

BEFORE THE DEPUTY LABOUR COMMISSIONER

DIVISION 1, BANGALORE

Dispute No. /2018-19

Between:

Garment and Textile Workers Union
Having its registered office at 17/1, First floor
New Guddadahalli, Mysore road,
Bangalore - 560 026
Represented by its President

First Party

AND:

Avery Dennison (India) Pvt. Ltd.
Having its factory at Plot No. 6B 1st main,
Phase 1, KIADB layout, Peenya Industrial Area,
Bengaluru - 560058
Represented by its Director, Human resource

Second Party

**PETITION UNDER SECTION 12 READ WITH SECTION 9A OF THE
INDUSTRIAL DISPUTES ACT, IN REGARD TO CHANGE IN SERVICE
CONDITION OF WORKMEN WITHOUT PRIOR NOTICE BY THE
MANAGEMENT OF AVERY DENNISON (INDIA) PVT. LTD.**

The First Party above named states as follows:

1. The First Party, Garment and Textile Workers Union is a registered Trade Union under the Trade Unions Act, 1926 (registration no. ALCB-4\DRT\TUA/18/2005-2006). GATWU is working for the rights



of garment and garment related accessories industry workers of Bengaluru and other districts in Karnataka since 2006 having its registered office at 17/1, First floor, New Guddadahalli, Mysore road, Bangalore - 560 026.

2. The Second Party, Avery Dennison (India) Pvt. Ltd. is a private limited company registered under the Companies Act, 2013 having its factory at, Plot No. 6B 1st main, Phase 1, KIADB layout, Peenya Industrial Area, Bengaluru - 560058, engaged in manufacturing and designing of garment labels, display graphics, printing materials, adhesive technologies and RFID etc.

3. The Second Party employs around 570 'Blue color' workmen of which around 440 workers are members of the First Party Union. The First Party is therefore the representative of majority of the workers at Avery Dennison (India) Pvt Ltd. The First Party through its letter dated 11 July 2018 notified the Second Party that it has a majority membership of 'blue color' workmen and that it is the representative of workmen at the factory.

4. It is submitted that, the second party has put the notice on the notice board on 21.12.2018, as they have decided to shift the Christmas holiday from 25.12.2018, to 01.01.2019, all workers should attend the work on 25th, and those who are not attend the work, that will be considered as absent and shall not earn wages for

the said day. We are hereby submitting that, the Christmas holiday is the declared holiday under national and festival holiday which was declared in Dec 2017 itself. Without consent of the workers and without prior intimation management has unilaterally took the decision and shifted the declared holiday to the next calendar year, is the clear violation of the Seciton 9A of the Industrial dispute Act 1948

Wherefore, it is prayed that this Authority may be pleased to take up the matter in conciliation and take necessary legal action against the second party, and direct them to:

1. Consider the 25th December 2018 as holiday, as declared earlier, and
2. Worker should get the salary for the said day.

Bengaluru

Date: 26-12-2018

Prathish

FIRST PARTY UNION

