

ITEC

Newsletter

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EDITORIAL

Journey of ITEC

India has witnessed a tremendous growth in the Information Technology (IT and ITes) industry during the last two decades or so. Employees in the IT/ITES industry has not only contributed enormously to the economic growth of the nation but also did place India at an esteemed position in the technological world map. As the Indian IT/ITes industry cater to a great extent, to high profit business segments like banking, insurance, telecommunications and semiconductor industry; employees of the industry were being offered better pay packages, facilities and other perks like overseas travels etc. when compared to their counterparts in manufacturing industry or Government sector. Thus, when the outside world thinks of IT/ITES employees, the first thought that comes to their mind is a world in which professionals live a glamorous life with all the extravaganzas like fully air-conditioned offices, perks and parties, chauffer driven cabs and the likes of it. But ironically the other side of the story paints a dull figure. A life that is highly demanding, tough, strenuous and at times even dark and depressing is still alien to the outside world. Unbearable pressure to meet deadlines, long, late and irregular working hours, peer pressures and false competitions, layoffs and job insecurities mark their life. Though these issues have been seriously affecting the social and personal lives of the employees for long; never has there been any serious attempt to address them, leave alone any effort to find resolution.

Faced with a grim situation during the recession and concerned with the issues facing the industry in general; a few of IT/ITES employees formed a group and made an effort to understand the situation. As a first step – the group conducted a survey among numerous people from the industry, collated information and discussed with them in detail about the ground reality and the issues that were being experienced at work. The findings were harshly disturbing – majority of the IT/ITES employees were concerned about the grave situation they were in and they did not know what exactly to do to effectively face it. Many people also had concerns about the issues like health hazards, psychological distress, financial insecurity etc.

CONTENTS

IT/ITes EMPLOYEES CENTER

- 1 Editorial
- 2 When Dreams Turn Into Nightmares
- 3 New Demand Puts Profit Over Safety
- 4 Standing Orders Act - Why Should We Care?
- 6 This Time it was 'Goodbye World'
- 7 Karnataka Rajyotsava – In Search of the Common Man's Dream
- 8 Namma Metro

Besides expressing concerns about these issues, most of the people expressed strong desire to have a common forum or group that can express solidarity with the IT/ITES employees and provide psychological, moral support and guidance on various issues, whenever required. This proved to be the major inspiration behind the formation of IT/ITES Employees Center (ITEC), a voluntary and non-profitable solidarity group for IT/ITES employees.

ITEC is a support forum and stands for the common welfare of employees and the overall industry as well as the society as a whole. ITEC has been instrumental in exposing a number of fraud employment issues in the field of IT/ITES. The aggressive campaign against fraudulent companies has pooled in a number of altruistic young professionals. The recent move to extend the working hours' deadline for women working in the IT industry has raised a serious concern in the forum. ITEC has effectively expressed its displeasure on this move through various writings in print, electronic and social media. A memorandum was submitted to the Labour Commissioner in this regard.

ITEC has always had the generosity to look upon the society in a wider spectrum. The timely intervention in the farmer's suicide issue stands a testimony. The candle light vigil conducted to empathize with the graving farmers drew attention from a larger section of the society.

ITEC also realizes the importance of exploring the creative talent of the IT/ITES employees. We have arranged skits, street plays and screened documentaries to raise awareness on various social issues.

With all these inspiring accomplishments behind us, ITEC in the future will strive hard to position itself as an opinion maker and a catalyst for progressive changes in the IT industry and the society as a whole. ITEC will continuously engage in research studies to understand and analyze the underlying dynamics of various developments in the industry and to suggest ways and means for ensuring the well being of the very community for which it is built. ITEC would be an ally for everyone in the community to collectively address their grievances at work and to muster necessary support and guidance in their effort to find resolution for the same.

Arun Ramachandran **When Dreams Turn Into Nightmares**

The Indian IT sector was once hailed as the big Indian dream, a pathway to glory for many a middle class youth. We used to hear stories of first generation IT employees having monthly salaries more than what their middle-class income parent was earning, right from the first day at office.

But IT has been a pathway to doom for some. Fears of recession, lay-offs, big scams, bubbles, currency volatility, etc have taken the IT industry for a ride at various points of time.

One such dark side has been the story of Job for Money scams. Understanding the economic reason behind these scams could have been an excellent case study for Levitt and Dubner, authors of Freakonomics, who go about finding the economic reasons behind naming of children and the role of legalized abortions in reducing crime.

Here is an attempt to find out the economics behind the Job for Money scams in the IT industry. The sudden boom in the IT offshoring sector in India at the turn of

the century resulted in a supply-demand gap, with the supply of skilled professionals not able to match the high demand for them. This led to policy changes at the State level to suit this demand and the mushrooming of numerous Engineering colleges, mostly in the private sector. Private education means a high cost of education, which leads to increased desperation for getting a job right out of college. Every year a huge army of graduates was thrown into the labour market. Unfortunately, the IT industry – nor other industries in general - grow enough to absorb the supply of labour, especially in the latter part of the 2000's. This led to a demand-supply gap.

Fraudsters saw a great opportunity here. They could lure unemployed graduates who were desperately looking for jobs by promising them a secure IT job in return for money. They roped in recruitment consultants to track unsuspecting prey. Such was the desperation of the unemployed that they were ready to offer up to Rs 1.5 lakhs for a Rs. 10,000/- per month job.

These employees would then be put up in a rented office for a month or two without salary and the so called employers would vanish without a trace. And, at times these fraudsters turned even smarter. A case was reported where they used vendor ID cards of a multi billion dollar IT firm, invited aspirants to the firm's campus and recruited candidates in return for money.

Many are shocked at this trend. IT/ITeS Employee Centre (ITEC), a welfare and support forum for IT/ITeS employees, has raised these concerns. Apart from providing legal support to the employees who have got cheated, they are also running a campaign to build awareness and call for stricter action from the authorities which includes a bike rally that was conducted in Bangalore in October and a convention that is being organized on November 26th at the Govt. Secretariat Club, Cubbon Park in Bangalore.

This could be an indication of a larger economic malaise – that of jobless growth. Recently, NC Saxena, a NAC member, quoting figures from NSSO 66th round, remarked that the government could create only 1 million jobs against a target of 50 million jobs during the 11th Plan period (2007-08 to 2011-12). In contrast, the number of people in the age group 15-59 years increased by about 50 million during the period.

The situation can deteriorate if the Government does not ensure generation of jobs. It must not take for granted the silence of the students or the unemployed. We must remember that they are the ones who are at the forefront of the Occupy Wall Street protests from the very same USA on whom the Indian IT sector depends so much for its revenues.

This article was published in The Hindu.

Suresh Kodoor New Demand Puts Profit Over Safety

A recent conference in Bangalore, attended by senior human resource professionals of IT and ITeS (information technology enabled services) companies, has sought yet another exemption for the industry.

This time, IT/ITeS companies want the State Government to extend working hours to 10 p.m. for the women employees of the industry. The new demand raises several questions, not only regarding security, but also on the motive behind such a demand.

The Karnataka Shops and Commercial Establishments Act originally prohibited employing women after 8 p.m. However, in 2002, the Act was amended to enable women to work in the business process outsourcing (BPO) industry where night shifts are common. The amendment allowed companies to employ women past 8 p.m., on the condition that they were provided with adequate security and safe work environment.

Thus, employers were mandated to provide transportation and security for women employees who work past 8 p.m. Though some of the IT firms do comply with the mandate, a majority does not. Some may allow reimbursement of transport expenses if an employee avails herself of a cab, but this still does not address the issue of security. With this new demand to extend work hours, the firms are trying to wash their hands off this responsibility.

The demand from the firms is not to enable women to

work in extended shifts, but mainly for permission to allow them to do so without having to transport them home. This unfair demand by the industry should be strongly opposed.

Currently, there are large numbers of employees in various IT companies working in the U.K. shift timings. The U.K. shift ends around 9.30 p.m. Thus, the real motivation behind the demand is to be freed from the responsibility of providing transport to these employees, which will save the firms a lot of money. Various gruesome attacks on women BPO employees in metros should not be forgotten.

With security concerns ever increasing, particularly for women travelling in the late hours, safety of women employees must be paramount. Unfortunately, IT companies, in a bid to save money and further profit, are trying to conveniently absolve themselves of this prime responsibility.

In 2000, the Madras High Court laid down several guidelines under the Factories Act for employers to follow if they wanted to employ women in night shifts. IT and ITeS companies should also be brought under the scope of such guidelines and best practices.

Apart from security concerns, extending working hours also raises the question of well-being of IT workers. The IT industry is notorious for not allowing labour laws or guidelines to enter into its realm of

affairs. Concepts such as eight hours of work are alien to it.

Employees are subjected to 12 to 14 hours of work daily and many still login from home late in the night. The new demand will only empower IT companies to put pressure on their employees to stay back late and

put pressure on their employees to stay back late and work for more hours. For the overall well-being of the IT industry, this should not be allowed to happen.

The author is the chief executive officer of Trizile Technology Services and a member of ITEC.

This article was published in The Hindu.

Secki P Jose Standing Orders Act - Why Should We Care?

Recently, a news article was published in The Hindu titled: 'IT sector can't claim exemption from Standing Orders Act'. An article that would not have caught our eyes for more than 5 seconds considering our busy schedule. But we would have spent more time had we known that this has a direct relationship to the work timings in our company or the lay-off policies of the company or even the transport and food facilities the company provides us. ITEC presents here, a research brief on the Standing Orders Act in the IT industry which answers all the immediate questions we can have on the issue.

RESEARCH BRIEF - Standing Orders Act, IT Industry:

PROPOSITION

The Karnataka IT industry wishes to extend its exemption from the Industrial Employment (Standing Orders) Act(1)

CONTEXT

The 2 year exemption that the Karnataka IT industry had received expired on August 25, 2011. The exemption has been extended for 2 years 5 times - since 1999. Therefore, the exemption has lasted 12 years.

DEFINITIONS

What is this - The Industrial Employment (Standing Orders)?

'Industrial Employment Standing Orders' is derived from the Industrial Employment (Standing Orders) Act - a labour law was passed in 1946 (2). This law makes it mandatory for every establishment that employs more than 100 people to -

- 1) Draft a 'Standing Orders'
- 2) Get it approved from the workers or their Union
- 3) Get it approved by the Office of the Labour Commissioner

Then , what are Standing Orders ?

Standing Orders are a list of conditions and procedures under which the workers will be employed. This would be similar to the conditions listed out in a customary 'Job Offer Letter' except here it would include all the workers in the company. A model 'Standing Order' should include -

1. Classification of workers, e.g. permanent, temporary, probationers etc
2. Manner of informing workers periods-hours of work, holidays, pay-days, wage rates.
3. Shift working.
4. Attendance and late coming.
5. Conditions, procedure and the authority which may grant leave and holidays.
6. Requirement to enter premises by certain gates, and liability to search.
7. Closing and reporting of sections of the industrial establishment, temporary stoppages of work and the rights and liabilities of the employer and workers arising there from.
8. Termination of employment, and the notice to be given by employer and workmen.

9. Suspension or dismissal for misconduct, and acts or omissions which constitute misconduct.

10. Means of redress for workmen against unfair treatment or wrongful exaction by the employer or his agents or servants.

For most working employees, these would look like the guidelines in a standard 'Offer Letter. Usually the SPOC for these issues is the HR Department.

WHICH STATES HAVE THIS EXEMPTION

This is one of the many labor laws that the IT industry is exempt from. The success of the Karnataka IT industry soon saw many states also making the IT/ITES industry exempted from most labor laws. The State Government has the power to exempt a particular industry from this Central law.

The States of Maharashtra and Gujarat are already not under the purview of this law. Apart from this, the IT related industries are completely exempted from this law in Haryana, Karnataka, Tamil Nadu and to a degree in Andhra Pradesh. This includes most of the locations of the IT industry.

Seeing this a lot of other states such as Orissa, Rajasthan, Madhya Pradesh among others also did the same. (3)

Not only this, most SEZs do not have to comply with this law. With 133 functioning SEZs and around 600 SEZs having been formally approved (4) - the concern arises whether the lax labour-law attitude demanded by the IT companies is going to affect workers from other industries as well.

BENEFITS OF EXEMPTION

There is NO public statement from the IT industry or its bodies as to why exactly it seeks this exemption. The question that arises is -

If the 'IT industry' provides such great working conditions, then why does it not comply with the laws?

The Advantages of getting an exemption are several:

1. A company in this industry can have their own

random firing procedures.

2. The company can hire workers for various types of contracts and position types.

3. The company does not need approval about the working conditions from workers or their Union.

4. The company can violate their own standard set of procedures at any time.

5. The company can modify their conditions of work any time Eg. transport, food-related, facilities etc.

KEY CONCERNS

Giving a company the flexibility to maneuver its labor according to its fiscal condition does put the conditions of workers at risk. While the IT sector has the some of the best working conditions, it is always under the threat of job-loss due to the absence of such laws. The validity of this approach is subject to heated debate.

With the classical economic theory - regarding the declining rate of profit - hitting the IT sector, the question is whether the exemptions will remain. The conditions of work in the IT sector are deteriorating especially with regard to smaller tech firms.

There is also a concern whether the tech manufacturing firms would try to piggy-back on the same exemptions from labor laws that are used by the IT service-provider companies.

NOTES

1.<http://www.thehindu.com/todays-paper/tp-national/article2532900.ece>

2.Standing Orders Act - <http://labour.nic.in/act/acts/IndustrialEmploymentAct.doc>

3. Details available at respective State Government websites

4. SEZs in India - <http://www.sezindia.nic.in/about-asi.asp>

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Raghavendra This Time it was 'Goodbye World'

In a week's span, the technological world and hence the society as a whole has lost two icons; each an icon in his own way. Steve Jobs, the co-founder of Apple died on the 5th of October, and Dennis Ritchie, co-creator of Unix Operating system and the inventor of C died on the 12th of October, 2011.

Steve Jobs has been injudiciously celebrated as the greatest inventor of the modern world, and has been posthumously praised to have been the Newton/Einstein/Edison of the 21st century! The corporate mass media has not spared any gimmickry to flatter him.

On the other hand, when the news of the demise of Dennis Ritchie started circulating online, it were his admirers globe across and not the aforesaid media who were eulogizing him.

Dennis Ritchie's contribution to all the technological advancements in the modern computing as we know of today is immense. Most of the digital computation, sophisticated programming and the Internet are deeply drenched with two of the greatest inventions which Dennis Ritchie was directly involved in: The Unix Operating System and the C Programming Language.

Dennis Ritchie created the Unix Operating System along with Ken Thompson in 1969. The advent of Unix instigated more variants like the GNU Project and BSD in the 1980's, and Linux project in the 1990's which directly led to the seamless growth of the Internet. All of the modern operating systems have a deep impression of the initial work done by Dennis Ritchie and his team on the Unix Operating System.

Another contribution, which has grown to become even

more important, is the C Programming Language. C language undeniably is the basis for almost all the modern programming languages.

Dennis Ritchie was a true genius and a great inventor; He has had direct and a profound impact on the way the world has shaped up, under the direct influence of his work. While Ritchie did not run a multi-billion dollar company, his work enabled a whole gamut of such monopolies to grow from. Apple is a direct beneficiary of the BSD Unix which now runs as the Darwin OS in the Apple products. Of all the contributions to Apple by Steve Jobs, bringing BSD Unix to Apple will stand out as the most important one in their perspective.

Both Steve Jobs and Dennis Ritchie were technologists who made tremendous impact; but, the nature of impact is worth discerning.

Steve Jobs with all his proprietary flag hoisting and closed product market expansion will be remembered as the mascot of corporate monopolies, driven to maximize profit and conquer as many ideas as possible into his enterprise's Intellectual Property regime.

On the other hand, Dennis Ritchie contributed his skills to the development of the mankind in an almost selfless spirit, allowing his work to percolate to all strata, making it as basic and fundamental as mathematics.

Dennis Ritchie who has now silently faded into eternity, will forever be remembered by generations of programmers and scientists to come, simply because whatever further we will see, will be by standing on the shoulders of giants – Dennis Ritchie is certainly one such contemporary giant.

Jaykumar S

Karnataka Rajyotsava – In Search of the Common Man’s Dream

It is only a few weeks ago that we celebrated the Karnataka Rajyotsava on November 1st. It wouldn't be a bad idea to splash a little bit of history on to our faces now – the history of the reorganization of states in India. Nearly four decades ago, on 1st November 1973, the process of unifying the people of Karnataka was completed. This was done by bringing together people from different states by reorganizing them on their cultural & linguistic identities to form the Karnataka state. Till then it was called - "Mysore state". Struggles were waged in various states for a linguistic reorganization of the country. And some of them were bloody struggles. The Central government had no choice but to yield to the pressure.

We must never make the mistake of misunderstanding the real reasons behind linguistic struggles. Within a few years after India got freedom from colonial forces, the toiling masses realized that the new Indian rulers would not be so responsive to fulfill their basic needs, as their main policy direction was towards appeasing and catering to big business men and zamindars. The agitation for expression in vernacular languages has a long history. It dates back to the 1894 Act & the Viceroy's notification against expression in vernacular language. But this issue was not just an identity of language. It was inherently driven by the aspiration of the people for realizing employment, food, shelter, education in mother tongue, and other basic facilities to exist as human beings.

But our rulers could not grasp the idea that the linguistic states can support and consolidate national security and integrity in a much more effective way. Instead they saw it as a threat to the integrity of the country. This resulted in an all pervading movement

demanding for reorganizing states based on linguistics. Hundreds of people gave their lives for this struggle.

But, even after 64 years of independence and four decades since linguistic struggles took place, it's sad to see that the working people of Karnataka have not gained much. The intensifying land grabbing which has made farmers landless, an unprecedented level of corruption, loot of natural resources, increasing unemployment, house-less and anemic children and pregnant women, promoting English at the cost of vernacular language and many more such burning issues, push the people further towards means and ways to realize their true aspirations and goals.

When we were celebrating the Rajyotsava, a threat of closing government Kannada schools has come from the Minister of Education. Such anti-people measures would not only be a threat to Kannada language but would deprive the people from getting basic low cost education and would be even a threat to the livelihood of the people. On the other side, we have language chauvinistic groups who attack people speaking other languages but at the same time maintain silence on big companies looting land and natural resources of the state. While condemning such actions and ideas, all learned people should join hands with people who spearhead the struggle to realize the true aspirations of the Rajyotsava.

We should not forget that our strength and unity lies in the fact that India is not just a nation, it's a multinational country which comprises of several nationalities, many languages and even more cultural frames.

Sowjanya & Shan Namma Metro

NAMMA METRO NAMMA METRO,
You, the Namma metro has dawned,
And you, the languor of comfort,
And you, the hope of easy travel,
And you, which shall make the city small.

Though, whom shall I hail?

You, the radiant responsible government,
You , the intelligent bureaucrats,
You , the mesmerizing technocrats.

Hail, You brought lights of joy to the Common man.

Oops.. Hold On .. Hold On

Who is The Common Man I am talking about ?

Common man who carried loads of cement and mud,
Common man who worked in the hot sun,
Common man who tightened the screws,
Common man who didn't care about rain,

Common man who put his hard work for thousands of
crores of project,

And struggled so much for meager wages,

Common man who worked In the nights with the lights
On his head

To bring light in our lives..

Which made me think...

Who is the real one behind this beautiful product...

But will that common man be able to travel in metro?

Will that common man enjoy the fruits of his own
efforts???



Oops.. For a minute I got lost, why I need to think too
much ?

I forgot That Finally Metro Has Seen The Light Of The
Day,

You, the Namma metro has dawned,
And you, the languor of comfort,
And you, the hope of easy travel,

I Forgot That The Destination Is For That Common
Man,

Who Can Afford The Luxury Of Metro,
Leaving Behind The Question, Who IS The Common
Man??



(Picture: Shammi)

The Poem Is Dedicated To That Common Man Who Really Built The Metro.