

# Labour Welfare and Social Security

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### **Abstract**

Labour Welfare and Social Security has got great relevance and importance in the Public Sector, Private Multinational Corporations. Sector and Independence, India has taken to the path of rapid industrialisation and economic growth. Consequently, this has resulted in the rise of great number of industries, a large workforce and a new industrial society. All these factors have considerable bearing on the growth of the labour welfare movement in the country. The ideal of a Welfare State has added new dimensions to the labour welfare philosophy. Labour Welfare plays a very vital role in the industrial economy of any nation. The industrial progress of any nation largely depends on a satisfied labour force. The schemes of Labour Welfare may be regarded as a wise investment which brings satisfaction to employees in an organisation and paves the way for achievement of organisational goals. In the present era of globalisation, it is very important for organisations to study global trends very carefully before designing Labour Welfare and Social Security strategies for their employees and workers. In the above background, the article provides a brief insight into the various aspects of Labour Welfare and Social Security in India. The article also analyses the emerging trends in Labour Welfare and Social Security in India and concludes by stating that although the Government is taking a lot of initiatives, it is a long and difficult road

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ahead before we can provide Labour Welfare and Social Security to all the workers in India.

**Keywords**: Globalisation, Labour welfare, Multinational corporate, Public sector, Private sector, Social security

### Introduction

The term Labour Welfare has been defined by many experts. The Report of International Labour Organisation explains that "Workers welfare should be understood as a meaning such as services, facilities and amenities which may be established in an Organisation to enable the persons employed in them to perform their work in healthy congenial surroundings and to provide them amenities conducive to good health and moral.

### Elements of labour welfare

- I. To provide the workers a better life and health.
- II. To relieve the workers from industrial fatigue.
- III. To improve the intellectual and cultural conditions of living of the employees.
- IV. To make the workers happy, efficient and contented.

## Objectives of the Study

- I. To understand the meaning and importance of Labour welfare and Social security.
- II. To analyse the need for labour welfare; especially in a country like India.
- III. To provide a brief insight on the agencies of labours welfare and various labour and social security legislations.
- IV. To study the recent trends in labour welfare and Social security and to offer suggestions to improve labour welfare practices in industries.

## Research Methodology

Secondary data has been used to obtain information about various aspects of Labour welfare and Social security. Internet, journals, magazines, text books etc have been the main source of secondary

data. Information and data have also been collected from the draft twelfth five year plan document of the Planning Commission of India.

### **Review of Literature**

1. Article 38 of the Constitution of India in the chapter Directive Principle of State Policy states that "The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political shall inform all the institutions of the national life.

Article 41 states that "The State shall within the limits of its economic capacity and development make effective provision for securing the rights to work, to education and to public assistance in cases of employment, old age, sickness and disablement and in other cases of undeserved want".

Article 42 states that" The State shall make provision for securing just and humane conditions of work and for maternity relief".

Article 43 of the Indian Constitution clearly states that "The state shall endeavour to secure by suitable legislation or economic organisation or in any other way, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure, social and cultural opportunities and in particular the state shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas"

2. Sanjay Upadyaya (2006) in the study "Awareness and Implementation of Labour welfare Measures-A case study at Garment Industry of Noida has found that nearly 84% of the workers engaged in the industry are unskilled/semiskilled workers. The earning levels of 2/3<sup>rd</sup> of the workers engaged In the industry are abysmally low in the range of ₹ 1,000 to 2,500 after doing on an average 12-14 hours of drudgery in most of the cases even without a

day of rest in the week. Most of the workers engaged in the industry are unorganised and the contractual nature of employment reduces the chances of forming Trade Unions. Piece rated employees are not entitled to many of the benefits like payment of over time, casual leave, annual leave, earned leave etc because their names are not on the muster rolls. Most of the workers were not aware of various employee welfare provisions and 80% of the respondents covered under the study works for more than 9 hours per day which is more than the normally permitted limit.12% of the respondents worked for more than 10 hours per day and nearly 88% of the respondents (piece rated and casual) doing over time work were not being paid wages as per overtime rate. Women were not being paid over time rate. Only 10% of the units were providing food facility on a subsidised basis and only 5% of the units were providing transportation facilities to workers.52% of the respondents belonging to the unskilled category were being paid wages which is less than the amount stipulated under the Minimum Wages act,1948. So in short there has been a substantial violation of labour laws and great exploitation of illiterate workers by the owners of the industrial units.

3. Dharam Paul(2011) in the article "Labour welfare policy and administration in Haryana-A study has stated that industrialisation in India as in any other country implies the growth of a factory system with employers and wage earners in varying circumstances and with varying charecteristics, yet having some common features and it is the common features that are of interest. The author has found that the officials of the labour department, Haryana did not contact the workers. He has suggested that the officials should try to establish better rapport among the workers. It has been observed that in Harvana the Labour department is headed by a minister of state. It has been suggested that a minister of cabinet rank should be appointed to handle delicate matters concerning labour policy and administration. The author has also pointed out that with the increasing pace of technological changes it is

very important to conduct appropriate training programmes for employees and workers. The article concludes stating that a strong political will along with dynamic policy, planning, programming, effective implementation, monitoring and evaluation is very essential for ensuring tangible benefits to the workers.

Jameela Pedicini(2011) in the article " The Two Indian Welfare Systems: State and Corporate responses" has studied the welfare measures being provided by the Government and the initiatives taken by the corporate sector on its own to provide welfare facilities to the employees. The author observes that a vast majority of the labour force in India does not have access to Government provided social security. The minority consisting of those working in the formal sector benefits from Government social security schemes and the majority of the workers in the informal sector have no such welfare amenities. The social security initiatives in the informal sector is ad hoc and does not provide sufficient coverage for informal sector workers and only around 6% of the informal sector workers receive some form of Government social security benefits. The author has also observed that in India issues of infrastructure, access, inadequate provision of human resources and no prescribed standards of quality plunge the system. Private corporations in India are taking steps to address some of these shortfalls as part of their corporate social responsibility (CSR) by providing education and health initiatives to the informal sector workers and their families. The author has analysed the CSR initiatives of 63 corporations and found that these corporations are providing social protection in the form of education and health to informal sector workers in India. Overall 97% of the 63 corporations have some sort of education initiative and around 68% have some sort of health initiatives. The author concludes by stating that the Government of India has thus far failed to establish and provide universal social policies with respect to social security, education and health. As regards CSR initiatives of the private sector, the

author has opined that corporations are in fact providing social initiatives for their own corporate benefit and it is economic realism and not moral imperative that is driving CSR in India.

5. V.Sreenivasa Rao and P V Ramana (2011) in the study "A study on employee welfare programmes at Lanco Industries Ltd at Srikalahasti, Andhra Pradesh has suggested that benefits like housing loans and PF benefits should be made available to all levels of employees in the organisation. Health camps and health checkups should be carried out every 3 months instead of 6 months. The author has also suggested that management should organise recreational and cultural programmes at the middle and lower management level and also implement flexible timing and shifts for the production and security departments.

## Importance and classification of labour welfare

Labour welfare measures make industrial employment attractive and labour welfare measures help greatly in reducing labour turnover and absenteeism. Good labour welfare measures enhance the goodwill and reputation of companies in industrial circle. It increases the morale and loyalty among employees and prevents grievances and industrial disputes.

Labour welfare activities can be classified into intra mural activities and extra mural activities.

Intramural activities means all those amenities provided inside the factory like a good canteen, medical facilities, fresh air and water etc.

Extra mural facilities includes all those amenities provided outside the factory like housing facilities, co-operative societies, workers and officers clubs etc.

#### Need for labour welfare

India has a much greater need and importance for labour welfare work. There are certain defects and deficiencies in the Indian labour force that enhances the need for labour welfare activity in the country.

As far as industrial progress is concerned, India is still far behind when compared to other countries. Industrial progress is dependent on the quality and efficiency of labour force which is in a poor state in India.

Labour union movement in India is still at a stage of infancy. There is absolutely no unity among unions and there is a high degree of political involvement and vested interests among the leaders.

The health of an average Indian worker is very poor as compared to his western counterparts and this has adversely affected his productive capacity. Hence there is a need for healthy inexpensive food and facilities in case of medical emergencies.

To arrest the restless and frequent migratory nature of an Indian worker it is essential to extend to him adequate housing and proper working conditions.

An average Indian worker is extremely poor. He is unable to provide a healthy life for his family and good education to his children. Being poor he is hardly in a condition to save something for his old age. Hence, he is in need of provident fund, pensions, gratuity etc.

## Agencies for labour welfare:

- a) Employers; Employers provide welfare facilities either individually or collectively through associations. They play an important role in providing facilities to the industrial workers. The facilities provided are voluntary in nature as well as statutory like residential accommodation, transport facilities, education facilities etc. Many employers and their various associations are doing welfare activities on their own initiatives.
- b) Central Government and State Government: A number of acts have been passed by the Central Government for the welfare of the workers. There is also an implementation and administration of Industrial and Labour laws. The workers of different Industries have been provided welfare facilities under different statutes. The State Government runs various health centres, education centres etc. The State Government

has the powers to implement the provisions of various laws, appoint appropriate authorities etc. The keep a strict vigil on the employers as well.

- c) Trade Unions and Labour welfare agencies: The various trade unions are supposed to raise the welfare of workers and are expected to provide certain labour welfare facilities to their members. There are a variety of trade unions running in the country and they offer educational, sports, cultural and legal facilities to their members. Indian National Trade Union Congress(INTUC), All India Trade Union Congress(AITUC), Textile Labour Association (Majoor Mahajan) started by Mahatma Gandhi, Mill Mazdoor Union(Indore), Rashtriya Mill Mazdoor Sangh (RMMS), Mill Mazdoor Sabha and Transport and Dock workers Union are some of the important Trade Unions and workers welfare organisations in the country.
- d) Labour welfare works done by social service agencies:
- e) In India there are many social service agencies which are playing a vital role in the organisation of welfare. The welfare work done by Mumbai social service league, Seva sadan society women's council and YMCA need special mention in this connection. The United Nations Organisation has also organised many labour welfare works in India.

The United Nations International Children's Emergency Fund was set up in India with the aim of distributing milk to mothers and children and for the establishment of Maternity house and welfare centres.

## Labour welfare legislations

Most of the constitutional directives in the matter of protection and welfare to workers have been followed up through central and state legislations. The benefits are available to the workers and employees in mines, docks, plantations, factories, motor transport industries, shops and hotels.

- 1. Provisions relating to hours of work, conditions of work, leisure, health and safety are to be found in the Factories Act, 1948.
- 2. Dock workers are covered under the Dock workers (regulation of employment) act, 1948.
- 3. Motor transport workers are covered under Motor transport workers act, 1961.
- 4. Workers in the coal mines are covered under Coal mines act, 1952.
- 5. For regulation of payment of wages, bonus etc, The Minimum wages act (1948&1961) is the principal labour legislation. This was followed by the payment of bonus act.
- 6. Trade Unions act 1926 and Indian Trade Unions act 1960 are the chief enactments dealing with the right of association for collective bargaining.
- 7. Industrial disputes are covered by the Industrial Disputes act, 1947.

## **Social security**

In the present times, insecurity of life has increased to a great extent and to safeguard the individual and the society from these uncertainties social security has become very essential.

The International labour organisation defines social security as "By social security, we undertake a programme of protection provided by the society against those contingencies against which a individual of small means cannot effectively provide by his ability and foresight".

Social security benefits are provided in India through legislations. Workmen's compensation act 1923 enforces the employer to provide compensation to a workman for any personal injury caused by an accident for loss of earnings etc. The employee's state insurance act, 1948 enforces the employers to provide sickness benefit, disablement benefit, dependants benefit, funeral benefit and medical benefits. The employees provident fund and miscellaneous provisions act 1952, enforces the employer to

provide benefits in the form of provident fund and deposit linked insurance. The maternity benefit act, 1961 provides for medical benefits at the time of pregnancy and grant of maternity leave and maternity allowance. The payment of gratuity act, 1972 provides for the payment of gratuity at the time of retirement.

### Recent trends in labour welfare and social security.

The present infrastructure for improving labour productivity and ensuring welfare to workers covers only a small segment of the labour force. Out of about 400 million workers in the country, only around 50 to 60 million are covered by some sort of social security. For the rest, a job is the best guarantee for social security right now. The only way for improving the coverage is by providing gainful employment to the entire labour force. Certain recent trends in respect of attaining these objectives are analysed below:

Table 1 Proportionate share of sectors in employment

Sectors	1999/2000	2004/05	2009/10
Agriculture	59.90	56.60	53.20
Manufacturing	11.10	12.20	11.00
Non-Manufacturing	5.30	6.50	10.50
Services	23.70	24.70	25.30
Total	100	100	100

Agricultural sector's share in employment declined from 59.90% in the beginning of the decade to 53.20% at the end of the decade. However this is still very high compared to share of agriculture in other countries. There is not much change in the share of Manufacturing and services sector. However non manufacturing sector has seen a sharp increase from 5.30% at the beginning of the decade to 10.50% at the end of the decade which is mostly in the construction sector.

It may also be mentioned here that labour laws do not generally apply to agriculture sector which had a more than 50% share in the employment in 2009-10

Table 2 Formal and Informal employment in organised and unorganised sectors (Millions)

Sectors	Employment		
1999-2000	Informal	Formal	Total
Unorganised	341.30	1.40	342.60
Organised	20.50	33.70	54.10
Total	361.80	35.10	396.70
2004-05			
Unorganised	393.50	1.40	394.90
Organised	29.10	33.40	62.60
Total	422.60	34.80	457.50
2009-10			
Unorganised	385.08	2.26	387.34
Organised	42.14	30.74	72.88
Total	427.22	33.00	460.22

A critical issue in assessing employment behaviour of the economy is the growth of employment in the organised sector vis-à-vis the unorganised sector particularly in terms of formal and informal employments. It is well known that unorganised sector employment is of low quality compared to organised sector employment. The above data shows decline in employment in unorganised sector from 86% in 2004-05 to 84% in 2009/10 which means share of organised sector employment has increased from 14% in 2004-05 to 16% in 2009-10. However, the increase in organised sector employment is mainly in the informal category. Nearly 93% of the total workforce in 2009-10 is in informal employment. If agriculture is excluded from the workforce, share of informal workers drops to 85.60% which is still very high Brazil (51%), Mexico (50%), Indonesia compared to Philiphines (72%) and Thailand (49%). What is notable is that formal employment in organised sector is not increasing. This shows that organised enterprises' employers are increasingly hiring workers on contractual basis due to labour laws and other concerns.

It may also be mentioned here that the creation of a formal relationship between the worker and the hiring establishment in the regular wage employment mode is a critical factor in improving the quality of employment of workers hired by unorganised

workers. This will enable workers in unorganised sector to gain access to a minimum social security cover.

	2004-05		2009-10	
No of workers in	No of	Share	No of	Share
enterprises	workers in	(%)	workers in	(%)
	million		million	
Less than 6	152.50	74.93	148.70	65.60
6 and above less than 10	15.20	7.46	23.80	10.50
10 and above less than 20	11.80	5.81	15.40	6.80
20 and above	24.00	11.80	38.80	17.10

100

100

Table 3 Number of workers by size of enterprises in Industry and services

It may be observed that the share of enterprises employing less than 6 workers reduced from 74.93% in 2004-05 to 65.60% in 2009-10 whereas the share of enterprises employing between 6 to 10 workers increased from 7.46% to 10.50% during the same period which is better for workers as it reduces fragmentation and enables them to organise. The share of enterprises employing between 10 to 20 workers increased from 5.81% to 6.80% and share of enterprises employing 20 or more workers increased from 11.80% to 17.10%. It may be noted here that nearly 76% of enterprises are employing less than 10 workers and nearly 83% of the enterprises are employing less than 20 workers. The above statistics clearly shows that labour welfare policies and programmes should focus on small establishments which are in sharp contrast to the situation in recent years where large enterprises and their workers have been the focus of labour policy.

Table 4 Number of workers according to employment status (Million workers)

Type of	1999-2000	2004-05	2009-10
workers			
Self Employed	209.30 (52.60%)	258.40 (56.40%)	232.70 (50.70%)
Regular salaried	58.20 (14.60%)	69.70 (15.20%)	75.10 (16.30%)
Employed			
Casual Labour	130.30 (32.80%)	129.70 (28.40%)	151.30 (33.00%)

Although there is no substantial change in the three categories of workers during 1999-2000 to 2009-10, we can observe that the share

Total

of regular salaried employees was only around 16% and the share of self employed and casual labour was nearly 83%. Labour laws are relevant for the regular salaried employees and not the self employed and casual labour.

The various statistics analysed so far clearly reveal that the present structure of the labour market is such that labour laws apply only to a small section of the labour force and a substantial portion of the labour force in India is not covered by labour laws and they are not getting the benefit of various labour law legislations. The only way to improve the coverage is by providing gainful employment to the entire labour force.

As per the 66th NSSO round 2009-10, 84% of the total work force was in the unorganised sector and 93% in the informal employment. This sector is outside the preview of labour laws. This sector is heterogeneous which cut across all economic activities in rural and urban areas. It contributes about 60% of the GDP. The unorganised sector is dominated by workers in micro enterprises, unpaid family members, casual labourers, home based workers, migrant labourers, out of school youth and in need of skills and farmers and artisans in rural areas. These groups form a bottom of skill pyramid that have low skills, poor productivity and low income. The most important challenge would be therefore to reach out to this section of workers.

In order to reach out to the nearly 84% unorganised sector workers in India the Government has announced certain policies. These include:

a) Unorganised sector workers social security bill, 2007: This bill makes a provision for providing life and disability cover, health and maternity benefits, old age protection, housing, education for workers children, skill up gradation for workers, funeral assistance etc for unorganised sector workers. The benefits will be admissible to all persons above 14 years of age based on a self declaration that he/she is an unorganised sector worker. There is a provision to provide an ID card in the form of a smart card. The law requires the government to make contributions under the scheme regularly.

b) Aam Admi Bima Yojana (AABY),2007: This scheme is applicable to all rural landless households in the age group of 18-59 years. The premium of Rs.200 per member will be borne by the centre and state equally. The state government will be the nodal agency .A sum of Rs.30,000 in case of natural death and Rs.75,000 in case of unnatural death will be payable. A compensation of Rs.75,000 will be payable in case of total permanent disability and Rs.37,500 in case of partial permanent disability. The scheme also has a provision of Rs.300 per quarter per child for 2 children of the beneficiaries studying in 9th to 12th standards.

c) Health Insurance Scheme for Unorganised Sector BPL workers,2007.(Rashtriya Swasthaya Bima Yojana):

In order to provide accessible, affordable and accountable quality health services to households in the rural areas, the government has announced this scheme. It will cover all BPL unorganised sector workers and their families of five members whose identity will be verified by the implementing agency and be issued a smart card. The cost of the smart card will be borne by the central government and the beneficiary will be required to pay Rs.30 per annum as registration and renewal fees. The prescribed premium of Rs.750 per member-family will be borne by the central and state government in the ratio of 75:25. The package of benefits will include:

- I. Cashless assistance to all covered ailments.
- II. Hospitalisation expenses taking care of most common illness.
- III. All pre existing diseases to be covered.

Although several initiatives are being taken by the Government to reach out to the unorganised sector workers, it is being reported that these benefits are reaching only a small part of the unorganised sector work force. The following suggestions will help to improve the working conditions of the unorganised and informal sector workers in India:

The creation of a formal relationship between the worker and the hiring establishment in the regular wage employment mode is a critical factor in improving the quality of employment of workers hired by the unorganised enterprises. This will enable workers in the unorganised sector to gain access to a minimum social security benefit cover.

Self Help Groups (SHG) and Micro Finance Institutions should be utilised to accelerate the Labour Welfare and Social Security process among unorganised sector workers in poor states and backward areas.

International agencies such as International Labour Organisation (ILO), United Nations Children's emergency fund (UNICEF) and World bank can assist the Government for administration and distribution of aid to informal sector.

To extend the coverage of social security measures for the unorganised sector workers, setting up of co-operatives, self help groups, mutual benefit associations managed and financed by the occupational group/workers and voluntary health insurance and pension schemes should be encouraged.

Awareness generation campaigns and dissemination of information to unorganised workers should be strengthened. To improve the efficiency of the delivery mechanism of existing programmes for workers in the unorganised sector, local institutions like Panchayat Raj institutions and urban local bodies should be involved in monitoring the social security programmes.

To prevent exploitation of workers in the unorganised sector, awareness generation may be stepped up in collaboration with voluntary organisations, trade unions and other committed individuals.

## Safety, health and training of workers

There are many industries which are not covered by effective safety measures commensurate with the degree of exposure to risk. They include Agricultural workers, Small mines, Truck/bus operators, beedi and cigar making, Building construction, fireworks, power looms etc. It is very important to improve the safety standards in these industries.

The involvement of the insurance industry in promoting safety of workers in small establishments should be encouraged. Group

insurance to share the risks of establishment owners should be encouraged by the labour administration.

Safety as a profession should be developed on the same lines as accounting practices, cost accounting, company law compliance, asset valuation, insurance risk assessors etc. Establishments should be encouraged to have safety audits carried out regularly and periodically.

Coming to training and skill development as per the twelfth plan projections, 25 million new entrants would join the work force in the next five years. About 90% of the 15-59 year olds have had no vocational training. Out of the 10% who received vocational training only 2% received formal vocational training. A vast majority of the workers received non-formal vocational training. Dependence on non-formal vocational training to such an extent highlights the grossly in adequate system of vocational training that currently exists in the country. It is very imperative to set right this anomaly and bring all the workers under formal vocational training. Presently the gross requirement of instructors for imparting training is 79,000. The additional requirement of instructors per annum is 20,000 whereas the present instructor training capacity is around 2,000 which is inadequate to meet the demand. This huge gap should be bridged.

The best way to improve the training infrastructure is to put in place a permanent institutional frame work entrusted with the requisite authority and resources and which is solely responsible for skill development in the country.

To increase training capacity, public sector and private sector partnership in training programmes should be considered.

It is also very important that there is an industry participation in skill development and training programmes.

Developing labour market information system for real time information on a sectoral basis will help trainees and make training relevant.

Currently there is no uniform geographical distribution of training facilities and there is concentration of training facilities only in a few sectors and few regions of the country. This defect should be set right so that all sectors and regions of the country have equal access to training facilities.

It is also suggested that a provision be created for mobile training vans for larger outreach.

### Conclusion

Labour Welfare and Social Security has got a lot of relevance and significance with public sector, private sector and multinational corporates. The Industrial progress of any nation largely depends on a satisfied labour force. The labour welfare schemes may be regarded as a wise investment which brings satisfaction to employees in an organisation and paves the way for achievement of organisational goals. It is rightly said that you can buy a man's time, you can buy a man's physical presence at a given place but you cannot buy his enthusiasm, initiative and loyalty. The provisions for labour welfare and social security in India is very less and minimal as compared to Industrially developed countries. Labour Welfare and Social Security is reaching only the organised sector workforce which constitute only around 16% of the labour force in India. The Government has taken a lot of initiatives for the nearly 84% strong unorganised sector workforce in India. In spite of all these initiatives, it is being reported that the benefits are reaching only a small and negligible portion of the unorganised sector workforce in India. Therefore a massive programme involving all concerned stakeholders like Government, Employers, Employees and workers, Trade Unions, Self Help Groups, NGO's, Micro Finance Institutions, Voluntary and social organisations etc is required in order to ensure that the nearly 84% strong unorganised sector work force in India work in dignity and live in dignity

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