



A study on Implementation of women related Provisions under Indian Labour laws [A study on 36 employees of Kadji Care & Rehabs Center, Vadodara]

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ABSTRACT

This study examined the effect of Labour law on employee safety and to take care the working standards at working place. Labour law mediates the relationship between workers, employing entities, trade unions and the government. Collective labour law relates to the tripartite relationship between employee, employer and union. Individual labour law concerns employees' rights at work also through the contract for work. One of the greatest thing is that the women facing the problem relating to the rights and privileges of women in India. From ancient to still today, women are struggling to find her social status and a respectable place in the society at the time Indian women were in a need of some laws in order to improve their social position and to ensure proper safety against mental and physical torture. The Constitution of India mandates that women must be treated as equals and prohibits any discrimination against women in all areas, including education, vocational training, skill development and employment. Our Constitution also protects the rights of women workers by ensuring that their health and safety is duly protected in the course of employment, particularly those of pregnant women.

INTRODUCTION

Labor legislation : the term 'labor legislation' is used to cover all the laws which have been enacted to deal with employment and non-employment, wages, working conditions, industrial relations, social security and welfare of persons employed in industries.

Thus 'labor legislation' refers to all laws of the government to provide social and economic security to the workers. These acts are aimed at reduction of production losses due to industrial disputes and to ensure timely payment wages and other minimum amenities to workers.

Initial periods of imperialism were based on exploitation of the worker class. With the emergence of ILO at an international level and with the inhumane treatment meted out to workmen being replaced with an outlook of dignity of labour, the whole scenario of labour legislations began in pre independence India. After independence legislations related to worker welfare like Provident Fund Act, Employee State Insurance Act, Payment of Bonus Act and Payment of Gratuity Act were enacted with the intention of providing security and retirement benefits to workmen.

Over a period of time several amendments have been made to the existing labour legislations as per the needs of the industry. The case in point is the latest amendment to the Factory Act whereby women worker is allowed to work between 7pm and 6am. Such amendments have been done after industry associations like NASSCOM and ASSOCHAM recommendations to the labour ministry. Now BPO and IT sector which employs a large women workforce during its nightshifts benefits tremendously from this amendment to the Factory Act.

OBJECTIVE OF LABOUR LEGISLATION

- Preservation of healthy, safety and welfare of Labour
- Maintenance of good relation between employer and employee
- Safe-guard the Labour from profit seeking exploiters in the cut-throat competitive era.
- Promote harmony between employers and employee
- Achievement of cordial industrial relation.
- Strengthen industrial relation

- Provide machinery to solving industrial dispute
- Insuring the protection of interest of women and child in the factories.

Importance of Labour legislation

- To deal with industrial dispute
- To enforce social insurance and Labour welfare scheme
- Necessary for health, safety, and welfare of workers
- For the achievement of socio-economic progress
- Encourages and facilitate the workers in the organization

Types of Labour Legislation in India:

- 1) Protective and employment legislation
- 2) Social security legislation
- 3) Regulatory legislation.

A list of Labour Legislation in India:

Legislation Related to Industrial Relations:

- 1)The Trade Union Act, 1926 and the Trade Union Amendment Act, 2011
- 2)The Industrial Employment (Standing Orders) Act, 1946
- The Industrial Disputes Act, 1947.

Legislation Pertaining to Wages:

- 1)The Payment of Wages Act, 1936 and The Payment of Wages (Amendment) Act, 2005
- 2)The Minimum Wages Act, 1948
- 3)The Payment of Bonus Act, 1965
- 4)The Equal Remuneration Act, 1976

Legislation Pertaining to Women and Children:

- 1)The Maternity Benefit Act, 1961
- 2)The Child Labour (Prohibition and Regulation) Act, 1986
- 3) The Sexual Harrasment of Women At Workplace (Prevention, Prohibition And Redressal) Act, 2013

Legislation Pertaining to Social Security:

- 1)The Workmen's Compensation Act, 1923 and The Workmen's Compensation (Amendment) Act, 2000.The Employees State Insurance Act, 1948
- 3)The Employees' provident Fund and Miscellaneous Provisions Act, 1952 and The Employees' Provident Fund and Miscellaneous Provisions (Amendment) Act, 1996
- 4)The Payment of Gratuity Act, 1972
- 5)The Unorganised Workers Social Security Act, 2008.

Objective of the study:

- To increase awareness of women's labour rights as laid down in national legislation and collective agreements.
- To empower women workers to improve their employment situation
- To improve legislation and enforcement of laws protecting women's labour rights
- To achieve equal rights, equal pay, decent working conditions, and measures against workplace sexual harassment.
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Sample and Sampling Methods

The sample size for the particular research is 46 employees. These employees are chosen as sample out of the 36 employees.

The sampling method used for the current study is random sampling method.

❖ **Sample**

Sample is the representative of the whole universe. Here, the researcher has used simple random sampling method, and selected 36 respondents .

Tool of data collection

Google forms were used as a tool of data collection.

1. Google Forms

Google Forms is a web-based app used to create forms for data collection purposes. Data gathered using the form is typically stored in a spreadsheet. Although there are other online survey apps, Google Forms is an excellent free option. Create polls, surveys, quizzes, and event registration sheets using Google Forms.

This method of data collection is quite popular. It is being adopted by private individuals, research workers, private and public organizations and even by governments. In this method a questionnaire prepared online is sent (usually by mail or through other social media apps) to the persons concerned with a request to answer the questions. A questionnaire sent online consists of a number of questions typed in a definite order on a form or set of forms

FINDINGS

- It can be seen that majority of the respondents 69.4% are belongs to the gender Male.
- it can be seen that majority of the respondents (88.9%) are belongs to the age group of 21 to 30 years
- it can be seen that majority of the respondents (86.1%) are belongs to the Formal women related policy implemented in the organization.
- it can be seen that majority of the respondents (88.9 %) are belongs to the benefits of policy duly communicated to all the employees in the organization.
- it can be seen that majority of the respondents (50 %) are belongs to the Gifts used for benefits/rewards to employees in the organization.
- it can be seen that majority of the respondents (69.4%) are belongs to the yearly benefits given to employees in the organization
- it can be seen that majority of the respondents (91.7%) are belongs to the satisfied with the support from HR Department in the organization
- majority of the respondents (55.6%) are belongs to that female employees are involved occasionally in decision making in the organization
- it can be seen that majority of the respondents (94.4%) are belongs to the Monetary compensation policy implemented in the organization
- it can be seen that majority of the respondents (77.7%) are belongs to the Agree it can be seen that majority of the respondents (77.7%) are belongs to the Agree
- majority of the respondents (38.9 %) are belongs to the Agree with Flexible working hoursfor female employees provided in the organization
- majority of the respondents (36.1 %) are belongs to Neutral with safety regarding Policy for female workers provided in the organization
- majority of the respondents (50%) are belongs to both the Agree and Neutral with induction of female employees relating to women policies as per law provided in the organization.
- majority of the respondents (55.6 %) are belongs to the Agree with Medical Facility provided in the organization female employees
- it can be seen that majority of the respondents (58.3 %) are belongs to the Neutral with Career advancement opportunity female employees provided in the organization
- it can be seen that majority of the respondents (61.1 %) are belongs to the Agree with training provided to female employees Acquire new Skills and Knowledge provided in the organization
- it can be seen that majority of the respondents (69.4 %) are belongs to the Agree with equal remuneration given to female employees

provided in the organization

- it can be seen that majority of the respondents (88.9 %) are belongs to the Agree with their compilation with maternity benefits as per law provided in the organization
- majority of the respondents (58.3 %) are belongs to the Agree with so effectively they conduct awareness programs as per POSH provided in the organization.
- it can be seen that majority of the respondents (94.4%) are belongs to the agree with the benefits given(crèches , washing facilities, restrooms etc.)in the organization
- majority of the respondents (63.9 %) are belongs to the Agree with the satisfied with the implemented policiesin the organization
- it can be seen that majority of the respondents (50 %) are belongs to the Agree with their salary is fair in terms of work done and experience in the organization

it can be seen that majority of the respondents (50 %) are belongs to the Agree with Paid appropriately for the work-related experience that they have in the organization

SUGGESTION

From my personal experience I would like to share my views and suggestions:

- ❖ It is always advisable to comply with labour laws when it comes to female employees rights in the establishment.
- ❖ All women shall be treated equally regardless of their background and roles & responsibility.
- ❖ Organization shall conduct varied awareness programs to motivate and to give a feel-safe feeling to all the female employees.
- ❖ There shall be more (or equal) part for women in decision making process of company to make them feel valued and important as other employees.
- ❖ Organization shall create internal grievance resolving committee to solve internal gaps.
- ❖ Female employees shall proffer benefits in monetary way rather than non-monetary especially when he works more like out of flexible hours as it depicts their financial need.

CONCLUSION

Thinking about labour law in India requires us to think not merely about the application of asset of legal or regulatory conventions governing labour in a particular society. It also requires thinking about what 'labour law' might mean in varying economic and social contexts. In certain respects Indian labour law is much like the labour law of developed industrial societies. It has extensive legislation providing for minimum standards of employment, social security, occupational health and safety and so on. Its labour law legalises trade unions and their activities, and provides a framework for the settlement of industrial disputes. It legalizes industrial action in pursuit of collective interests. Yet, as we have seen, formally the labour law of India covers only a very small percentage of the Indian workforce, and even among that cohort the law's application in practice is lax to say the least. Neither of the two principal objects of the labour law system identified in this paper appears to have been met in practice. To all intents and purposes then, this is a nonfunctioning system.

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