

PROFILE OF WOMEN WORKERS

11.1 Women form an integral part of the Indian workforce. According to the information provided by the office of Registrar General & Census Commissioner of India, As per Census 2011, the total number of female workers in India is 149.8 million and female workers in rural and urban areas are 121.8 and 28.0 million respectively. Out of total 149.8 million female workers, 35.9 million females are working as cultivators and another 61.5 million are agricultural laborers. Of the remaining females' workers, 8.5 million are in household Industry and 43.7 million are classified as other workers.

11.2 As per Census 2011, the work participation rate for women is 25.51 percent as compared to 25.63 per cent in 2001. The work participation rate for women in rural areas is 30.02 per cent as compared to 15.44 per cent in the urban areas. As per third and Fourth Annual Employment-Unemployment Survey launched by Labour Bureau in October , 2012 and December, 2013, Female Labour Force Participation Rate has been increased from 22.6% to 25.8 %.

11.3 As per Annual Employment Review conducted by Directorate General of Employment during 2012, total employment in the organized sector is 295.79 lakh. Out of total 295.79 lakh workers, employment of women in organized sector (Public and Private) is 60.54 lakh which constitute 20.5% of total employment in organized sector. Of this, 0.94 lakh women were employed in whole sale and retail trade and restaurants & hotels during 2011-12.

Protection of the interest of Women Workers

11.4 Formulation and coordination of policies and programmes for the female labour force within

the frame work of national manpower and economic policies.

- Maintaining liaison with other Government agencies to secure effective implementation of the programmes in respect of women workers.
- Monitoring the implementation of the Equal Remuneration Act, 1976 and setting up of an Advisory Committee under the Equal Remuneration Act, 1976.
- Giving grants-in-aid to Non-Governmental Organizations/Voluntary Organizations for conducting awareness generation camps for women workers especially in respect of their legal rights and duties.

11.5 The Government has taken several steps for creating a congenial work environment for women workers. A number of protective provisions have been incorporated in the various Labour Laws. These are elaborated in **Box 11.1**.

11.6 The ILO Convention No.100 of 1951 relating to equal remuneration for men and women was ratified by the Government of India in the year 1958. To give effect to the Constitutional provisions and also to ensure the enforcement of ILO Convention No.100, the Equal Remuneration Act was enacted on 1976.

The Equal Remuneration Act 1976

11.7 The Equal Remuneration Act, 1976 provides for payment of equal remuneration to men and women workers for same work or work of similar nature without any discrimination and also prevent discrimination against women employees while making recruitment for the same work or work of similar nature, or in any condition of service

subsequent to recruitment such as promotions, training or transfer. The provisions of the Act have been extended to all categories of employment. The Act is implemented at two levels viz. Central level and State level. At the Central sphere, the enforcement of the act is entrusted to the Chief Labour Commissioner (Central) who heads the Central Industrial Relations Machinery (CIRM). A Central Advisory Committee (CAC) on Equal Remuneration Act, 1976 under the Chairmanship of Hon'ble Minister of Labour & Employment has been constituted for reviewing the steps taken for effective implementation of the Act.

11.8 The following social welfare organizations have been recognized under the Equal Remuneration Act, 1976 for the purpose of filing complaints in Courts against employers for violation of the provisions of the Act.

- The Centre for Women's Development Studies, New Delhi.
- The Self Employed Women's Association, Ahmedabad.
- The Working Women's Forum (India), Chennai
- The Institute of Social Studies Trust, New Delhi.

11.9 In cases where the State Government are "appropriate authorities", the enforcement of the provisions of Equal Remuneration Act is done by the officials of State Labour Departments. Annual returns are called for by the special cell in the Ministry from the State Governments in order to monitor implementation of the Act. The State Governments/Union Territories are being advised from time to time to ensure more rigorous enforcement of the Act so as to improve the condition of women workers.

Grant-in-Aid Scheme for Women Labour

11.10 The Ministry is running Grant-in-aid Scheme for welfare of women labour. The scheme

is being implemented through Non-Government Organisations (NGOs)/Voluntary Organisations (VOs) who are provided with 75% (90% in case of North-Eastern States) financial assistance of the total cost of the project for organizing working women and educating them about their rights and duties under various labour laws of Central/State Governments and legal aid,, organizing seminars, workshop etc. aimed at raising the general consciousness about the problems of women labour. The focus of the Scheme is awareness generation among women labour, in the area of wages, like minimum wages, equal remuneration, etc. and to disseminate information on various schemes/laws of Central/State Government Agencies available for the benefit of women labour.

11.11 The proposal forwarded alongwith comments/recommendations of State Government/ District Magistrate are considered for financial assistance under this scheme. The recommendation of the State Govt. should be clear and unambiguous and should be furnished in prescribed format alongwith recommendations of State Government /District Magistrate. The total number of women benefitted under the scheme for the last three years is 52,900.

11.12 A complaint Committee to deal with the complaints of sexual harassment of women employees at workplace of Ministry of Labour & Employment and its attached offices has been reconstituted

Training of Women Workers

11.13 In tune with Government of India's stress on empowering the women workers, special efforts were made by Central Board of Workers Education (CBWE) to have more participation of Women Workers in Board's various training programmes. During the year 2015-16 (upto October, 2015), 123,733 women participated in Board's training

Programmes. Among 123733 total women workers, 58950 were from SC category and 16237 from ST Category. The Board also conducts two (2) days special training programmes for women workers in which only women participants of various categories in unorganized sector are enrolled. Till September, 2015, 303 such special programmes for women workers were conducted in which 11392 numbers of workers participated. The women are made aware about their rights and duties, and provisions under various Labour Legislation in respect of women and child welfare and various other provisions of the Central and State Government related to women for upliftment of women and children i.e. on health and hygiene, total care etc.

Assistance to Women Job seekers

11.14 The Employment Exchanges take special care to cater to the job needs of women registered with them. For the period from January, 2014 to December, 2014, 60,796 women were placed in various employments.

Child Care Centers

11.15 Statutory provisions have been made in certain Labour laws for organizing child care centers for the benefit of women workers. These include Factories Act, 1948, the Beedi & Cigar Workers (Conditions of Employment) Act, 1966, the Mines Act, 1952, the Plantation Act, 1951 and the Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.

Box 11.1

EMPLOYMENT OF WOMEN – PROTECTIVE LEGAL PROVISIONS

Name of the Enactment	Protective Provisions
1. The Beedi & Cigar Workers (Conditions of Employment) Act, 1966	<ul style="list-style-type: none"> • Provision of crèches for the benefit of women workers in the industrial premises wherein more than fifty female employees are ordinarily employed.
2. The Plantation Labour Act, 1951	<ul style="list-style-type: none"> • Provision of crèches in every plantation wherein fifty or more women workers (including women workers employed by any contractor) are employed or where the number of children of women workers (including women workers employed by any contractor) is twenty or more. • Definition of family has been made gender neutral so as to remove distinction between the family of male and female workers for availing dependent benefits. After amendment, family also includes dependant widow sister of a female worker as well as male worker. • To cover all aspects of safety and occupational health of workers, specifically women and

	<p>adolescents working in plantations, a new chapter pertaining to the use of handling, storing or transporting chemicals, insecticides and toxic substances used in the plantations has been added.</p>
3. The Contract Labour (Regulation & Abolition) Act, 1970	<ul style="list-style-type: none"> • Provision of crèches where twenty or more women are ordinarily employed as contract labour. • Female contract labour to be employed by any contractor between 6.00 AM to & 7.00 PM with the exception of mid-wives and nurses in hospitals and dispensaries.
4. The Inter State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979	<ul style="list-style-type: none"> • Provision of crèches for the benefit of women workers in establishments wherein twenty or more women are ordinarily employed as migrant workers and in which employment of migrant workers is likely to continue for three months or more.
5. The Factories Act, 1948	<ul style="list-style-type: none"> • Provision of crèches in every factory wherein more than thirty women workers are ordinarily employed. • Employment of women in factory is prohibited except between the hours of 6.00 A.M. to 7.00 P.M. However, in exceptional circumstances, employment of women is permitted upto 10.00 P.M. • Employment of women is also prohibited/ restricted in certain factories involving dangerous operations • No women shall be allowed to clean, lubricate or adjust any part of prime mover while it is in motion • No women shall be employed in any part of a factory for pressing cotton in which a cotton opener is at work
6. The Mines Act, 1952	<ul style="list-style-type: none"> • Employment in mines below ground prohibited. In any mine above ground women workers are permitted between the hours of 6 am and 7 pm. The Central Govt. may, by notification, vary the hours of employment above ground of women. However, no employment of women between 10 pm and 5 am is permitted. Further, women employed above ground shall be allowed an interval of not less than eleven hours between the termination of employment on any one day and

	the commencement of next period of employment. Provision of separate toilets and washing facilities for women workers is also part of the Act.
7. The Maternity Benefit Act, 1961	<ul style="list-style-type: none"> • Maternity benefits to be provided on completion of 80 working days. • Not required to work during six weeks immediately following the day of delivery or miscarriage. No work of arduous nature or which involves long hours of standing, or which is likely to interfere with pregnancy/ normal development of foetus or likely to cause miscarriage or otherwise to adversely affect health to be given to a women worker for a period of one month immediately preceding the period of six weeks before expected delivery. • Rs.3500/- as Medical bonus to be given when no prenatal confinement and post natal care is provided free of charge
8. The Equal Remuneration Act, 1976	<ul style="list-style-type: none"> • Payment of equal remuneration to men and women workers for same or similar nature of work protected under the Act. • No discrimination is permissible in recruitment and service conditions except where employment of women is prohibited or restricted by or under any law.
9. The Employee's State Insurance (General) Regulation, 1950	<ul style="list-style-type: none"> • Claim for maternity benefit becomes due on the date of issue of medical certificate of expected confinement or on the day six weeks preceding the expected date of confinement so certified, whichever is later, or, if no such certificate is issued, on the date of confinement. • Claim for maternity benefit becomes due on (General Regulation 1950) the date of medical certificate issued for miscarriage, sickness arising out of pregnancy, confinement or premature birth of child.
10 The Beedi Workers Welfare Fund Act, 1976	<ul style="list-style-type: none"> • Appointment of women member in the Advisory and Central Advisory Committee is mandatory under the Acts at Sl. No.10-13
11. The Iron Ore Mines, Manganese Ore Mines and Chrome Or Mines Labour Welfare Fund Act, 1976	
12. The Lime Stone and Dolomite Mines Labour Welfare Fund Act, 1972	
13. The Mica Mines Labour Welfare Fund Act, 1946	

14. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996	<ul style="list-style-type: none">• Representation of a women member on Building and other Construction Worker Welfare Boards.• Provisions for maternity benefit to female beneficiaries of the Welfare Fund.• Provision for crèches where more than 50 female construction workers are ordinarily employed.
15. The Industrial Employment (Standing Orders) Act, 1946	<ul style="list-style-type: none">• Provision regarding safeguards against sexual harassment of women workers at their work places.