

Trade Unions & Effectiveness of Collective Action: Lessons from Minimum Wage Revision in Delhi

Biju Varkkey, Sunny Wadhwanian & Rupa Korde

Minimum Wage is an area where trade unions engage with multiple stakeholders and through collective action protect the interest of workers. Ineffective collective action leads to not securing the right minimum wage, which has implications for trade unions' sustainability. To explore reasons behind failures, a qualitative case study of minimum wage revision exercise in Delhi State (India) was conducted and analyzed using modified McAdam's Political Process Model. We identified three barriers: a) Inadequacy of enforcement institutions, b) Ineffectiveness in the internal functioning of trade unions, and c) Absence of cognitive liberation among members. The paper contributes to the existing literature on trade union processes and collective action and suggests strategies to build union capacities.

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Introduction

Understanding and analyzing collective actions by trade unions (TUs) have been a recurring theme in industrial relations (IR) research (Gahun & Pekarak, 2013). Collective action broadly refers to the “natural tendency of people with shared interests to act together in pursuit of those interests” (Oslo, 1971). Since late 2000s, most research on TU behavior has defined collective action as an ad hoc defensive behavior that TUs organize to protect themselves from hostile government behavior and policies (Kohler, 2021; Reshef & Rastin, 2000; Reshef, 2004). Historically, TUs have pursued collective actions for higher wages and improved working conditions (Booth, 1978) and in the process retained influence in the workplace and resonated with workers (Frege & Kelly, 2004).

This study builds on relevant literature, starting from Reshef's (2004) pioneering research on collective union action, to more recent studies by Balasubramanian and Sarkar (2015), Willman, Bryson and Forth (2016), and

Finayson and Palmvang (2016) on union revitalization and decline. Our research focuses on adding a new dimension to this debate which has limited documentation in the extant literature, i.e., barriers that inhibit TUs from engaging in collective action, failing TUs to contribute to public policymaking and implementation.

Drawing insights from the analytical framework proposed by McAdam's (1982) Political Process Model (PPM) and using a qualitative approach, the study identifies three significant internal barriers, namely a) Inadequacy of enforcement institutions (government inaction), b) TU ineffectiveness (organization weakness) and c) lack of cognitive liberation of TU members, along with externally induced limitations like unremittingly anti-worker labor reforms by governments. Using data from in-depth interviews conducted with office bearers of 9 Indian central trade union organizations (CTUO)¹, the study highlights an inherent paradox between the member's expectation from TUs to play a vital role and promote its members' interests by engaging in collective action and reality where TUs remain just another interest group trying to preserve the special status and benefit they enjoy.

¹ Trade Unions having verified membership of at least 5,00,000 and spread over at least four states and four industries including agriculture and rural sectors are recognised as Central Trade Union Organisations (CTUO) by Ministry of Labor and Employment, Government of India. At present there are 12 unions recognised as CTUO. (MoLE, Government of India, Order no: L-52025/20/2003-IR(Imp-I) dated 11th January 2008)

The study makes an important contribution to the existing literature on the trade union process and collective action by presenting the case involving a ruling political party, which heads the state government, and the TU leadership working at cross-purposes to achieve a public policy goal, leading to the sub-optimum outcome for TUs. As a result, the ability of TUs to mobilize members for collective action in future is limited. The state government, backed by its political will to enforce pro-worker reforms, unilaterally decides on fixing the MW rates without consulting the TUs, who were also fighting for the same cause. The activism overshadowed the efforts of TUs, with the government machinery and political party taking credit for the change, leaving no other option for TUs than to offer support to the state government. Our findings suggest that such behavior from the government/ruling party side certainly undermines TU's capacities, and limits their growth as an independent institution and erodes workers' faith in TUs.

Background & Context

Ensuring decent work conditions through effective compliance with the minimum wage (MW) system is a widely accepted public policy mandate. Many countries (i.e., about 159) have already

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ratified the International Labor Organization (ILO) MW Conventions (ILO, 2016, Nos. 26 & 131). The primary responsibility of the 'State' is to ensure compliance and enforcement of the MW policy, which includes determining the right levels and rate of wage rates in consultation with social partners (Benassi, 2011; ILO, 2014; Varkkey, 2015).

Apart from articulating labor's collective voice for the right MW, TUs role also includes empowerment of individual workers through legal advice and representation (Ewing, 2005) and reaching out to workers who are not necessarily aware of their rights and entitlements or are not willing to assert their rights due to the fear of employer retaliation (Arup & Sutherland, 2009). TUs not only influence the process of wage determination through collective action but also contribute to determining how to enforce the agreements (Ewing, 2005; Weil, 2003).

India follows a dual MW system, with a central MW encompassing the labor force in central government enterprises and state-level MW declared by individual states. This duality, in turn, has created a complex system, and it often becomes difficult to administer and enforce compliance (Varkkey, 2015). Lately, central TUs joined together to persuade the Indian government to increase MWs for all workers nationally (Sharma, 2019).

In August 2015, India's ten Central TUs (CTUOs) submitted a 12-point charter to the Government of India (GOI), in

which one of the principal demands was to increase MW for unskilled workers (Gupta, 2016). After many rounds of inconclusive discussions spread over a year and the government's inaction on the list of demands, a nationwide joint strike call was given by CTUOs (Sharma, 2016). This unity was a rare event in Indian TU history.

In consonance with the demands of TUs, the Aam Aadmi Party (AAP)² led Delhi government in August 2016 announced a 50 per cent hike in MWs for all workers in Delhi based on the 13-member MW fixation committee's recommendations, and the party urged the GOI to do the same across the country (Goswami, 2017). However, the Lieutenant Governor (LG)³ of Delhi declared the AAP government's decision as null and void, terming the constitution of MW fixation committee's as 'illegal' since the AAP government did not seek prior approval from the LG (First Post, 2017).

² The Aam Aadmi Party (AAP) is an Indian political party, currently the ruling party of Delhi state-National Capital of India. The party was launched on 26th November 2012, out of a historic anti-corruption movement with the commitment to promote pro-people governance. The party believes firmly in the philosophy of 'Swaraj' (self-rule) and rejects majoritarianism so as to restore power of the people without creating any intermediate institutions. AAP emphasizes on social security for workers by treating them with fairness, dignity and respect. Citizen welfare has always been the priority for the party rather than ideological leanings (APP Manifesto, 2020, accessed from https://drive.google.com/file/d/1AYZGAWIxv-RGZdREfqVGii43_z2XKCN4/view in March 2021)

³ Lieutenant Governor is the constitutional head of National Capital Territory of Delhi.

Subsequently, in June 2017, the Delhi government reprocessed the proposal and issued fresh notification that awarded a 37 per cent hike in MWs based on the recommendations of a newly constituted 15-member MW fixation committee⁴ that had representatives from TUs and approved by LG (PTI, 2017). However, 44 employers' associations jointly opposed the government notification and demanded rollback by filing a petition in the High Court of Delhi. The High Court subsequently quashed the government notification wide judgement dated 4th August 2018, terming it a 'hurried' decision taken without hearing the employers who would be affected by the MW revision (Banka, 2018). The AAP led government, in October 2018, moved to the Supreme Court of India, challenging the High Court decision. In October 2019, the Government won a favorable ruling against the employers' associations from the SC of India, and the revision of MW became effective in Delhi state. Post decision, the monthly MWs in Delhi for unskilled worker increased from INR. 9,724 to INR.13,350. Wages for Semi-skilled workers rose from INR. 10,764 to Rs. 14,698, while those for skilled workers rose from INR. 11,830 to INR. 16,182 per month (Indian Express, 2017).

⁴ According to Section 5 of Minimum Wage Act, 1948, there are two ways of fixing or revising MWs, a). Committee method: Government can appointment committee and sub-committees to make recommendations for fixing or revising MWs; b). Notification method: A notification with proposal of fixing or revising MWs, is published by the government in official gazette for information of persons likely to get affected (Varkkey, Korde and Wadhwanja, 2021)

In the above context, it is crucial to note that the AAP government's political leadership and in particular the labor ministry and minister took credit for getting a favorable judgement and used it to politically propagate AAP. In reality, the decision of revising MWs in Delhi owes a lot to the Central TUs, who came together initially for collective action for a common cause. However, in this case, their voice, regardless of presence in the MW fixation committee constituted by the Government, was not heard. The role of TUs was relegated to just membership in the committee, which is a significant setback for acknowledging TU's contribution in the public policy backdrop. We use this case and examine the capacity of TUs to engage in collective action and contribution (or the lack of it) to public policy and enhance workers' welfare.

Role of Trade Unions in MW Policy

In India, the journey of TUs can be traced back to the end of World War I (Dessler & Varkkey, 2018; Kumar & Varkkey, 2017). Historically, TUs have played a crucial role in protecting workers' interests by working in tandem with the government to enforce and comply with a few fundamental labor standards/ethos. Therefore, the Trade Union Act of 1926, which allows the right to form a TU within the Indian republic, was implemented (Sheroff & Bhargav, 2019). Post-independence, India adopted a centralized planning approach for economic development through five-year plans, which allowed TUs to contribute to shaping labor and economic policies (Varkkey, 2015).

Since the 1990s, India has adopted a neoliberal economic approach, and its effects have impacted the labor policies and legal framework. Analyzing labor law reforms in India, Nanda (2019) observed that current reforms are a direct attack on union density and union coverage since it detracts the negotiating rights by rigidifying membership and composition criteria of TUs in any establishment. Sundar (2014) also had echoed similar thoughts and offered a critical account of the mismanagement of labor law reforms in protecting workers' interest. The author contended, lack of clear and sensitive strategy from the government and its associated think tanks while introducing labor law reforms contributed to 'wholesale damning of the inspection system', which effectively weakened labor protection, including enforcement of MW policy. It is also argued that Indian TUs tend to have little or no direct influence over non-compliance of labor standards, including MW. Our literature review indicates that the extant research about the role and impact of TUs on MW enforcement and compliance is limited. Meanwhile, Arora (2017) observed that TUs in India, unfortunately, confined themselves only to 'job protection' in-

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stead of pursuing the real agenda, i.e., 'job creation'. Hence, Indian TUs, to protect the workers' interests, need to rethink their approach and embrace labor law reforms by closely working with both the government and employers.

A Global Perspective

At the global level, TUs have played an active and critical role in active enforcement and compliance of MW policy by determining the right level and rate structure of wages through collective bargaining, collective action and alliance building with other stakeholders (e.g., employer associations and the State (Ibsen & Tapia, 2017). However, recent academic literature is pre-occupied with two issues: the effect of MW policy on formal or informal employment (Lemos, 2009; Nguyen, 2010) and measuring non-compliance and enforcement (Bhorat, Kanbur & Stanwix, 2014). This shifted scholars' attention from the decisive roles TUs are expected to play, in supplementing state-directed compliance and enforcement activities. Few scholars have also described the influence of TUs on compliance with labor standards in a more granular fashion. For example, Santoso and Hassan (2013) found that Indonesian TUs were influential in strengthening the MW policy enforcement, which resulted in increased MW compliance by employers.

In the case of Bangladesh, Chowdhury (2017) observed that inactive TUs led to the suppression of fundamental labor rights, especially in the unorganized sector. Employers seem to

adopt the 'hire and fire' tactic in industries like ship-breaking, garments, and construction. In the UK context, Dromey (2018) argued that power imbalance at work is inevitable when there is a decline of TU density and collective bargaining, which invariably results in TUs having limited influence over the challenges faced by workers. Devereux and Simth (2019), based on a survey of women farmworkers in South Africa, pointed out the following factors responsible for the decline in TU density:

- a. Lack of interest in joining TUs
- b. Distrust among workers
- c. Employer's hostile attitude towards workers

In fact, in some cases, employers tend to prohibit workers from joining the TU because they fear that workers in close coordination with and supported by TU bodies would demand higher wages and decent work conditions. To tackle the stemming TU density, Arnold (2018) suggested the following steps: a) TUs should consider approaches to change the way they recruit, organize and support workers; and b) TUs should create a favorable policy climate of cross-country collaboration and partnership. These steps would be helpful to ensure effective enforcement and compliance with MW policy. Further, in this context, Dromey (2018) highlights the critical role of the State to level out the playing field by supporting TUs to improve wage and working conditions by promoting collective bargaining at the sector and firm levels.

Besides MW focus literature, some studies have also focused on unionization benefits at the enterprise level. For instance, Stuart, Valizade and Loulia (2015) and Bryson and Forth (2017), found that unionized workplace tends to offer multiple benefits to workers/employees, like sick pay, childcare centers, and pensions, which are all borne by the employers. Additionally, if workers/employees are TU members, they receive training related to their job before joining. Thus, TUs do play a critical role in tackling the widespread exploitation by raising awareness about employment rights and, in the process, empower workers.

Given that the world of work is changing, TU's impact on labor rights protection, IR/ER (employment relations) and particularly setting and enforcing MW, are under examination. Recent studies in the context of robotics and artificial intelligence's impact on workplaces require new insights. Discussing the role of TUs in overcoming significant challenges posed by automation in the UK's economy Lawrence, Roberts and Kings (2017) proposed that TUs can ensure enforcement and compliance of labor standards (that include MW) by engaging themselves as key social partners in shaping the process of automation by managing its pace, extent and distributional effects. In summary, a review of empirical evidence suggests that adherence to labor regulations is higher in unionized workplaces, and with active TU presence, the workers have a better chance of receiving higher MWs. However, most of these studies' questions left

unanswered include: why, how and to what extent TUs can influence the enforcement and compliance of MW policy through collective action?

Research Questions

- a) What inhibits TUs from engaging effectively in collective action?
- b) Which factors inhibit TUs to influence effective implementation of MW policy in Delhi?

Theoretical Framework

Several socio-psychological theories explain TUs' participation in collective action, including the frustration-aggression theory, rational choice, social identity theory, self-categorization theory and relative deprivation theory (Kuruvilla et al., 1990). Each theory has its unique explanation about the phenomenon but fails to be comprehensive. For instance, they do not consider the political aspect of government action, which is a critical element involved in the union-government relationship. Furthermore, many theories focus on attitudes, motives and individuals' behavior, and not on the approach to collective action by TUs (Cappelli, 1985). A section of IR research focused on social movement (SM) literature tries to understand how TUs create, legitimize and sustain collective action within a hostile political environment (Caraway & Ford, 2017). These works are influenced by McAdam's (1982) Political Process Model (PPM).

The role and ability of TUs to engage in collective action is crucial to un-

derstanding why, how and to what extent TUs alone can influence the enforcement and compliance of public policy. But it is poorly explored in the extant literature. In this study, we focus on identifying the barriers that restrict TUs capacity to engage in collective action. The PPM can be used to understand key factors necessary to generate and sustain collective action for social movements, particularly related to securing higher wages and working conditions of workers (Gahun & Pekarok, 2013; Oslon, 1971). Thus, PPM partially serves as the theoretical foundation for the study. The original PPM outlines three key components/factors that determine the success or failure of collective action;

- a. *Structure of Political Opportunities*: Any event, social process, or action by a political establishment that undermines or excludes certain groups from routine decision-making processes related to their welfare or growth mainly because of their bargaining position results in increased political activism on the part of the excluded group either by declining the social and economic conditions fostered or maintained by the existing power structure or by undermining the stability of entire political structure through social movement and collective action (McAdam, 1982; Reshef, 2004).
- b. *Indigenous Organization Strength*: Coercive political action by excluded groups cannot bring a tangible action or advance their interests. The success of the action depends on the movement leaders' role and their ca-

pabilities to foster member commitment to collective action by solidarity along with other incentives to members such as personal and collective benefits from participation in collective action (McAdam, 1982; Reshef, 2004).

- c. *Cognitive Liberation*: Mediating between political opportunities and indigenous organization strength are people (members) and the subjective meaning they attach to their situations. When people collectively define their situation as unjust and act collectively to change it, the process is referred to as cognitive liberation, which is facilitated by movement leaders (McAdam, 1982; Reshef, 2004).

Research Design, Method & Data Collection

The study was carried out between June and August 2019 in two phases. We held separate one-to-one meeting with four office bearers during the first phase of fieldwork (two general secretaries and two secretaries) of two major central TUs. Further, to capture first-hand interactional experiences, we obtained permission to attend few weekly review meetings convened by TU office bearers, as an observer. In these meetings we observed members discussing different issues, their practical challenges, and the future course of action. We also got reading access to the minutes of previous meetings which helped to understand the issues historically and deeply. This exercise helped us to broaden the field of investigation and develop the interview

schedule that was contextually relevant. Thus, in addition to the questions on the role of TUs in effective enforcement and compliance of MW policy through collective action, the interview questionnaire addressed other dimensions of union collective action, including internal and external challenges faced by TUs to engage in collective action, the attitude of employers' associations and government etc.

In the second phase, we interviewed between one and three top leaders from each of the nine Central TUs (Table 1) who agreed to participate, to understand their role in enforcing and influencing MW policy compliance and revisions in Delhi State, focusing on union collective action. Further, to get in-depth insights into the data, we referred to several secondary sources like journal articles, newspaper articles and working papers.

The study's findings are based on twenty-two (22) semi-structured interviews conducted with the same number of union office bearers from nine central TUs functioning in Delhi. We made an effort to include as many union representatives as possible from each CTUO. Notably, the study resorted to a cyclic process to obtain the targeted data based on previous informants' insights (theoretical sampling), whereby the first interview essentially directs the course of the second interview, and so on (Corbin & Strauss, 1990). We stopped sampling after the 20th interview when further questioning did not provide any new insights or new code (theoretical saturation) as

suggested by Pandey and Varkkey (2017). Finally, from both phases we had usable data from interviews of 22 union office bearers. Table 1 gives details of the respondents. These respondents were selected mainly because they were office-bearers and designated spokesper-

sons of the TUs, and were involved directly or indirectly in the consultation committee on MWs constituted by the Delhi State Government. The respondents included 1 woman and 21 male leaders, and they had 10 years of average trade union leadership experience.

Table 1 Details of Respondents

Name of the Trade Union	Designation	No. of respondents interviewed
Trade Union 1(Politically Affiliated)	General Secretary (Delhi)*	1
Trade Union 2(Politically Affiliated) Secretary (Delhi)* General Secretary (Delhi)	Organizing Secretary (Delhi)	3
Trade Union 3(Independent) General Secretary (Delhi)*	Secretary (Delhi)	2
Trade Union 4(Politically Affiliated) General Secretary (Delhi)* Organizing Secretary (Delhi)	Secretary (Delhi)	3
Trade Union 5 (Politically Affiliated) General Secretary (Delhi)*	Secretary (Delhi)	2
Trade Union 6 (Politically Affiliated) General Secretary (Delhi)* General Secretary (Delhi)	Secretary (Delhi)	3
Trade Union 7 (Independent) General Secretary (Delhi)*	Secretary (Delhi)	2
Trade Union 8 (Independent) General Secretary (Delhi)*	Secretary (Delhi)	2
Trade Union 9 (Independent) General Secretary (Delhi)* General Secretary (Delhi) Organizing Secretary (Delhi)	Secretary (Delhi)	4
Total	22	

* Member of Delhi Minimum Wage advisory Council⁵

Interview Protocol

The initial interview protocol was developed based on our understandings drawn from literature, popular media and researchers' knowledge of the cur-

rent issues faced by TUs, and the role that TUs play in enforcing and complying with MWs through collective action. We started with our introduction to the respondent, explained our study's objective, requested an audio recording of the

interview, and assured the participants' anonymity. The respondents held official positions in the TUs. We reached out to them through our network, direct calling or references. We also maintained detailed field notes during the interviewing process. At the initial stage itself, a few personal questions were posed to the interviewees to capture their demographic details. Questions regarding their organization followed; for instance, 'How did the TU come into being?' 'How many members does your TU have?' 'What sectors are focused by TUs?' Finally, questions covering the official role of the respondent within the TU were covered. Broadly, the interviews were open-ended and free-flowing, mainly veered towards understanding the role that the TUs played vis-a-vis the challenges they faced. Each interview was conducted in either English or Hindi and lasted 70-85 minutes. All interviews were recorded and transcribed, and Hindi interviews were translated into English by a study team member who was conversant in both languages. As the interviews progressed, we used probes and cross-questioning to understand the respondents' perspectives. During the interviews, we paid close attention to the stories and incidents narrated by the respondents. This helped us not only in data aggregation but also in validating previous information.

Data Analysis

We wanted to address the research questions using evidence grounded in the data. Therefore, we employed the Gioia

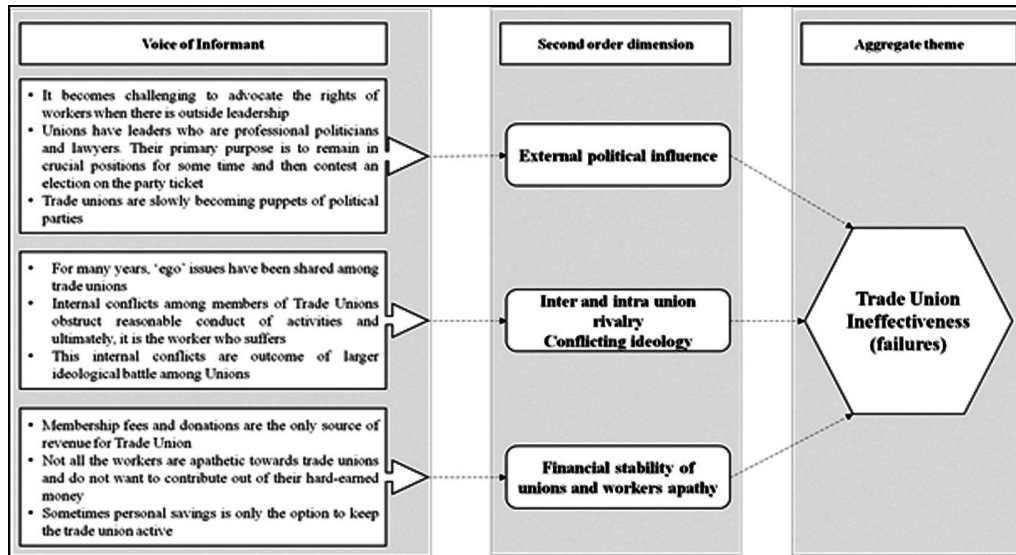
Methodology procedure⁵, in which the first step was generating initial codes from the data gathered. In the second step, we created 1st order and 2nd order categories to structure the data followed by the compilation of aggregated categories. While the first 1st category adheres faithfully to informant terms, the 2nd order categories are abstract theoretical level of themes (Gioia et al., 2012). Broadly, the procedure enabled us to develop a data structure, which provided a graphical representation of the process at large, which we used to arrive at themes culled from raw data. The findings were related back to the theory, and we discussed the experiences in connection with the extant body of literature. The themes are discussed in the next section.

TU Ineffectiveness (Failures)

- a. *External Political Influence:* In most developing countries and even a few developed countries, a significant feature of the labor movement is the close association between TUs and political parties (Goodman, 1969; Sheth, 1968). In some cases, such a setting might contribute to the workers' betterment, while in others it might adversely affect both workers and TUs (Masthan, Reddy & Reddy, 1995). More recently, it has been observed that political parties tend to exploit TUs and the workers'

⁵ Gioia method offers accessible and theoretically flexible approach to cover unexplored phenomenon by means of contrasts, propositions and process models designed to bring "qualitative rigor" to research (Gioia et al.,2013).

Figure 1: Data structure – TU Ineffectiveness (Failures)



strength for political mileage (Goodman, 1969). Specifically, in India, the intrinsic association between TUs and political parties is not new; it has evolved since the struggle for Independence and industrial development (Dessler & Varkkey, 2018). Initially, it was genuinely meant to be for the workers; it defended the workers’ rights and even helped TU leaders achieve their political ambitions. However, over time, it became one of the biggest impediments towards achieving a united labor movement. This lack of solidarity in the

This lack of solidarity in the TU movement, primarily due to political differences, resulted in a dependence on outside leadership, weak bargaining power and non-compliance of labor standards.

TU movement, primarily due to political differences, resulted in a dependence on outside leadership, weak bargaining power and non-compliance of labor standards (Goodman, 1969). This is not only evident from the existing literature on TU movements but also in the narratives, we compiled during the study. For example, one respondent (a TU leader) noted:”TUs, which are closely aligned with political parties on ideological levels, are serving their masters. A few TU leaders have changed their political affiliation many times just to receive personal gains or favors from the ruling government. Workers have become secondary to them.” (M-Sec-TU4)

Multiple respondents revealed that political polarization had divided even the workers. Notably, the outside leadership

of TUs have “let down workers in Delhi because of their old ideology or because of their unwillingness to act against hostile labor regulations through collective action, just because they share similar ideological aspirations with the ruling party. Hence, workers in Delhi have suffered more than the rest of the country.” (M-Org.Sec-TU2)

One of the salient observations was that in recent times there had been a substantial decrease in the bargaining power of TUs. This has resulted in a sharp decline in wages and workers’ benefit, especially when the ruling party at the centre is different from the party ruling the State. A TU leader explains: “Sir, the issue is workers here [in Delhi] are facing the worst ever onslaught of their rights under [the ruling party] we [the TUs] are genuinely ignored, primarily because we do not agree to their [the ruling party’s] labor reforms, which only aim to facilitate ease of doing business. Our rights of collective bargaining and social dialogue are undermined, which directly affects workers.” (M-Sec-TU3)

Similarly, another TU leader stated: “Unfortunately, [the ruling party in the Centre] is big business-friendly with anti-worker policies, while the [ruling party in State] is pro-poor and against hobnobbing with business leaders”. (M-GSec-TU1)

b. *Inter- and intra-TU Rivalry:* The interviews also brought to light the vexing problem of intra- and inter-TU rivalry, caused by the multiplicity of

TUs with different political affiliations (Harcourt, Lam & Wood, 2013; Pandey, 1967). We found that inter-TU rivalry becomes intense when TUs affiliated with mutually opposing political parties undermine the organization’s stability in itself. The following remark by a TU leader echoes this observation: “When the government is disrespectful towards workers in its policy and action, it is we [the TUs] who are protecting the interest of the workers through collective bargaining. However, inter-union rivalry makes collective bargaining virtually impossible”. (M-GSec-TU5)

Intra-TU conflicts/rivalries motivated by personal considerations have increased in recent years.

We also interviewed a woman TU leader who led strikes in parts of Delhi against the poor implementation of MWs by the state government. One of them believed that intra-TU conflicts/rivalries motivated by personal considerations have increased in recent years. She also believed that it was a potent cause for numerous hardships for and exploiting workers, especially in the private sector, where most workers are employed on a contract basis. Her statement reveals these points: “We work for poor self-employed women workers in Delhi. I can see that the instances of rivalry and conflict among TU members and leaders have increased in recent years. Employers in the private sector are deliberately delaying the implementation of MWs.

The delay is because of objections raised within our TU.” (F-GSec-TU7). Therefore, this reveals that intra-TU rivalry does assume forms of factionalism, which makes the TU’s smooth functioning difficult and impairs even the primary function of the TU.

c. *Conflicting Ideology*: We found that TU leaders perceived those TU members of their organization with different ideological views as ‘disloyal members’. The TU leader’s ideological commitment and political opportunism have rendered the leadership ineffective in promoting and protecting workers’ interest. One of the leaders, in the capacity as a TU member, provided an interesting insight: “The first responsibility of the TU leader is to see the welfare of the TU members, not the political parties. However, I have experienced that they [TU leaders] only favor those members who follow their ideology and act as an obedient servant for their [the TU leader’s] political interest.” [M-Sec-TU6]

Incidents such as the above contribute to widening the ideological conflict between TU leaders and members. Even criticizing or expressing disagreement over decisions of TU leaders was perceived as an anti-union mindset; the following response reflects this: “They [TU leaders] always separate themselves from other TUs by underplaying strike actions and not becoming a part of a collective strike. I once told [the secretary] that this will send a wrong message to other TUs that ***[name of the TU] is

primarily interested in politics. Since then, I am not called for meetings and have been labelled as having an anti-TU mindset.” [M-GSec-TU8]

d. *Financial Sustainability of TUs and Workers’ Apathy*: TU finances and its impact have been a matter of discussion in academic literature. Inadequate finances often stood in the way of a union’s ability to address issues successfully (Taher, 1999). Add to this is the fact that workers themselves have become apathetic towards the activities of TUs. They are less willing to contribute financially, mainly due to their lack of faith in the TU’s leadership (Taher, 1999). There were many instances where members were not happy with how the TU leader took decisions on behalf of the TU members without hearing their concerns. A member respondent said: “I don’t feel like contributing to TU activities because a few TU leaders have started taking decisions without asking the members. When they [the TU leaders] come for meetings, they come with decisions that have already been made. Whether other members agree or not hardly matters to them.” [M-GSec-TU9]

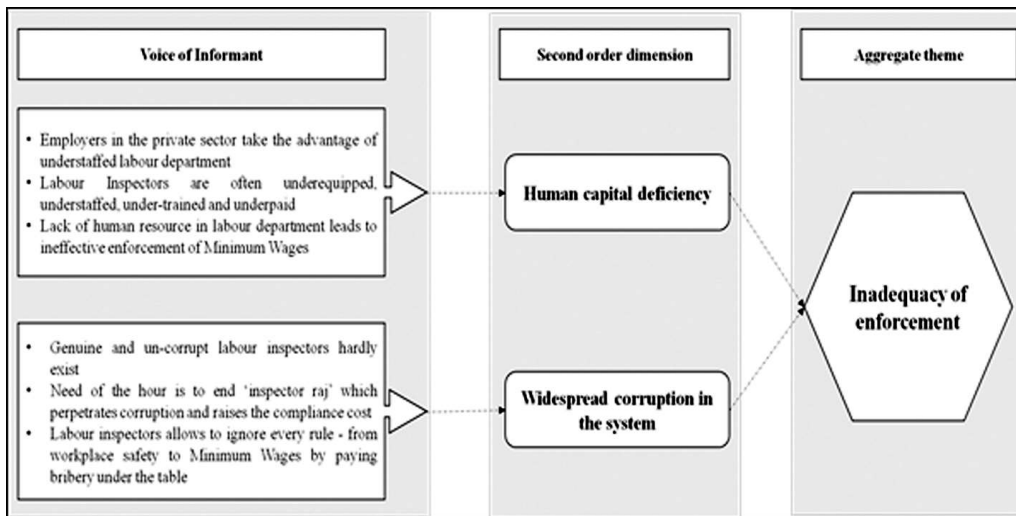
Inadequacy of Enforcement Institutions

a. *Human Capital Deficiency*: The fundamental problem faced by enforcement institutions arises from a limited number of inspectors, and the ever-increasing number of industries,

coupled with political and administrative constraints (Zhuhan & Ngok, 2014). As a result, the gap between the number of labor inspectors on active-duty vis-a-vis their efforts for enforcing labor laws at the firm level has continuously increased. A TU member who works closely with the Delhi government’s labor department

observed: “They [the ruling party in Delhi] were unsuccessful in implementing earlier MWs due to lack of human resource. Even today, there are only 11 labor inspectors in the city of more than 20 lakhs. How can we [the TU] expect that the enforcement MWs will be effective?” [M-GSec-TU8]

Fig. 2 Data Structure – Inadequacy of Enforcement Institutions



Another TU leader accused the political leadership of being negligent towards recruitment of labor inspectors sufficient for effective enforcement of labor rights in Delhi: “When [a political leader] came to power in 2015, he promised us [the TUs] to fill all 170 vacant posts of labor inspectors. Today, it’s been four and a half years, and not a single vacancy is filled, and the labor department is functioning on just 24 per cent of the staff strength.” [M-GSec-TU6]

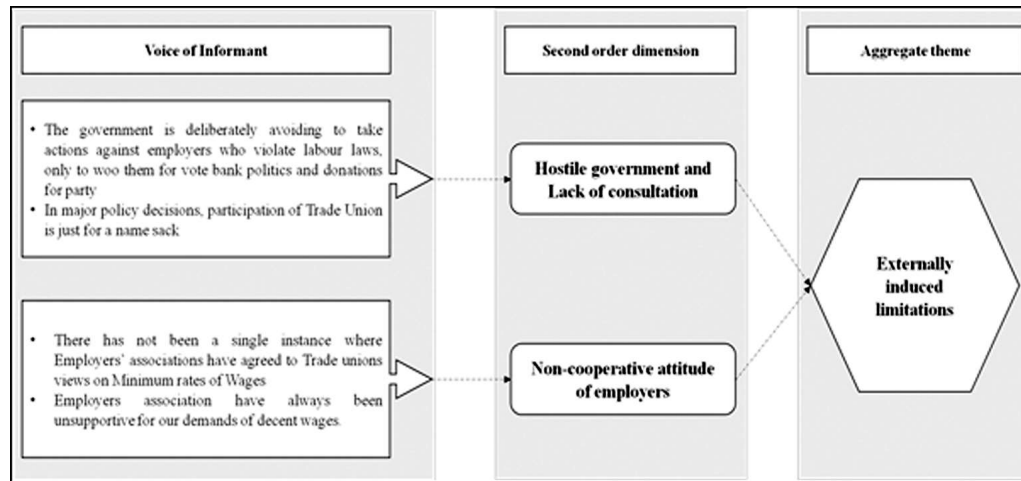
Widespread Corruption in the System: Our interviews also revealed that corruption is rampant in the state labor depart-

ment and according to TU leaders, labor inspectors often allow employers, especially in the private sector, to get away with violations in exchange for considerations. Further, some TU leaders also revealed that labor inspectors often tend to over-report incidents of non-compliances if they do not receive bribes, especially from firms that are small and not aware of the mandatory legal requirements. A TU leader explains: “Labor inspectors visit only major industrial areas in Delhi once in every six months, only to demand bribe from the factory owners. They [the labor inspectors] don’t care about proper enforcement of labor laws. Even they extort money from small firms

by threatening them to over-report their infringements.” [M-Sec-TU8]. Basu (2011) referred to this kind of behavior by labor inspectors as ‘harassment bribery’.

Amirapu and Gechter (2020) reported similar findings by examining the cost of corruption based on India’s firm size distribution.

Fig. 3 Data Structure – Externally Induced Limitations



Externally Induced Limitations

a. Hostile government and lack of consultation: Consultation with and active involvement of TUs in designing and implementing MW policies contribute to a well-developed labor law system. It strengthens collective bargaining power and provides freedom of association of workers (Aidt & Tzannatos, 2008; Trebilcock, 1996). In India, governments (i.e., both at the Centre and the State) did regularly consult with Central and State unions on determining MWs until the economic restructuring program in 1990. Since then the involvement of the TUs in setting MWs has been limited, especially at the state level (ITUC, 2019), owing to direct bilateral lobbying by employers. In

the case of Delhi, TU leaders felt that over several decades the attitude of the ruling governments has swung from involvement of TUs (as long as they were uncritical and cooperative with the government’s labor reforms) to their virtual exclusion from policy determination. The overall outcome has been that TU leadership has lost faith in the government and its labor reforms agenda, particularly in the case of MW policy. One of the TU leaders stated: “We [the TU] are consulted as long as we agree to

The overall outcome has been that TU leadership has lost faith in the government and its labor reforms agenda, particularly in the case of MW policy.

what [the government] say. If we are critical about [the government's] actions and motives, we are ignored. The best example is the recent hike in MWs, where none of us [the TUs] was consulted. Such actions made us lose our faith in the government and its labor reforms." [F-GSec-TU7]. Another TU leader accused the Central Government of ignoring suggestions by TUs on labor reforms: "What is happening today is that the government at the center is going ahead with labor reforms without caring about the trade TU's viewpoint. While deciding on many core issues, they [the government at the center] don't consult us, and they practically do what is in favor of employers. They have ignored all our suggestions in the past, making consultation a mockery." [M-GSec-TU6]

- b. *Non-cooperative Attitude of Employers:* Central to any participative management initiative is stable and cooperative union-management relations (Derber, 1977). In India, TU-employer dynamics governs a multi-angular relationship, where TU and employers operate in action and reaction mode with each other; in fact, often as rival pressure groups. The problem is further aggravated by implementing of strategies like subcontracting, low wages and voluntary retirement (Dhal, 2014). Interviews with the TU leaders revealed that a large section of Delhi workers, for instance, are engaged in informal work and work outside the purview of labor regulations and social protection. As a result, they are vulner-

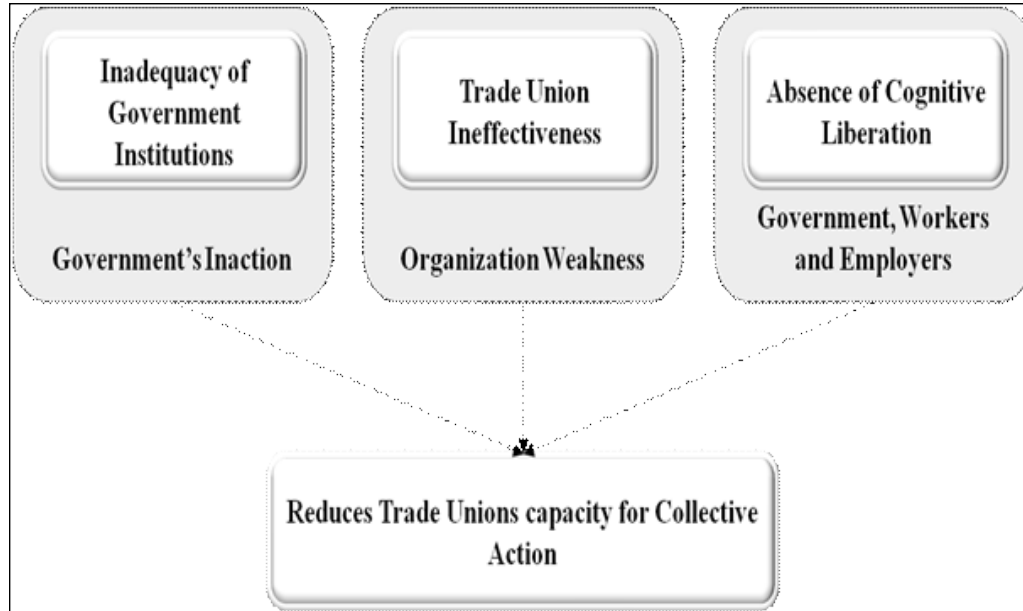
able to *wage exploitation*, as well as physical and verbal abuse. The same is reflected in the following remark by a TU leader: "Employers are indifferent to workers safety and security. They [the employers] even do not pay wages on time. Most of the workers who are on contract are exploited with low wages. On top of that, they keep on increasing the production target" [F-GSec-TU7].

Model Modification

Based on our findings from the qualitative analysis of the responses from the Central TU leaders operating in Delhi, we find that the three broad sets of explanatory components/factors discussed in original PPM are insufficient to explain both the emergence and failure of collective actions by TUs in the context of our study. Hence, we modify the PPM model to improve its fitment. A discussion on each modified component follows the revised version of the PPM model shown in fig. 4.

- a. *Inadequacy of Enforcement Institutions (Government Inactions):* The TU leaders we interviewed agreed that the capacity of TUs in Delhi to enforce effective compliance of MWs and influence revision has declined because of limitations like widespread corruption in the system and human capital deficiency. Most TU leaders emphasized that the nexus of allegedly corrupt labor inspectors and apathetic political leaders have left workers struggling to get their legally entitled MWs. While

Fig. 4 Modified Political Process Model



collective action could have corrected the situation, they expressed powerlessness in facing apathetic political and government institutions.

- b. *TU Ineffectiveness (Organization Weaknesses)*: To take part meaningfully in a collective action, TUs need to build internal capacity and expertise (ILO, 2016). Consistent with the findings from earlier studies on Indian TUs, our research finds that TU leaders do continue to regard collective action for effective monitoring and enforcement of MW policy as an essential tool. However, they are constrained by the TU organization's weaknesses to deal with both internal and external challenges. We observed four types of challenges: a) External political influence, b) Inter- and intra-union rivalry, c) Conflict-

ing ideologies, and d) Financial sustainability of workers and TUs. The interviews confirmed that the most significant external challenge faced by TUs is the external political influence on their day-to-day functioning. Having a TU leader who is ideologically supportive of the government's hostile or apathetic to working-class attitude and anti-labor policies can undermine the workers' causes and make collective active action difficult. The leader is often keen to act according to the government (or political) line rather than ensuring workers' protection.

Most significant external challenge faced by TUs is the external political influence on their day-to-day functioning.

Further, our interviews revealed that TUs and the government differ in enforcing MW in Delhi. TUs tend to emphasize effective enforcement of MW through strong enforcement institutions. The government of the day, on the other hand, tends to hold the view that labor regulations should be not only worker-friendly but also business-friendly. Thus, to boost investments and become business-friendly, they tend to side with the employers. Unfortunately, either the TUs lack the institutional capacity to confront the government or lack leaders who can impress the government about the need for worker protection.

c. *Absence of Cognitive Liberation (Government, Workers and Employers)*: Workers develop individual grievances and dissatisfaction towards unjust policies of employers and/or the government, that they feel threatened of their livelihood and the quality of work life. But often, TU members do not necessarily act and express dissatisfaction, due to the fear of uncertain and long-term consequences such as employers' retaliation, individualization and capitalistic employment contracts. Cognitive liberation occurs when TU leaders liberate members' inertia by convincing them that the situation is not given and could be redressed via collective action (McAdam, 1982; Rashef, 2004). However, our research has found little evidence that TU leaders were able to cognitively liberate members from factors binding them to quiescence and convince them for engaging in collective action.

Conclusions & Limitations

While scholars continue to debate whether TUs goals and behavior play a significant role in enforcing and complying with MW policies, the realities highlighted by this study demonstrate that the capacity of TUs (at least in India) to influence enforcement of MW policy appears to have diminished. Our research shows that central TU leadership is more or less aware of the situation and the reasons. These include the inadequacy of state enforcement institutions, which have made it more difficult for TUs to enjoy adequate safeguards for enforcement activities (Nanda, 2020). Moreover, there are difficulties caused by internal challenges (like inter-and intra-union rivalry and financial weaknesses) and externally induced limitations like unremittingly anti-worker labor reforms by governments, both at the Centre and the States. These, in turn, undermine TU's capacity for collective action, especially how they manifest in actual compliance and enforcement of MW policy.

The recent MW wage revision in Delhi could be possible because of the strong position taken by the Government, backed by its political ideology. The political will backed the decision to support pro-worker reforms and ensured its implementation despite strong employer lobby opposing the same.

Our research found that one vital concern among TU leaders was the rise of one-upmanship competition between the ruling political party and the TU leadership. The state government often uni-

laterally decides on fixing MW rates without consulting the TUs, including the TU arms of the ruling political party. While it is impossible to conclude with certainty what motivates such behavior from the government/ruling party side, but such acts indeed undermine the TU's capacities to influence labor policies and programs in favor of worker's interest. According to Rashef (2004), a TU's responses range from a passive, wait and see approach to collective confrontation. These TU response patterns are not well researched and understood and remains a gap that needs attention. Based on our research findings, we argue that TUs cannot afford to adopt a 'wait-and-see' position in today's neo-liberal economy environment and trap themselves into a bystander role. However, there is a change brewing in the TUs thinking patterns, whereby they are more likely to collaborate among themselves and with other organizations for collective action to counter government behaviors that threaten their status and thereby undermine their capacities. For TU leaders, the road to collective action is not always straightforward because their ability to confront the government also depends on the endurance, determination and commitment to collective action from the TU members, which may require the members to make significant sacrifices. In reality, securing such perseverance is a daunting task since idiosyncratic beliefs often drive members beliefs about the merit and viability of ensuring collective action.

Our research found little evidence suggesting that TU leaders act strategi-

cally to ensure effective enforcement of MW policy. In reality, many are more likely to agree to government policies because of external political influence. Regardless of where the fault lines are, this leaves several important questions unanswered that warrant future research attention, such as, why do TUs, despite member strength, tend to surrender to government's political agenda? Or is aligning with the government and trading off a better option, since in that case workers' interests would possibly be fulfilled at least to a limited extent?

The study's primary limitation could be its scope since it is confined to data from a single geographical region, i.e., Delhi. Different Indian states may have different TU dynamics. Hence, any generalization with other regions has to be done with caution.

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