

After 41 yrs, Centre set to redefine ‘migrant workers’

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NEW DELHI: Learning from the ongoing migrant crisis, the government is set to redefine “migrant workers” after 41 years and plans to register them to enable access to social security and health benefits under the Employees’ State Insurance Corporation.

The new measures, which follow large-scale migration of lakhs of workers- both in the informal and formal economy during the lockdown, are proposed under an updated Code on Social Security which the labour ministry will shortly take to the Union Cabinet. The Centre is planning to enact a law on this by the end of the year.

Labour minister Santosh Gangwar confirmed that the legal framework was being strengthened and some of the provisions in the proposed Code, cleared by the standing committee of Parliament headed by BJD MP Bhartruhari Mahtab, may undergo further changes.

STATES TRY TO STOP FLIGHT OF LABOUR

<p>PUNJAB Surveying possibility of new jobs by coordinating with industry bodies. Self-employment schemes to be publicised</p>	<p>MAHARASHTRA A Pune-based realtor pays workers 2 months’ salary in advance along with performance incentives. A fabricator sends money to some workers in UP to buy return tickets</p>
<p>RAJASTHAN Announces skill training programmes. Industries to give Rs 4,000 allowance for April and May to migrant staffers</p>	<p>GUJARAT India’s biggest salt industry in Kutch offering double the salary to workers who return. Labour contractors at Deendayal Port Trust at Kandla to do the same</p>
<p>TAMIL NADU Aavin Dairy promises long-tenure jobs with Rs 20,000/pm salary and benefits like ESI & PF. Some other companies pledge free food and accommodation, regular medical check</p>	<p>KARNATAKA Announces Rs 3,000 additional financial assistance to construction workers – mainly migrants – along with ration kits</p>



The steps are seen to be crucial as the current legal framework is inadequate, something that was exposed by the exodus of migrants, with absence of any kind of record of employment which prompted a serious rethink in the government. The Inter-State Migrant Workmen Act, 1979 applies to establishments with five or more inter-state migrant workers and to contractors involved in their hiring. “This will mean that most migrant workers today will be outside the law's ambit,” said an official.

Making Corporate India Comply

The proposed legal framework will apply to individual migrant workers who earn up to a specified amount with even domestic helps included in its framework. While the ceiling wage will be defined through an executive order, the law will provide for it. These workers will enjoy benefit of portability of benefits across the country and be entitled to be given the fare to go home once every year, sources told TOI.

A key element of the plan is to allot unorganised sector workers an Unorganised Worker Identification Number (U-WIN), which was prescribed through a law in 2008 but has not made much headway. The Centre is now looking to make it attractive for workers to register by throwing in social security benefits, such as pension and healthcare, while also asking them to specify if they are migrant.

Through this exercise, an Aadhaar-linked national database is proposed to be created, which can be accessed by the Centre and states, the latter playing a crucial role in the creation of the record.

While a pension scheme for unorganised sector workers is already in place, officials said a key element will be to allow them to enrol for ESIC on payment of a nominal fee, a benefit which may also be extended to those working in hazardous units and plantations. In any case, the scope of the ESIC is being expanded so that healthcare facilities are available to beneficiaries across districts.