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## LABOUR WELFARE PRACTICES AND SOCIAL SECURITY IN INDUSTRIES

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### ABSTRACT

*Labour welfare and social security has got a lot of significance with Public Sector, Private Sector and also Multinational Companies. Labour welfare activities in an industrialised society has far reaching impact not only on the work force but also on all facets of human resources. Labour welfare includes all such activities which not only secure existential necessities but also ensures improvement in the spiritual, emotional and other aspects of a worker. The aspect of labour welfare requires an honest and serious approach that money and environment given to employees never go waste. A happy employee is a productive employee. A study on labour welfare and social security is an effort to be perfected in the art of managing people and in these days the most important management is peoples management. Welfare schemes should be regarded as a wise investment which should and usually does bring a profitable return in the form of greater efficiency. In the above background, the article provides a detailed insight in to the various aspects of labour welfare and social security in Indian Industries.*

### KEYWORDS

Labour welfare, Multi National Company, Public sector, Private sector, Social Security.

### INTRODUCTION

The term welfare is so comprehensive that it leads to various interpretations and meaning. The term welfare is derived from the French phrase welfare which means to fare well. Welfare in a broad concept refers to the state of living of an individual or a group in a desirable relationship with the total environment-ecological, economic and social. After basic pay and incentives the third major component of organisational reward system is welfare and social security benefits some of which are mandated by law and some are voluntary. Adequate levels of earnings, safe and humane conditions of work and access to some minimum social security benefits are the major qualitative dimensions of employment which enhances quality of work life of workers and their productivity.

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, amenities which may be established in an organisation to enable the persons employed in them to perform their work in healthy congenial surroundings and provide them amenities conducive to good health and moral".

### OBJECTIVES OF THE STUDY

- i) To understand the meaning, features and importance of labour welfare and social security.
- ii) To study as to why there is a greater need for labour welfare and social security in India as compared to industrially advanced countries.
- iii) To provide an insight on the various agencies and labour law legislations in India for labour welfare and social security.
- iv) To study the emerging trends in labour welfare and social security in India.
- v) To identify problems associated with labour welfare and social security and to suggest suitable remedies to overcome these problems.

### 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 has been the main source of secondary data.

### REVIEW OF LITERATURE

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"

Conventions and recommendations of International labour organisation (ILO) (1949) sets forth a fundamental principle at its 26<sup>th</sup> conference held in Philadelphia recommended some of the measures in the area of welfare measures which include adequate protection for life and health of workers in all occupations, provision for child welfare and maternity protection, provision for adequate nutrition, housing and facilities for recreation and an assurance of equality of educational and vocational opportunity etc.

**Shobha Mishra and Manju Bhagat (2007)** in their study "Principles for successful implementation of labour welfare activities" stated that labour absenteeism in Indian Industries can be reduced to a great extent by providing good housing facilities, health and family care, canteen, educational and training facilities and other allied welfare activities. If steps are taken at a larger scale to improve the quality of life of the workers it will help in maintaining an environment of industrial peace. The authors have also opined that the principle of successful implementation of labour welfare activities is nothing but an extension of democratic values in an industrialised society.

**Guddi Tiwary and P.K. Gangopadhyay (2011)** in the article "A review on the occupational health and social security of unorganised workers in the construction industry" have observed that workers in the construction industry are victims of different occupational disorders and psychological stresses in India. The workplace is not proper, the working hours are more than the stipulated hours of work, the working conditions are not congenial in most of the cases and involves risk factors. Their wages are not adequate making it difficult for them to run their families. The hazards includes exposure to harsh environmental conditions like sun, rain, etc. These adverse conditions results in accidents and adverse health conditions. Workers are victims of headaches, backaches, joint pains, skin diseases, lung disorders, etc. The repetitive nature of their work causes boredom and meagre earnings puts them in great stress resulting in behavioural disorders. The authors have concluded by suggesting that in India as the workers are mostly illiterate, it is desirable to impart health education to them to appraise them of the ill effects of work and the remedial measures. Awareness programmes and local group discussions are essential for improving the health status of these working communities.

**K. Kaliyamurthy and J. Shyamala Devi (2012)** in the study "Effectiveness of labour welfare measures in India" has studied the labour welfare measures at KCP Ltd (Cement Division) at Macherla, AP and found that most of the employees were dissatisfied with the productivity linked annual bonus. Many of the workers also expressed dissatisfaction with the working of the Consumer co-operative stores in the company. The study also revealed that improvement should be made in the area of providing subsidised food at the canteen and uniforms to workers should be provided promptly.

**Dr. R. Srinivasan and S. Samarthakani (2013)** in the study "Evaluating Labour welfare measures at Perambalur Sugar Mills Ltd, Erayur, Perambalur district has suggested that to motivate employees special and selection grade scale may be given to those who have completed ten years of service. As workers were found

to suffer from fatigue and monotony in work, the author has suggested that job rotations and internal transfers should be implemented to overcome this problem. The study has recommended improvement in the heating, lighting and ventilation at the work place. The study has also recommended improvement in canteen facilities, recreational facilities and proper safety measures to prevent accidents at the work place.

### ELEMENTS OF LABOUR WELFARE

1. To provide to the workers a better life and health.
2. To relieve the workers from Industrial Fatigue.
3. To improve the intellectual and cultural conditions of living of the employees.
4. To make the workers happy, efficient and contented.
5. Labour welfare is a dynamic concept as new measures are added to the existing ones with the passage of time.

### IMPORTANCE AND CLASSIFICATION OF LABOUR WELFARE

Labour welfare measures make industrial employment attractive and it helps to reduce labour turnover and absenteeism. It helps to buy employee loyalty as good welfare measures leads to employee satisfaction and increased loyalty among the employees. It helps to motivate the employees and increases employee morale. Welfare measures satisfies trade unions and creates and improves industrial relations.

Labour welfare measures provides security to the employees against social risks like old age, maternity, industrial injury, disablement etc. Welfare measures protects the health of the workers and provides safety to the employees against accidents. It helps to improve the quality of work life of employees and it also meets the requirements of various labour law legislations.

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

Intra mural activities means all those amenities and services provided by the employers inside the factory like provision for good canteen, rest shelters, crèches, arrangement for drinking water, washing and bathing facilities toilets etc.

Extra mural facilities means all those amenities and services provided by the employers outside the factory like maternity benefit, social insurance measures like gratuity, pension, provident fund. It also includes facilities like education facilities, housing facilities, recreation facilities, holiday homes 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 as 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 in an infancy stage. 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 workers is very poor as compared to his western counterparts and this has adversely affected his productive capacity. Hence there is a need for a 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 provide 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.

Almost all cotton mills in the country have provided Dispensaries, crèches, canteens, grain shops, ambulance facilities and clinic facilities in their factory companies. There is an indoor and outdoor grains, co-operatives, school for the education of workers and their children from the employers side.

In India all paper mills provide dispensaries for the free medical treatment of their employees. Similarly cement industries also maintain well equipped dispensaries for the workers. Educational facilities exist in all these centres.

Likewise in sugar industries besides maintaining dispensaries for their workers, majority of factories provide facilities for education of the workers children. They have also opened workers clubs.

In Mining industries The Coal and Mica Mines Labour Fund is now responsible for providing welfare facilities for workers in coal and mica mines. They are providing recreation, play grounds, schools for children and adult education centres.

In Plantation Industries all the tea gardeners in Assam and West Bengal maintain dispensaries for their workers. Big tea estates maintain garden hospital. The small tea and coffee estates are maintaining only small dispensaries. Some estates also make arrangements for feeding the children.

Railway post and telegraph department is maintaining:

1. Hospital and dispensaries.
2. Rest and holiday homes.
3. Maternity and child welfare centres.
4. Staff benefits funds.
5. Consumer co-operative stores.
6. Grain shops etc.

- 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. They 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.

Some of the important labour welfare activities performed by them include:

- a) Organisation of adult literacy and leadership programmes.
- b) Trade union colleges set up by INTUC and AITUC.
- c) Publication of research activities done by the respective companies.
- d) Establishment of libraries.

Mahatma Gandhi established Textile Labour Association (TLA) in 1916 which was considered as a laboratory to make experiments in the sensitive labour field through truth, non-violence and welfare activities.

Mill Mazdoor Sabha runs credit co-operative societies for the members and it also provides:

- a) Scholarship to member's children.



- b) Issuing books to needy students.
- c) It has set up a holiday home at Khandala.
- d) It conducts workers education programme.
- e) It has its own research wing.

Transport and Dock workers union has got the following facilities:

- a) A credit co-operative society.
- b) Scholarship to needy students.
- c) Undertaking different social, recreational, educational and development activities.

Mazdoor sabha of Kanpur allotted funds to meet unseen contingencies like retirement, unemployment, sickness, death etc.

Rashtriya Mill Mazdoor Sangh (RMMS) is running a workers education centre at Khandala. It has also made arrangements for sewing and tailoring classes for family members.

- d) Labour welfare works done by social service agencies: 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 womens 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 Childrens 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.

The Supreme Court has clearly held that there should be no distinction between the industries in public sector and private sector in matters relating to application of industrial or labour laws.

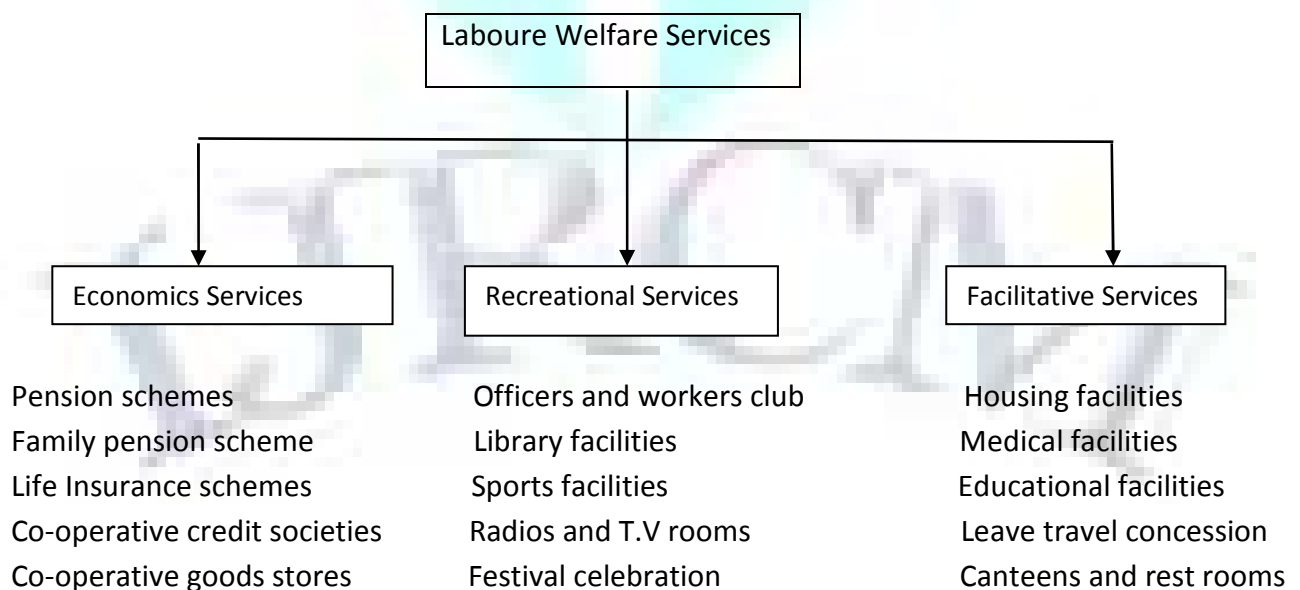
**SOCIAL SECURITY**

India has always had a joint family system that took care of the social security needs of all the members provided it had access/ownership of material assets like land. In keeping with its cultural traditions family members and relatives have always discharged a sense of shared responsibility towards one another.

However with increasing migration, urbanization and demographic changes there has been a decrease in large family units. This is where the formal system of social security gains importance. In the Indian context, social security is a comprehensive approach designed to prevent deprivation, assure the individual of a basic minimum income for himself and his dependants and to protect the individual from any uncertainties.

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. Workmens 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 employees 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.



**EMERGING TRENDS IN LABOUR WELFARE AND SOCIAL SECURITY IN INDIA**

Globalisation along with information technology has brought a lot of changes in business processes all over the world. National businesses started spreading their activities across the globe and foreign companies started entering domestic markets. Business process outsourcing, knowledge outsourcing etc has helped domestic companies to do international business by staying domestic. Globalisation has also brought significant shifts in Human resource Management and Industrial relations. While framing labour welfare and social security measures, international and global considerations have to be also considered.

Big organisations are providing various benefits at the middle and top management levels like holiday homes, festival bashes, coffee breaks, picnics, birthday treats, company watches, awards, club membership, flexible hours, vacation trips etc.

However, the conditions at the workers level is slightly different. 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 make the achievement of these objectives more challenging. Growth of population in the working age group is at a substantially higher pace than that of the average population. Agriculture used to provide employment to a major part of the work force. However, number of workers engaged in agricultural activities has not increased in recent years and it has even declined in some parts of the country. The pace of growth of jobs in organised sector has slowed down because number of jobs in public sector which had a 75% share in the organised sector jobs has reduced and employment opportunities in the private sector has also reduced considerably. The labour policy has to create new employment opportunities and the non-agricultural sector will have to absorb a bulk of the increase in labour force.

95% of the establishments which operate with hired workers employ less than 20 persons and 60% of the workers serve in such establishments. So in future labour welfare policies and programmes should focus on small establishments.

The projections of increase in labour force indicates that 8 to 10 million new entrants are required to be trained every year and against this the vocational training education sector has a capacity of only around 2 million. Labour laws are relevant for the wage employed and not self employed. Out of the estimated total number of workers around 47% are wage employed. Among this 25% are in the agricultural sector where labour laws do not generally apply, 12% are in the service sector and around 10% in the mining, electricity, gas & water etc. Among the wage employed, labour laws apply only to those hired on a regular salaried basis and only 1/3<sup>rd</sup> of the wage employed are hired on a regular salaried basis. Therefore it becomes very clear that the present structure of the labour market is such that labour laws apply only to a small portion of the labour force.

The government has already announced its intention to review some of the labour laws. Subsequently the report of the second national commission of labour has suggested restructuring of labour laws. The restructuring of labour laws must bear in mind that small establishments employing less than 20 persons account for more than 60% of the employment. Health, safety and welfare of workers may be given due importance while reviewing labour laws.

With the ongoing process of liberalisation, privatisation and globalisation, the employment relations are becoming increasingly precarious and informalised. The organised sector has been shrinking and more and more workers are finding refuge in the on going informal sector. Unorganised sector forms nearly 80% of the working population in developing countries and this percentage is increasing because there is a decreasing trend in employment opportunities in the organised sector. The second national commission on labour submitted its report to the Government of India in June 2002 which inter-alia contained elements of legislation to ensure a minimum level of protection to the workers in the unorganised sector. To provide for social security and welfare to the unorganised sector workers, the government has passed "The Unorganised Sector Workers Social Security Act, 2005. It has also been proposed in the 38<sup>th</sup> session of the Indian labour conference held in September 2002 that all labour legislations should be consolidated and one comprehensive social security law is to be enacted. The conference has also recommended that existing social insurance schemes should be modified and workers covered under social security scheme should be provided with a unique social security number and an identity card.

For workers of poor families not covered under any insurance scheme or any law statute, the central government has introduced a scheme of personal accident insurance social security scheme. The scheme is applicable to all persons in the age group of 18-55 who are earning members of poor families and meet with fatal accidents. The quantum of benefit is Rs. 3,000. The scheme is implemented through the General Insurance Corporation.

A new initiative has been taken by the Ministry of Agriculture and Co-operation by providing insurance cover to unorganised labour working in construction industry, agricultural fields and forests where the insurance cover will be provided through the Co-operatives on 50:50 basis through the national insurance cover and Labour Co-operatives. The insurance cover has the provision that in case of death of the labourer, his family will be paid Rs. 25,000.

Another emerging trend is the entry of Self Help Groups (SHG) and Micro Finance Institutions. These agencies should help accelerate the labour welfare process especially in rural and backward areas. It has also been observed that there is a change in the mind set of the courts regarding labour laws. It is being seen that courts of late are interpreting labour laws more liberally which has helped to provide flexibility to the employer in implementing various labour welfare schemes.

## PROBLEMS AND DIFFICULTIES ASSOCIATED WITH LABOUR WELFARE IN INDUSTRIES

Although workers in factories and other establishments have greatly benefited through various statutory and voluntary welfare measures adopted by employers, there are a lot of areas where problems and difficulties exist.

As already mentioned earlier, the present structure of the labour market is such that labour laws apply only to small portion of the labour force. A substantial portion of the labour force in India is not covered under labour laws and they are not getting the benefits of various labour law legislations.

Various labour laws are quite complicated and an average worker is not in a position to understand and grasp the various provisions. Trade unions are supposed to help the workers in this regard. The fact that there is no unity among trade unions and there is a high degree of political involvement and vested interests among the trade union leaders has certainly not helped in this regard.

In India there has always been a wide gap between the number of new entrants to the labour force and the corresponding capacity in the vocational and training infrastructure. This wide gap means that a large portion of the new entrants in the labour force will not be able to obtain good vocational and training facilities.

Majority of the workers in India work in small and medium size factories. However, large enterprises and their workers continue to be the main focus of labour policy.

Training activity for entrants to organised sector has always received a highly preferential treatment in contrast to those working in the unorganised sector. This is reflected in the exorbitant capitation fees for medical education and the high fees in private establishments for newly emerging areas of employment like Information Technology (IT), engineering, hotel, catering etc. This problem has further increased because the formal training certificates became a screening process for recruitment in the public sector/government.

There are many industries which are not covered by effective safety measures commensurate with the degree of exposure to risk. These industries include agriculture, small mines, trucks/bus operators, hotels, beedi and cigar making, building construction, fire works etc.

Various malpractices have been reported with respect to evasion of the provisions of the various acts. Workers are facing difficulty in getting the full benefits from the various welfare acts. Denial of benefits and facilities available to workers under various labour welfare legislations have been straining the relations between the management and workers. This naturally leads to grievances and disputes. This has also been vitiating working environment in the factory making it difficult for the supervisor to get the best out of the workers.

## SUGGESTIONS TO IMPROVE THE LABOUR WELFARE PRACTICES IN INDUSTRIES

- The present structure of the labour market in India is such that labour laws apply to only a small portion of the work force. The only way to increase the coverage is by providing gainful employment to the entire labour force. The labour policy must facilitate the opening up of employment avenues in all the sectors.
- As labour laws are quite complicated, an average worker is not in a position to understand the various provisions. Supervisors should acquire good knowledge about the provisions of the various welfare laws and help and guide the workers under their control in understanding their rights and obligations created by the act and the scheme.
- Trade unions should work honestly towards the betterment of workers. Unions and their leaders should have good unity and they should not indulge in politics, vested interests etc.

- d) In India there has always been a wide gap between the number of new entrants to the labour force and the corresponding capacity in the vocational and training infrastructure. Capacity and infrastructure in vocational and training institutions should be strengthened and this wide gap should be reduced.
- e) Labour statistics clearly reveal that a majority of the workers in India work in small and medium size factories. However, large enterprises and their workers continue to be the main focus of labour policy. In future labour policy should give more importance to workers in small industrial establishments.
- f) Unorganised sector forms nearly 80% of the working population in developing countries. 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 workers/occupational groups and voluntary health insurance and pension schemes should be encouraged. Training activity for entrants to organised sector has always received a highly preferential treatment in contrast to those working in the unorganised sector. Unorganised sector workers also should be provided adequate training facilities.
- g) International agencies such as International Labour Organisation (ILO), United Nations International Childrens Emergency Fund and World Bank can act in collaboration to administer and distribute aid to informal sector.
- h) The involvement of insurance industry in promoting safety of workers in small establishments should be encouraged. Group insurance schemes to share the risks of establishment owners should be promoted by the labour administration.
- i) Establishments should be encouraged to have periodic safety audits carried out.
- j) Placement agencies which are utilised for hiring contract labour should be registered and a forum to monitor placement agencies against exploitation of labour should be established.
- k) There are many industries which are not covered by effective safety measures commensurate with the degree of exposure to risk. These industries include agriculture, small mines, trucks/bus operators, hotels, beedi and cigar making, building construction, fire works etc. Safety procedures in these industries should be given utmost priority in the labour policy.
- l) There have been numerous instances of evasion of labour laws by various organisations. Workers are not getting full benefits under various labour law legislations. The State government will have to improve the quality and strength of their factory inspectorates and the workers and their unions will have to be more vigilant in policing the act. Penalties for violations should be strictly implemented so that workers get full benefit of labour laws.

## CONCLUSION

Labour welfare and social security has got tremendous significance with public sector, private sector and multinational corporate. The aspect of labour welfare requires an honest and open approach that money and environment given to employees will never go waste. Welfare schemes should be regarded as a wise investment which should and usually does bring a profitable return in the form of greater efficiency. The productivity of labour is an essential condition for the prosperity of an enterprise and the well being of the workers and their families. While the production facilities at the workplace and the remuneration are important, attitudes towards work and the value placed by the society on dignity of labour are equally important in influencing the productivity of labour. The high rate of labour absenteeism in Indian industries can be reduced to a great extent by provision of good housing, health and family care, education and training facilities. Provision for welfare facilities instils a sense of loyalty among workers and helps to improve productivity and efficiency of the enterprise. Welfare facilities reduces industrial disputes and brings about a cordial industrial relations. Therefore all efforts must be made by organisations to provide comprehensive welfare and social security to workers in order to improve their Quality of Work Life (QWL).

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