

Unions up in arms as State Govts dilute labour laws via ordinances

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Say laws are amended to woo firms looking to leave China; fear exploitation of workers.

Our Bureau Unhappy over several State governments making amendments to various labour laws through ordinances, trade unions (TUs) are planning to present a joint front to oppose the move.

They fear that the Centre may also take the same route to pass proposed labour reform legislation such as Labour Codes, as Parliament cannot be convened amid the Covid-19 pandemic. The unions had earlier voiced concerns against many pending pieces of legislation before Parliament.

UP government move

The Unions' move came after the Uttar Pradesh government decided to bring in an ordinance, the Uttar Pradesh Temporary Exemption, under which 38 labour laws stand suspended for 1,000 days.

Section 5 of the Payment of Wages Act, 1934, Construction Workers Act, 1996, Compensation Act, 1993 and Bonded Labour Act, 1976 are the only laws functional in UP now. Those such as the Industrial Dispute Act, Act on Occupational Safety and Health, Contract Labour Act, Migrant Labour Act and Equal Remuneration Act are not operative in the State for the present.

CITU General Secretary Tapan Sen told Business Line that there is a growing opinion that companies are leaving China and looking at India as an alternative investment destination.

“The companies are not fools. There is no reason to think that companies are leaving all infrastructure support in China and coming to India. Otherwise, China would not have seen surplus of balance of payment situation vis-à-vis the US. The capitalist class sees an opportunity in this crisis. They want to increase their level of appropriation. All the big capitalists have increased their worth in India and globally,” he said, adding that the States are misusing the provisions in the Disaster Management Act to amend labour laws.

He said States such as Haryana, Punjab and Rajasthan have also amended labour laws and Tripura and Maharashtra are moving in the same direction.

AITUC General Secretary Amarjeet Kaur said Madhya Pradesh has amended the Factories Act, Contract Act and Industrial Disputes Act, following which the employers will have the freedom to hire and fire with ease. Also, contractors will not need a license for supplying labour of up to 49 persons.

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“All this means that the workers are to be used as bonded labour without any rights for sheer exploitation in the interest of capital without any guarantee of wages, safety and healthcare, and social security,” she said. The Gujarat and Uttar Pradesh governments have raised working hours, she added. “The Indian working class is being pushed back into the British Era and we, the trade unions, resolve to fight back with all our might,” she said.

Rise in working hours

Virjesh Upadhyay and Saji Narayanan, leaders of RSS-affiliated trade union BMS, had also warned the Centre against such moves. “Three States have raised the working hours. It should be immediately reversed as it is against ILO conventions and the existing labour laws. India should be a model to other countries in respecting International Labour Standards set by ILO.

“The government should desist from any anti-worker amendments in labour laws to facilitate shifting of companies from China or other countries. China is notorious for not having democracy, any respect for human rights, labour law protection, active trade unions etc,” said a BMS statement.

“Hence India cannot be a good substitute for such undemocratic characteristics in the mad run to provide ‘cheap labour’,” the statement added.