

Annexure – I to Final Modalities, 2024 for SBE-III
(Section 6.2 of Final Modalities)

Code of Discipline

All the contesting registered Trade Unions undertake in writing that they will observe the Code of Discipline.

I. Management and Union(s) agree –

- (a) that no unilateral action should be taken in connection with any industrial matter and that disputes should be settled at appropriate level;
- (b) that the existing machinery for settlement of disputes should be utilized with the utmost expedition;
- (c) that there should be no strike or lock-out without notice;
- (d) that affirming their faith in democratic principles, they bind themselves to settle all future differences, disputes, and grievances by mutual negotiation, conciliation and voluntary arbitration;
- (e) that neither party will have recourse to (i) coercion, (ii) intimidation, (iii) victimization or (iv) go-slow;
- (f) that they will avoid, (i) litigation, (ii) sit-down and stay in strikes and (iii) lockouts ;
- (g) that they will promote constructive co-operation between their representatives at all levels and as between workers themselves and abide by the spirit of agreements mutually entered into ;
- (h) that they will establish upon a mutually agreed basis, a grievance procedure which will ensure a speedy and full investigation leading to settlement;
- (i) that they will abide by various stages in the grievance procedure and take no arbitrary action which would by-pass this procedure; and
- (j) that they will educate the management personnel and workers regarding their obligations to each other.

II. Managements agree –

- (a) not to support or encourage any unfair labour practice such as:
 - (i) interference with the right of employees to enroll or continue as Union members,
 - (ii) discrimination, restraint or coercion against any employee because of recognized activity of Trade Unions and
 - (iii) victimization of any employee and abuse of authority in any form ;
- (b) to take prompt action for (i) settlement of grievances and (ii) implementation of settlements, awards, decisions and orders;
- (c) to display in conspicuous places in the Railway offices the provisions of this Code;
- (d) to distinguish between actions justifying immediate discharge and those where discharge must be preceded by warning, reprimand, suspension or some other form of disciplinary action and to arrange that all such disciplinary action should be subject to an appeal through normal grievance procedure;
- (e) to take appropriate disciplinary action against its officers and members in cases where enquiries reveal that they were responsible for precipitation of action by workers leading to indiscipline.

III. Trade Union(s) agree –

- (a) not to engage in any form of physical duress ;
- (b) not to permit demonstrations which are not peaceful and not to permit Rowdyism in demonstration ;
- (c) that their members will not engage or cause other employees to engage in any Union activity during working hours, unless as provided for by law, agreement or practice;

(d) to discourage unfair labour practices such as (i) negligence of duty, (ii) careless operation, (iii) damage to property, (iv) interference with or disturbance to normal work and (v) insubordination ;

(e) to take prompt action to implement awards, agreements, settlements and decisions ;

(f) to display in conspicuous places in the Union Offices, the provisions of this Code; and

(g) to express disapproval and to take appropriate action against office-bearers and members for indulging in action against the spirit of this Code.
