

RIFT At Toyota-Kirloskar Plant: A Recurrent History of Labour Unrest

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Abstract

The Toyota Kirloskar Manufacturing Unit situated in Karnataka made headlines in the month of November 2020 after the workers of the plant declared strike which was followed by a lockout by the management and the bust-up went on for about four long months. However, the pertinent question is whether it is the first instance of labour unrest at this plant, or is it a periodic custom at this plant? Since its inception (1997-1998), the Toyota Manufacturing Unit has experienced numerous strikes and lockouts by the workers and management, respectively. The Toyota Production System, that guides the manufacturing process of all Toyota Plants globally, practices a rigorous control over its workers undermining occupational safety and has often been described as inhumane by the researchers. On a closer analysis the main issues behind all the instances of labour unrest involve better conditions at work, contractualisation and better wages. The State Government has often favoured the company through low-interest loans, relaxed pollution control norms, etc., turning a blind eye to the labour conditions. In the wake of international and domestic Labour Unions' pressure, the management reluctantly tried to resolve the disputes in order to resume the work. However, considering the present strike, it seems that the resolutions were merely a band-aid solution and, the management failed to address the root cause of the problem over the years. This paper presents an analysis of the blatant violations of International Conventions and domestic laws by the management of the Toyota Kirloskar Manufacturing Unit that paints an abysmal picture of labour conditions.

Keywords: Toyota Kirloskar Plant, Strikes, Temporary Workers, Occupational Safety, Hire & Fire

INTRODUCTION

The unrest at the Toyota Kirloskar Plant has become one of the longest running disputes between the employers and workers. From alleging that the employers deny workers even the basic rights to calling it a Nazi camp. The Toyota Kirloskar Manufacturing Unit Employees Union or TMKEU has been stern against the management for its demands. The dispute has been so deeply entrenched that no proper resolution could have been reached for more than 13 years. Several researchers assert that the Karnataka State Government has played a significant role in aggravating the problems. It has used its powers causing paramount difficulties and problems to the Union.

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Received Date: December 19, 2022

Accepted Date: January 25, 2023

Published Date: February 08, 2023

Citation: Oshi Priya, Swapnil Nayan. RIFT At Toyota-Kirloskar Plant: A Recurrent History of Labour Unrest. National Journal of Labour and Industrial Law. 2022; 5(2): 1-13p.

Thus, it shows that the dispute is not restricted to the Employers and the Employees but has transgressed to the multiple institutions. Therefore, through this research paper we aim to study the occupational safety issues associated with the Toyota Kirloskar Plant which has been the flagship problem raised by the Union and the several steps taken by the Plant, the state government and the employees like, employment of temporary workers, the aid of the Karnataka Govt etc. Our objective is to scrutinize the legal as well as the moral aspects of the acts by different parties in the entire dispute

referring to various scholars, regulations and legislations formulated by different National and International institutions.

CHAPTER 1: THE CONCEPT OF OCCUPATIONAL SAFETY

Occupational Safety implies towards catering work environment to ensure the well-being of employees' physical, mental and social health and safety in a workplace. India currently aims to attain a boost in its manufacturing units and emerge as manufacturing hub. However, currently it is severely bereft of requisite occupational safety standards and legal regulations.

The workforce faces a range of occupational health problems including diseases of various kinds – respiratory, circulatory, digestive system, urinary tract, nervous system and other sensory organs, auditory disability, musculoskeletal disorders, reproductive health issues, and dermal allergies [1].

The Indian Constitution

In addition to the Constitutional Provisions namely Article 24 which prohibits child labour, Article 39 which directs the state to ensure that health and strength of workers including men, women and children are not abused, and Article 42 that directs the state to make provisions for securing just humane conditions of work and maternity relief, the factories act, 1948 has made certain regulations elucidated under Section 11- 36, 38, 45 to ensure that the health of the workers are not compromised.

The Mines Act, 1952

The Mines Act, 1952 postulates certain occupational safety measures which need to be adopted in order to protect the mine workers. Workers under 15 years of age are not allowed to work in mines. The act also dictates that the owner or the agent must prevent any potential defective or accidental situations as per the direction of the inspector.

Workmen's Compensation Act, 1923

Workmen's Compensation Act, 1923 stipulates for compensation for the injuries suffered to a workmen in course of his employment and to his dependents in case of death due to the injuries suffered during the course of employment. This act makes the employer conscious of the occupational safety standards at the establishment and makes him liable for the injuries. Thus, ensuring that maximum safety of the workers is ensured. This act postulates for cheap and quick disposal of dispute related to compensation, in order to ensure that the aggrieved workers are not further harassed by the cumbersome legal processes.

The Employees State Insurance Act, 1948

The Employees State Insurance Act, 1948 has been legislated to satiate the objectives enshrined under the constitutions under Article 41, 42, 43 of the Constitution which enjoin the State to attain the goal of securing socio-economic justice. The act provides for benefits to employees in case of sickness, maternity, employment injury, old age, unemployment, and disablement. The scope of this act is wider than that of the Factories Act, as the Factories Act is concerned only with the employees working within the establishment premises only, but this act extends to employees which are directly employed, or employed by a principal employer or an intermediate agency. It also concerns to the employees whose employment is incidental to the work of the factory establishment.

The legislature has formulated a comprehensive legislation pertinent to the safety of workers in India, however its weak enforcement has left the employees devoid of its protection which is reflected on the statistics. The International Labour Organization (ILO) reported in 2003 that ~4,03,000 people die from work-related causes annually in India and another 3,56,000 suffer from occupational diseases (ILO 2008).

Another major reason for the failure of the state to ensure occupational safety of the workers is a stark shortage of Trained Occupational health professionals. DGFASLI (2012) reports that there were 2,642

safety officers and 938 factory inspectors, with 26 medical inspectors, 18 chemical inspectors, and one hygiene inspector in the country in 2009 [2]. Another issue which adds to the abysmal situation is that apart from a serious shortage of safety officers, the handful existing lacks proper training. In contrast to a 2 year proper training in any North American or European Countries, inspectors in India are only furnished a 3-month certificate course which lack of competence-based syllabi.

So, it is safe enough to conclude that the occupational safety standard in the country is struggling and currently is at an abysmal position. Even though state has tried to provide occupational health safety to the workers it has constrained itself to the contours of the physical health and completely ignored the mental health aspect. The constant fear of arbitrary termination, minuscule payment, overwork has severely affected the mental health of the workers. The World Health Organisation is of the opinion that mental health is the crucial determinant in their overall health and poor mental health at workplace can cause a myriad of diseases.

Some factors that cause increased stress at workplace include 'workload (both excessive and insufficient work), lack of participation and control in the workplace, monotonous or unpleasant tasks, role ambiguity or conflict, lack of recognition at work, inequity, poor interpersonal relationships, poor working conditions, poor leadership and communication and conflicting home and work demands' [3].

Absence from work impacts economic security and social connectedness. The weakening of economic and social ties may erode self-confidence and self-esteem in people with mental health problems, which exacerbates their vulnerability to further periods of ill health. People may become trapped in a cycle of exclusion that leads to despair and hopelessness outside the mainstream of economic and social life [4].

The transcending of workers into despair one of the leading causes for their mental breakdown. In 2019, the group of daily wage earners who generally belong to establishments like agriculture, manufacturing alone formed the highest chunk of 23.9% of total suicides in India that year as reported by the National Crime Records Bureau (NCRB, 2019).

Under the tyranny of the employers the workers are further pushed into despair realising that their upheaval in the form of strikes, however legal, is crushed. It has compelled the workers to accept their fate of being bereft of any opportunity to showcase their legitimate interests and demands.

The new Industrial Relations Code, 2020 (also referred as the IR Code) has significantly contributed to facilitating the Government to circumvent and shred the workers opportunity of a peaceful protest against unreasonable dictates. In the IR Code, Section 62 deals with Strike and lists out different conditions under which the workers would not have the right to strike.

As soon as any conciliation proceedings begin the workers would not have any right to strike, any strike which extends after the initiation of the proceedings would be illegal. Section 3 talks about the duty of the conciliation officer, if the conciliation officer has any information or doubts about the existence of the industrial dispute in a particular establishment, the conciliation officer shall (is duty bound) to initiate Conciliation Proceedings. The notice of strike should be submitted 60 days prior. As soon as the notice is served, the industrial dispute is confirmed, so now, the Conciliation officer is duty bound to initiate Conciliation Proceedings, and as soon as it begin the strike becomes illegal.

So, the Government cunningly deprived the workers the right to strike, the workers is only left with right to serve notice about the strike.

Therefore, in addition to worse safety measures, the state has also deprived the workers of their social and mental health with the wrong use of its legislative powers.

The ILO Regulations

The International Labour Organisation has formulated several conventions on Occupational Safety Standards:

- *The Occupational Safety and Health Convention 1981*
 - Article 4 of the Convention mandates the signatory states to formulate occupational safety legislations. It also mandates a periodical review of the legislations.
 - Article 6 ensures that the occupational safety standards shall be in consonance with national conditions and practice. Article 7 enshrines a responsibility on the state to identify major problems under occupational safety and evolve methods for dealing with them.
 - In addition to the state the convention also makes the employer ensue with certain responsibilities concerned with occupational safety. This ascertains that the objective of the convention is to ensure optimum level of occupational safety at the fundamental level thus ensuring proper maximum benefits to the employees.
- *Occupational Health Services Convention 1985*
 - The convention was formulated with objective of rendering a safe and healthy working environment facilitating optimum physical and mental health in relation to work.
 - The convention extensively elucidates the responsibility of the signatory states to ascertain the hazard and make immediate amends to the situation. The convention also made under Article 10, that the personnel concerned delivering occupational health services shall enjoy full independence from employers, workers and their representatives.
 - This provision would prove to be a boon during the times of conflict where the relation between the employer and employees is strained. A full independence of the health services would ensure that no impact is caused in the quality of the services due to the tension.
 - Article 12 mandates the employers that the expenses on the health services shall in no circumstances cause a loss of earnings to the workers.
- *Tripartite declaration of Principles concerning Multinational enterprises and Social Policy*
 - The ILO formulated several policies for the welfare of employees of Multinational enterprise. The policies assert that the enterprise should endeavor to provide stable employment for workers. The ILO directs the government to ensure that both multinational and national enterprise provide adequate safety and health standards with a safe working environment. The Multinational Companies must maintain highest standards of health and safety, keeping in mind any special hazards which could be caused.

CHAPTER 2: TOYOTA MANUFACTURING PLANT THROUGH THE LENS OF OCCUPATIONAL SAFETY

Toyota Manufacturing Plant vis-a-vis Occupational Safety and Health Code, 2020

In the year 2019, the Government of India took a major step and passed a law to amalgamate and rationalise more than 40 central laws governing labour affairs.

The Industrial Relations Code subsumes the Occupational Safety and Health, and Working Conditions Code, 2020 (also referred as the OSH Code) which consolidates over 10 labour laws to make one comprehensive act.

Earlier the provisions pertinent to Occupational Safety were scattered and traces were found in acts like the Industrial Dispute Act, The Mines Act, and The Workman Compensation Act. Etc.

The OSH Code has clearly postulated the scope of the act, by defining the employers and employees who shall be regulated by this act and shall be bound by duties and simultaneously be bestowed with certain rights.

It becomes essential to study the Toyota Manufacturing Plant Scenario through the lens of Occupational Safety as currently no permanent amicable redressal between the employer employees

has been achieved and as soon as the code is enforced the Toyota Manufacturing Plant will become bound to it as it conforms to the definition of Employer under the code.

The instances of severe occupational safety hazard as described by the workers to various Media Agencies are as follows:

- Scrap Technology was rendered by Toyota, with low automation levels endangering occupational safety.
- Injuries on the assembly line, over-reliance on casual labor, dispute over wage increase

Duties of Employers according to the OSH Code have been enshrined under Section 6 of the Code. The Code clearly mandates that it is the duty of the employer to make sure that the place of work is free from safety hazards. Due consideration must be given to the fact, that the factory is a giant car manufacturing plant which employs heavy equipment thus implying a heavy risk of injury for the workers. A failure in the mechanical units which is a high possibility keeping in mind the scrap and obsolete technology could cause cascade of failures devouring the assembly line workers. Therefore, the issue must be dealt seriously with immediate effect.

In addition of render the obsolete technology, the employers have complimented the occupational hazard by adopting methods to ensure that workers are overburdened and under the constant haste and pressure to complete the daily task making them more prone to injuries.

The workers have expressed their concern multiple times. *“When the demand is high, it is met with either increasing the work or reducing the number of members in a work group – both would result in over-work”*. It is worth noting that one of the major demands of the union was to rationalize the cycle time of production, which workers consider exploitative and stressful.

The Combined reading of Section 25 and Section 26 of the OSH Code postulates that “No worker should be made to work for more than 5 hours before he/she has had an interval of at least half an hour. The working schedule of the manufacturing plant is in clear violation of the OSH guidelines

The workers’ main allegation against TKM Unit is that they are being forced to work longer hours and are pulled up for taking short breaks. Workers’ unions say the Bidadi plant, which was producing close to 300 cars a day in two shifts, was forced to increase production by 60 cars during the pandemic [5].

Workers allege that they are made to work without even being allowed bathroom breaks or time to drink water. If a worker has stepped away from the assembly line for even a minute, their salary was cut. They are also subject to disciplinary action, according to the Union.

The few workers, who had begun the strike, had accused the management of being unfair and denying them their basic rights. According to them, they returned to work as directed by the labour department, but they wanted some time off to communicate to the other workers how to continue the strike. These workers claim that they were denied the half-day leave they had asked for, which was a part of their 2010 agreement [6].

Hence, it can be logically concluded that the workers are suffering by the oppressive policies of the management which are in blatant violation of the OSH Code. In many cases of oppression, a weak legal mechanism bolstered the oppressor such as the Toyota Manufacturing plant in the present case. However, with the enforcement of the OSH code, the workers would be rendered with the essential aids to fight against the persisting illegality and impending danger to their lives.

CHAPTER 3: TEMPORARY WORKERS AS AN ALTERNATIVE

During the deadlock between the management and workers, the management claimed that over 1000 [7] unionised workers (Bidadi plant has a total of 6000 worker and 3,500 of them are associated with

the union [8]) returned to work. However, the same was negated by the Union adding that so far no compromise took place between them and the management, indicating that the employees that returned to the plant were contingent workers. As per employees' allegation [9] the management also, in order to replace core workers with contingent workers, is nudging them to opt for the Voluntary separation scheme.

After the eight-day lockout, a company executive of Toyota Bidadi plant admitted that 1,000 contract workers were hired to start the production once again after the core workers refused to resume work, furthermore the company also used a total of 2,000 apprentices and managerial staff to manage the production [10].

Organizations often get an upper hand managing its employees once they have a bunch of temporary workers at their disposal. Since temporary workers have zero job security, they habitually agree to the working conditions imposed by the management. These factors really affect the employment conditions in such organization for both the temporary and core workers. Extensive research has been carried out into the present factory-production management, where temporary/contractual staff forms a significant part of the labour-force. These research studies unearth another important aspect with respect to the effect of presence of large number of contractual workers in any establishment. Vosko (2000) explains that such employment relationships reinforce control over the labour process, especially for contractual employees, who, in the absence of a permanent contract, frequently face harsher and overwhelming working conditions that they have little ability to counter or influence. Research shows strong evidence that the use of temporary workforce is negatively attributed to the way the core employees' acknowledge job security, workplace relationship etc. [11].

In the Toyota Manufacturing Unit case, the temporary workers of the factory were called back amidst the ongoing protest by the Trade Union of the factory. These workers had to comply with the management's demand and hence, they re-joined the work. Such incidents gravely affect the bargaining power of the workers, and often find themselves to be mere puppets at the management's hands. When the management has the power to resume factory work as per their whims and fancies amidst the ongoing protest by a significant number of factory workers, it becomes easy for them to turn a deaf ear to the demands being made by such protests, however crucial.

Contracting and leasing of employees has often been used to violate the letter or intent of labour laws and job contracts [12]. Davidov (2004) in his study points out that these types of employment relationships separate the workforce of every company, since temporary and permanent employees have different salaries, privileges, and privileges, while working in the same facility. The fact that the temporary workers at the Bidadi factory were the first group to re-join the work amidst the ongoing protest may logically be attributed to the reason that they don't have the same rights as enjoyed by the core workers of the factory. They have from minimum to no job security, the management can lay them off easily on the grounds on non-compliance which is not the case with the core workers.

According to a study performed in the case of Volkswagen's manufacturing unit plant in Brazil Abreu et al. (2000), such temporary/contractual labour workforce poses a major risk to any company because it establishes vertical divisions within the factory or plant between temporary and core workers, as well as preventing trade union negotiations at the plant/factory level. This is precisely what happened in the Bidadi plant of Toyota. The apparent vertical division among the core and temporary workers in the factory prevented the trade union protest to get the management to hear their grievances. Bringing back the temporary workers to job and resuming the work of the factory portrays that the management has the upper hand and they're free to impose their whims and fancies over the workers in the factory.

Even though temporary workers face the same tribulations as the core workers, they have little to no bargaining power before the management. They are worse hit by the state of affairs and this

vulnerability, with no fault of their own, also hampers the bargaining power of trade unions in the factory.

Hiring temporary workers benefits the management of any organization both ways, they end up paying lesser to these workers with little or no additional benefits (that are provided to core workers) and since these workers are already in a vulnerable state, the task of managing them becomes effortless. These workers are often entirely at the disposal of management and which in turn also affects the job security of core workers of the factory. Further, when the employers hire the labour power of contractual workers, they are looking for candidates who can strictly follow the employer's rules and regulations, as well as behaviour and attitude that is consistent with existing organisational norms [13].

Uncertainty about jobs serves as a versatile tool for employers to exert considerable power over their employees. It binds employees to the company by conventional loyalty-producing methods, and it also inhibits workers' ability to mobilize collectively against management or employers in order to express their views or grievances [14].

Hiring of Contingent Workers and Collective Agreement

It is clear from the above paragraphs that organizations hire temporary workers to use the workforce more flexibly and to deal with numerous strategic and operational contingencies more pliantly in comparison to usual employment contracts (for core workers). Temporary workers are perceived, and rightly so, as threat [15] to the core workers' job security and general well-being. Researchers argue that with arrival of temporary employees at workplace, they represent, to the core workers, their interchangeability which in turn negatively affects their bargaining power resulting in lower wages and low to no job security, etc. [16].

Features such as rigorous administrative power over the workforce and the exploitation of contract workers are vital rudiments for the success of Toyota Production System [17]. The Bidadi plant has a history of strikes and lockouts, and often the workers are fighting for the most basic of rights, in the year 2014 the demands behind the strike were related to salary increments, improved conditions of work and against the scheme of contractualization [18]. And even after the lockouts announced by the management, it manages to fulfil the market requirements of production through contract workers and trainees forcing the core workers to submit to the management seizing their power to negotiate for the most basic of rights. Following Toyota's global strategy [19], the division of jobs in core and temporary workers is for circumstances like the present case, to meet market demands despite all challenges.

As per the labour standards set by the ILO, "both the employers and workers are to be represented on an equal footing thorough which consultations are undertaken" [20]. Further, collective bargaining is to be encouraged among the workers and employers thorough all possible mechanisms [21]. However, the means and methods adopted by management of MNCs like Toyota often leave no scope for a proper collective bargaining amongst the employer and workers. Employing of abundant temporary workers at their disposal to resume the work of the plant amidst the protest pushes the workers protesting to a submissive level.

CHAPTER 4: UNREST AND FIRING OF WORKERS: A CAUSE EFFECT RELATIONSHIP

In November 2020, the Toyota Kirloskar Management suspended 39 of its workers [22] who were part of the workers' union on ground of misconduct. However, this is not the first instance of dismissal or suspension of union members when dispute between the management and the workers arises.

The Bidadi plant has a history of unrest amongst the workers and the management. In 2001 [23] when the management announced a meager wage increase the workers protested the same by boycotting lunch which was tagged as "strike" by the management. This led to the interrogation of workers and leader behind the protest was sacked which fueled more protests. The workers alleged that the management

was falsely targeting the workers to be rebuked or dismissed: *“It is just a tool to punish us. We protest and we are targets in the firing line, either sacked or our training period extended”* [24].

Even after the change in Managing Director in 2003 of the plant, none of the issues of the workers were solved. The workers continued protest in order to refuse the compulsory overtime. The management retaliated by suspension and dismissal of workers. This started another wave of unrest in the form of strike at the end of the year 2003 which continued till mid-2004. Throughout this period of unrest numerous union leaders and workers were suspended. However, the unrest continued in both direct and indirect forms during the entire year (2004) [25]. In 2005 the workers urged the management to solve their issues else they will be forced to initiate a strike. The company this time chose to threaten the workers to move the plant to another State [26]. This was a clear violation of Industrial Relations and Collective Bargaining Policy [27] of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy adopted in Geneva in 1977.

In 2014 when the workers put forward their grievances to the management regarding wage increase, better conditions at works and against contractualisation, the management initiated a lockout and following the lockout, the management on the grounds of “indiscipline and misconduct” suspended 30 workers [28]. It is argued by the researchers that the ways thorough which the management of Bidadi Plant usually silences the demands put forward by the workers indicate a diminishing labour space for the workers [29].

The acts of Bidadi Plant is in contravention to the ILO policies which promote collective bargaining in multinational enterprises and strictly prohibits any threat of unfair transfer or termination due to the disagreement with the employers.

The Management purposefully sacked the leaders of trade Union who raised the workers grievances. The Management was completely intolerant towards even a tiny disagreement against its oppressive policies. Such approach is in blatant contravention to the ILO guidelines where it instructs the MNCs to respect the right of workers to have their entire grievance processed without suffering any prejudice.

Hence, it can be logically deduced that the management of the Bidadi plant has often used the method of suspension and dismissal to put a stop to the demands or grievances put forward by the workers, however genuine. This indicates a lack of collective bargaining power for the workers. The new Industrial Code, 2020 also doesn't provide any real solution to the plethora of problems being faced by the workers at Bidadi plant. The rules with respect to continuous service, lay-offs and retrenchments, etc. is more or less the same as provided in the Industrial Disputes Act, 1947 and it continues to be severely regulated. However, the provisions for employment of fixed-term workers have provided the employer with ample flexibility in the matters of hiring and firing of workers.

CHAPTER 5: THE HELPING HAND OF THE GOVERNMENT

In the entire episode, it was always the workers and the employment at the opposite corners, but some revelations indicate that the Toyota manufacturing plant was bolstered by the covert but robust support of the Government of Karnataka. The support by the Government caused greater problems for employees of the Manufacturing plant who raised their voices against their oppressive norms.

The State Government gave several incentives to the manufacturing plant like Entry tax wavier, low cost loans, preferential land allotment, concessional water and power tariff, relaxed pollution norms [30].

The acts of the State Government were very well justified as according to the United Nations Survey on Tax Incentives and Foreign Direct Investment. According to the survey, most governments actively promote their countries as investment locations to attract scarce private capital and associated

technology and managerial skills in order to help achieve their development goals. Several countries have increasingly adopted measures to facilitate the entry of foreign direct investment (FDI) [31].

In the times of globalization, FDI is an essential attribute for a country if it aims to upgrade its economy. But, it should not come at the cost of the welfare of the labor community of the country. This exact abysmal act made its presence in the Bidadi Manufacturing Plant dispute.

The TKME (Toyota Kirloskar Manufacturing Unit Employees Union) raised their voices against the oppressive policies of the employers which led to besieging of the Plant Operations between 2001 and 2007. The acts of the Employees Union were justified as the workers were denied minimum necessary breaks and were forced to work with the obsolete technology under a high risk of death.

Toyota Manufacturing plant generated employment in the state of Karnataka but the employment came at the cost of oppression of employees by shredding them of just and humane conditions of work. The workers at TKML interpret the unique system of Toyota production to be “*fewer hands, more work and less pay*”. One of the workers puts across his experience with TPS in simple language:

“....assume that at first ten members were assigned a job, they decrease the team strength to nine after one or two months. But they don't compromise with the work load. They pressurise us to complete that work within the deadline. With huge difficulty we complete that work. Next time, the company again decreases the team strength from nine to eight and pressurises us to work hard. ... same work, same deadline but with less workers in the team....” [32]

The workers' main allegation against TKM is that they are being forced to work longer hours and are pulled up for taking short breaks. Workers allege that they are made to work without even being allowed bathroom breaks or time to drink water. If a worker has stepped away from the assembly line for even a minute, their salary was cut. They are also subject to disciplinary action, according to the union [33].

The policies of the manufacturing plant cannot in any sense be called just and humane. By the combined reading of Article 39 and 41 of the Constitution of India it can be inferred that Right to Work entails Right to Work under just and human conditions and it is responsibility of the state to ensure that workers are not deprived of this essential right. However, instead of ensuring the workers this basic essential right, the Karnataka State government after lobbying of the TKM management included automotive manufacturing an “essential service” [34].

By virtue of this act, the employees were banned from declaring any strike in the plant. This facilitated the Management who were already sacking employees who raised their voices against the rampant oppression. Adding to their problems, by including automotive manufacturing an essential service, the police could arrest employees without warrant who still indulged in strikes after they were banned [35].

This clearly shows that the Government took the side of capitalists cunningly using its powers to help the Toyota Management in their tainted intentions. Even, the Karnataka High Court could not issue a sanction on the amendment as the state was well within its jurisdiction. This was a classic example of State sponsored oppression.

In this way, without rendering any labor law relaxations to the Manufacturing plant, the Government aided the management in continuing the inhumane conditions unhindered.

The final nail to the coffin was the actions of the Karnataka Government skewed in favor of the Management, when plant was seriously affected by labor unrest and the strikes were declared illegal; simultaneously a state program was in function to upgrade the infrastructure of the police station in

vicinity of the Toyota Manufacturing plant. The act was well within the powers and responsibilities of the State Government but conduction at the very moment of unrest definitely raises eyebrows. With respect to upgrading the police station, an impartial spectator would wonder whether the confidence of having the police on their side might have unwittingly made the TKM Unit's managers deal more aggressively with the striking workforce than they otherwise would have [36].

Thus, the actions of the Karnataka State government reflect their contribution in persecution of employees. The action sets an example of connivance of the State Government to act illegally even after remaining in the legal contours.

CONCLUSION

After conducting an extensive study of the dispute, it can be very well inferred that the Toyota Manufacturing Plant did contravene to the Occupational Safety Standards. The production system adopted at the Manufacturing Plant was referred by various scholars as the Toyota Production System or the TPS which employed cycle time which was the ratio of daily operation time to the required quantity of production. The TPS system proved to be a hazard to occupational safety when the employers forced the workers to attain maximum production with minimum number of workers. The Hazard was exacerbated when it was complimented with obsolete technology which was scrap according to the world standards. The workers were forced to work for long hours devoid of any breaks which would completely exhaust them physically and mentally increasing the chances of severe injuries. Thus, the scrap technologies coupled with strict oppressive policies were an imminent threat to the lives of the workers.

The inclusion of greater number of temporary or contractual workers had a worse effect on the conditions of permanent workers in the Toyota Manufacturing Plant. The plant has a history of hiring temporary workers to meet its demands whenever the management and permanent workers are at loggerheads. This snatches away the already minuscule collective bargaining power of the core workers. They are forced to give in before the management because once temporary workers start meeting the demands of the plant; it is easier to turn a deaf ear to the grievances of the core workers.

The Toyota Manufacturing Unit did not use any special polices or regulations for hiring of employees. They were pretty rudimentary. However, the policies for firing the employees were very peculiar. The management expected that the employees do not take even a miniscule reasonable break. Their each and every action was evaluated on the basis of Value added or subtracted. The evaluation allotted them points. Non-attainment of impossible targets and low value-added points could cause their termination. Also, they were not allowed even a simple gesture of disagreement as was treated as misconduct causing their suspension.

Further, when the trade union vociferously raised their voices against the oppression, the management purposefully terminated the trade union leaders on false grounds of misbehavior or poor performance.

The Government of Karnataka did not explicitly grant the production unit relaxation in labour laws. The tainted act of the state was cunning and ensured that maximum benefit to the plant and maximum loss to the employees is caused. The state made administrative decisions by remaining in their jurisdiction which was including automotive manufacturing as an essential service to ban strike and upgrading the police station in the vicinity of Bidadi to better contain rebel employees.

Hence, the study reveals that without a speck of doubt, that Toyota Kirloskar Plant oppressed its employees with unreasonable regulations. The reason of the dispute being still unresolved is due to the fact, that the act in its essence the act of Toyota Plant is not majorly illegal but immoral. It did not render the employees just and humane conditions of work. If the State government fulfilled its duty in pursuance of ensuring the safety of the workers, the dispute could have been resolved, but to fulfil its

political motive, the Government, favored the employers and granted them benefits and unwarranted aids to help them prevail as winners over the dispute.

The said strike at present stands at rest after a duration of four months (in March 2021), however, the workers have agreed to come back to work on the condition of their grievances been redressed, according to the Union.

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