

Chapter-11

WOMEN AND WORK

PROFILE OF WOMEN WORKERS

11.1 Women form an important part of the Indian Workforce. According to the information provided by the Registrar General of India, the work participation rate for women was 25.68 per cent in 2001. This is an improvement from 22.73 per cent in 1991 and 19.67 per cent in 1981. The two important aspects that require mention are that while there has been an improvement in the work participation rate of women, it continues to be substantially less in comparison to the work participation rate of men. In 2001, the work participation rate for men was 51.93 per cent. Secondly, there seem to be a rural urban divide in so far as work participation of women is concerned. In 2001, work participation rate for women in rural areas was 30.98 per cent as compared to 11.55 per cent in the urban areas. In the rural areas, women are mainly involved as cultivators and agricultural labourers. In the urban areas, almost 80 per cent of the women workers are working in the unorganized sectors like household industries, petty trades and services, buildings and construction.

11.2 In so far as the organized sector is concerned, in March 2002, women workers constituted 18.1 per cent of the total organised sector employment in the country as compared to 17.8 per cent in the previous year. As on 31st March, 2002, there were about 49.35 lakh women workers employed in the organised sector (Public and Private Sector). Of this, nearly 27.89 lakh were employed in community, social and personnel services sector. Plantations and factories were also important employers of women. Women workers constituted only 5 per cent of the work force in the mines sector.

WOMEN'S ACCESS TO EDUCATION AND SKILLS / VOCATIONAL TRAINING

11.3 Women's access to employment is to a significant extent related to their access to education and skill upgradation. At present, women lag behind men in terms of access to education. The Government has been implementing several programmes aimed at providing access to education and vocational training to women.

11.4 In this context, a Women's Vocational Training programme was launched in 1977 under the Directorate General of Employment & Training (DGE&T), in this Ministry. The programme aims at improving employability of women in wage/self-employment through skill training/development. Under this, a separate Women's training wing has been set up at DGE&T Headquarters, which is responsible for designing and pursuing long term policies related to providing vocational training to women in the country.

11.5 As part of the programme, in the Central Sector, one National and ten Regional Vocational Training Institutes have been set up in different parts of the country. These institutes organize regular skill/vocational training courses at basic, advanced and post advanced levels for women who have passed 10th or 12th standard and qualify the specified eligibility conditions laid down for various courses. Besides the structured long-term courses, these institutes also organize need-based short term / ad-hoc courses for general women groups – housewives, students, school drop-outs, etc. and

refresher training programmes in advance skills / pedagogy for ITI instructors. So far, about 41,942 trainees have been trained in the above institutes and about 3092 seats are being currently offered to trainees in various courses.

11.6 In the State Sector, a network of exclusive women Industrial Training Institutes (WITIs) have been set up under the administrative control of the State Governments. These institutes provide basic skill training to women. At present there are 218 WITIs and 582 women wings in general/private ITIs) offering training to more than 46658 women.

11.7 Besides this, the Indian Institute of Workers Education, Mumbai has established a separate cell on "Women and Child Labour" and evolved advance-training programmes for women activists who are members of the Central Trade Union Organizations and are involved in the upliftment and welfare of women and child labour in the country. From 1992-93 to September, 2003, 456 women activists were trained in the various training programmes conducted by the Women and Child Labour Cell of the Institute.

ASSISTANCE TO WOMEN JOB SEEKERS

11.8 The Employment Exchanges take special care to cater to the job needs of women registered with them. During January-December, 2003 they placed 26717 women in various employments.

PROTECTION OF THE INTEREST OF WOMEN WORKERS

11.9 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-1**.

11.10 Besides this, a separate Cell for Women Labour was set up in this Ministry in 1975. The intention was to focus attention on the condition of working women and bring about an improvement therein. The Cell has the following functions:

- Formulation and coordination of policies and programmes for the female labour force within the framework 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.
- Setting up of an Advisory Committee under the Equal Remuneration Act, 1976.
- Giving grants-in-aid to Non-Governmental Organisations/ Voluntary Organisations to formulate and execute action oriented projects for women workers.

11.11 In recent years the Ministry has been actively involved in creating awareness among women workers especially in respect of their legal rights and duties. This is being done in cooperation with Non-Governmental Organizations/Voluntary Organizations.

EMPLOYMENT OF WOMEN – PROTECTIVE LEGAL PROVISIONS

Sl.No.	Name of Enactment	Protective Provisions
01.	The Beedi & Cigar workers (Conditions of Employment) Act, 1966.	Provision of crèches for the benefit of women workers in the industrial premises wherein more than fifty female employees are ordinarily employed.
02.	The Plantation Labour Act, 1951.	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. Women workers are provided time off for feeding children.
03.	The Contract Labour (Regulation & Abolition) Act, 1970	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 A.M. and 7.00 P.M. with the exception of mid-wives and nurses in hospitals and dispensaries.
04.	The Inter State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979	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.
05.	The Factories Act, 1948	Provision of crèches in every factory wherein more than thirty women workers are ordinarily employed.
06.	The Mines Act, 1952	Employment in mines below ground prohibited. Provision of separate toilets and washing facilities for women workers.
07.	The Maternity Benefit Act, 1961	Maternity benefits to be provided on completion of 80 days working. Not required to work during six weeks immediately following the day of delivery or miscarriage. No work of arduous nature, long hours of standing likely to interfere with pregnancy/normal development of foetus or which may cause miscarriage or is likely to affect health to be given for a period of six months immediately preceding the period of one week before delivery. On medical certificate, advance maternity benefit to be allowed. Rs.250.00 as Medical bonus to be given when no prenatal confinement and post natal care is provided free of charge

08.	The Equal Remuneration Act, 1976	<p>Payment of equal remuneration to men and women workers for same or similar nature of work protected under the Act.</p> <p>No discrimination is permissible in recruitment and service conditions except where employment of women is prohibited or restricted by or under any law.</p>
09.	The Employee's State Insurance (General) Regulation, 1950	<p>Claim for maternity benefit becomes due on the date medical certificate is issued for miscarriage, sickness arising out of pregnancy, confinement or premature birth of child.</p> <p>Claim for maternity benefit becomes due on (General Regulation 1950) the date medical certificate is issued for miscarriage, sickness arising out of pregnancy, confinement or premature birth of child.</p>
10.	The Beedi Workers Welfare Fund Act, 1976	<p>Appointment of women member in the Advisory and Central Advisory Committee is mandatory under the Acts at Sl.Nos.10-13.</p>
11.	The Iron Ore Mines, Manganese Ore Mines and Chrome Ore 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.	
14.	The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.	<p>Representation of a women member on Building and other Construction Worker Welfare Boards.</p> <p>Provisions for maternity benefit to female beneficiaries of the Welfare Fund.</p> <p>Provision for crèches where more than 50 female construction workers are ordinarily employed.</p>
15.	The Industrial Employment (Standing Orders) Act, 1946.	<p>Provision regarding safeguards against sexual harassment of women workers at their work places.</p>

EQUAL REMUNERATION

11.12 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 Ordinance was promulgated in the year 1975. The Equal Remuneration Act, 1976, subsequently replaced the above Ordinance.

11.13 States/Union Territories have appointed competent authorities under the Equal Remuneration Act, 1976 and have also set up Advisory Committees under the Act. The Ministry of Labour and Employment and the Central Advisory Committee regularly monitor the situation regarding enforcement of the provisions of Equal Remuneration Act. The special cell calls for annual returns 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.

11.14 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.

CHILD CARE CENTRES

11.15 Statutory provisions have been made in certain Labour laws for organizing child care centers for the benefit of women workers. The Factories Act, 1948, the Beedi & Cigar Workers (Conditions of Employment) Act, 1966 and the Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 provide for establishment of crèches for the benefit of women workers. The Plantation Labour Act, 1951 provides that the women workers be provided time-off for feeding children.

SUPREME COURT GUIDELINES ON SEXUAL HARASSMENT OF WOMEN WORKERS

11.16 The Hon'ble Supreme Court of

India, in the case of writ petition No.666-70 of 1992 filed by Vishaka & Others vs State of Rajasthan & Others laid down certain guidelines for the prevention of sexual harassment of women employees in their work places. A number of initiatives have been taken to give effect to the guidelines. All Central Ministries/ Departments, State Governments / Union Territories and Central Public Sector Undertakings have been informed of the provisions contained in the judgment. They have been asked to implement the guidelines laid down in the said judgment. The Conduct Rule applicable to the officers of the Central Government and the All India Services has since been amended to give effect to the guidelines. The Industrial Employment (Standing Orders) Act, 1946 has also been amended to make the guidelines applicable to the employees in the Private Sector.

FUTURE STRATEGY

11.17 In this period of economic liberalization and globalization, the quality of women's employment will depend upon several factors. The foremost among these are access to education and opportunities for skill development. The solution lies in creating awareness among women about their legal rights and duties and by providing them adequate opportunities to upgrade their skill levels. The emphasis should be on effective enforcement of the Minimum Wages Act, 1948 and the Equal Remuneration Act, 1976. Proper enforcement of these Acts will create an enabling environment for women workers. Besides these protective measures, policies, which encourage education, skill development, and training among women, also need to be given priority.
