

BWI Resolutions

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04. Trade Unions in India Condemn Anti-Workers Labour Reforms

Submitted by: INFBWWW and Indian Affiliates Council

Deeply disturbed that the Government of India is unilaterally pursuing labour reforms without due consideration to its potential impact on the huge working class in India and also weakening the already fragile industrial relations system in the backdrop of growing informal sector.

Deeply disturbed that amendment to key labour laws proposed and being carried out without due consultations with the trade unions. These amendments threaten the basic workers' rights and could lead to undermining of decent work. Among the major changes on the Government's radar are – *The Industrial Relations Code Bill 2016* will allow companies employing up to 300 workers to lay off workers or close down without taking Government's prior approval. Earlier, those employing up to 100 workers were granted this permission. This would mean that majority of the establishments could move out of the purview of the law. Amendment to *The Factories Act* proposes changing the original Act to double the threshold level of employment from 10 workers to at least 20 workers in case of factories using power, and from 20 workers to 40 workers in case of factories not using power for manufacturing. This would imply that units employing less than these numbers would no longer have to follow the standards set out in the Factories Act. The most significant change is in *The Contract Labour Act*, changes to this Act exempts companies employing less than 50 workers from the earlier limit of 20 workers.

Further deploring that amendment to the Child Labour (Prohibition and Regulation) Act (rechristened as *The Child and Adolescent Labour Prohibition and Regulation Act, 2016*) allows for children to work in family enterprises after school hours and on holidays that can be detrimental to the efforts of different stakeholders in realising a complete ban on child labour. Further, for the category between 15-18 years, it has limited list of hazardous occupations to only include mining, explosives, and occupations mentioned in the Factory Act. This would mean that work in chemical mixing units, cotton farms, battery recycling units, and brick kilns, among others, can be pursued legally by 15-18 years.

Condemns the Government of India for failing to protect and address the concerns of the huge working class in India and the way in which labour amendments are being proposed at national level and already introduced in certain Indian States.



Encourages its Indian affiliates to continue with their campaigns at local and State level; and collaborate with the Central Trade Unions at the national level to lobby the Government against passage of any anti-labour amendments in labour laws in India.

Strongly recommends that the Government of India should respect tripartism and consult key stakeholders including the trade unions before proposing and introducing any labour reforms.

SIGNATURE:



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