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Q13

Case study. You are the head of the Human Resources department of an organization. One day one of the workers died on duty. His family was demanding compensation. However, the company denied compensation because it was revealed in investigation that he was drunk at the time of the accident. The workers of the company went on to strike demanding compensation for the family of the deceased. The Chairman of the management board has asked for your recommendation. What recommendation would you provide to the management? Discuss the merits and demerits of each of the recommendation.

UPSC Civil Services Mains 2017 · GS IV · 20 marks · Ethics Case Studies

Case Studies on above issues.

Core demand of the question

- You head HR. A worker died on duty. The family seeks compensation. Investigation shows he was drunk. Workers strike for compensation. The Chairman asks for your recommendation. Give recommendations with merits and demerits of each

Revision summary

The family, the strikers and the safety system are different problems that meet in one death.

Refusing all money because of alcohol is harsh and may hide employer fault.

Paying silently as if rules did not exist hides the drink and the machine.

Recommend statutory dues, dignified ex gratia, a real inquiry, addiction and fitness-for-duty rules, and negotiated end to the strike.

If the company was negligent, accept full legal compensation; the bottle is then not a shield.

Introduction

A death at work is a moral event even when the worker broke a rule. The family is not the strike. The strike is not a licence to hide a safety failure. HR must hold all three: law, compassion and the next living worker.

Body**Stakeholders**

- The deceased worker and the dependent family.
- Co-workers on strike, and those who fear the next accident.
- The company, the Chairman, supervisors and contractors if any.
- Other employees watching whether drunkenness is rewarded or whether death is discarded.

- Inspectors under the **Factories Act, 1948** or the Occupational Safety, Code on Social Security, 2020 framework as applicable, and insurers.

Ethical issues and values

- **Sanctity of life and dignity of the dead:** a drunk worker is still a person who died in the company's space.
- **Justice:** compensation is not a bonus for breaking the liquor rule; it is a response to dependence and to possible employer failure.
- **Responsibility:** was the site so unsafe that even a sober worker could die? Was alcohol access or overtime culture part of the story?
- **Non-violence and dialogue:** a strike is a legitimate pressure; a riot is not.
- **Integrity of investigation:** "he was drunk" must be a medical and witness fact, not a convenient sentence to zero the ledger.

Options and recommendations

Option 1: Refuse all payment because he was drunk

- **Merit:** upholds a clear safety rule; deters drinking on duty; protects a legal position if standing instructions were known.
- **Demerit:** may be cruel to dependents who did not drink; may ignore contributory faults of the company (unguarded machine, missing helmet, twelve-hour shift); inflames the strike; looks like dumping a body.
- I would not recommend this as the only line.

Option 2: Pay full compensation as if it were a no-fault workplace death, with no inquiry into alcohol or safety systems

- **Merit:** ends the strike quickly; looks humane.
- **Demerit:** hides whether supervisors sent a drunk man to a height; trains the shop floor that rules are theatre; may be unfair to the insurer and to sober workers' safety.
- I would not recommend silence about the alcohol finding.

Option 3: A split, documented package - humanitarian and statutory dues, plus a full safety inquiry, plus a firm alcohol policy going forward

- **Merit:** compassion without a lie; deterrence without humiliating the family; addresses root causes so the next worker does not die.
- **Demerit:** costs money; hardliners on both sides will call it either weakness or stinginess; needs careful communication.
- This is the recommendation I would put to the Chairman.

What the recommended package should contain

- **Confirm facts:** post-mortem, blood alcohol if lawfully obtained, time, machine, witnesses, CCTV, whether he was sent up after being seen unsteady.
- **Pay immediately whatever is due without dispute:** wages, provident fund, gratuity, and Employees' State Insurance or other statutory occupational-disease / accident routes if they still apply on the facts. Do not use drunkenness to steal a PF account.
- Ex gratia to the family, framed as humanitarian assistance from the company, not as an admission that drinking is allowed. Size it so that children can eat and a funeral is not a debt, without advertising a lottery for rule-breaking.
- If inquiry shows employer negligence - unguarded equipment, no screening, a supervisor's wink - accept legal compensation and even criminal exposure; do not hide behind the bottle.

- If inquiry shows the death was overwhelmingly the worker's intoxication against a well-enforced rule and a safe machine, still do not zero the family; keep ex gratia and counselling, and explain the distinction in writing to the union.
- **End the strike through negotiation:** a written timeline, a joint safety committee, and a no-victimisation clause for peaceful strikers. Do not hire a muscle contractor.
- **Future:** breath or fitness-for-duty checks where lawful, access control on alcohol, training, and a confidential help path for addiction, so that the policy is prevention, not only a post-death sermon.
- **Communicate with dignity:** no press photo of the bottle beside the body.

Merits and demerits of the recommended path (summary for the Chairman)

- **Merit:** lawful, humane, and safer tomorrow; separates the family's hunger from the shop-floor rule.
- **Demerit:** not the cheapest week; requires the Chairman to accept that "drunk" is not a full story until the machine is also examined.

Flow diagram

Death on duty -> Alcohol and machine facts
 Alcohol and machine facts -> Statutory dues
 Alcohol and machine facts -> Humanitarian ex gratia
 Alcohol and machine facts -> Safety inquiry
 Zero because drunk -> Anger and possible hidden fault
 Pay and forget -> Next drunk at height

Conclusion

Do not treat the family as guilty of the drink, and do not treat the drink as irrelevant. Pay statutory dues, add humane ex gratia, finish a real safety inquiry, and bargain the strike into a safer plant. A corpse is not a clause.

Facts & figures

Factories Act, 1948

Classic Indian factory safety statute on fencing, hours and welfare; still a reference for whether the site itself was lawful.

Employees' State Insurance / social security codes

Statutory social insurance routes that may apply to an employment injury; drunkenness can affect some claims but does not erase all dues such as PF.

Contributory negligence

A legal idea that both worker fault and employer fault can share a death; HR should not pretend only one side exists.

Right to peaceful strike

Industrial action over a death is a legitimate voice; violence and a lock-out-by-goons are not the same thing.

Fitness for duty

A preventive policy of checks and counselling that respects dignity better than a press statement after a funeral.

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