. In addition, the Holcim management as well as its contractors attempt to cover up fatal accidents to avoid paying compensation. The management repeatedly ignored these warnings.

Deliberate violation of safety procedures, standards and norms

The Holcim management did not have the statutory work permit or 'line clear' permission from the State Electricity Department to undertake maintenance of the coal hopper. This is a clear violation of Holcim's own cardinal rules on Occupational Health and Safety to "not override or interfere with any safety provision and do not let others override or interfere with safety provisions".

There was a delay of 30 minutes before the four critically burnt workers (with burns ranging from 90-100%) could be removed from the factory to receive medical aid since there was no ambulance or any other emergency facility at the factory. Three injured workers who were vomiting due to inhalation of noxious fumes sought medical assistance on their own after being initially denied gate passes to leave the factory to seek medical help. The remaining nine workers have yet to be medically tested despite having been exposed to

hazardous fumes and coal dust and they were forced to continue working even after the accident.

Role of the Police and Labour Department

The accident site has neither been cordoned off nor has a police team visited the accident site till date. Although the union informed the Assistant Labour Commissioner of the accident, there has been no visit by the factory inspector or any inquiry to investigate lapses in safety procedures, causes of the industrial accident, fixing of responsibility and disbursement of compensation to families of dead and injured workers.

Hence NTUI demands:

- The management of Holcim-owned ACC Ltd, including the Chairman Mr. N S Sekhsaria, the Deputy Chairman Mr. Paul Hugentobler, and the Chief Executive Officer and Managing Director, Mr. Kuldip K Kaura, must be held criminally liable for the deaths of the two workers and for the injuries of all the workers involved in the accident on 15 August 2010.
- Investigations by the police and the factory inspector must begin without delay.
- Holcim management should bear the financial costs of all workers' medical expenses, full compensation for workers' inability to work due to injury and debilitating illness caused due to injury, and compensation to the family of the deceased due to loss of family income.
- Holcim Management and Labour Department must ensure that a safety audit is conducted at the earliest, done in compliance with public authority and under public scrutiny, observing highest standards of transparency and accountability and with participation of the union, Pragatisheel Cement Shramik Sangh.

ALERTS

Trade Union Convention on Minimum Wages

Venue: Moulali Yuva Kendra, Kolkata

Date: 24 September 2010

Time: 4 pm.

Just Peace for Palestine: Conference on West Asia

Venue: India International Centre, New Delhi

Date: 22 - 23 September 2010.

Asia to Gaza Solidarity Caravan

Flag off from Rajghat, Delhi

2 December 2010