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**CENTRE FOR LABOUR LAW  
RESEARCH AND ADVOCACY**



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The Centre for Labour Law Research and Advocacy (CLLRA) was established in August 2022 at the National Law University Delhi (NLUD) to revitalize Labour Law research in the context of evolving work structures and legal frameworks. The Centre focuses on a 'bottom-up' approach to address livelihood issues and aims to bring about social change and improve the quality of life for the most neglected sections of working people in India through the Rule of Law. The three-tiered team of CLLRA contains Institutional Patrons, an Advisory Board and a Centre Management team under the supervision of Dr. Sophy K.J., Director of CLLRA. The Centre's pedagogy is the use of "Praxis" i.e., the use of "Theory" and "Practice", always ensuring that one informs the other. Hence there will always be special efforts to listen to problems and insights that emerge from the grassroots and to specialised scholars from relevant social sciences with a critical mind. The Centre is open to learning and using lessons derived from International standards, comparative jurisprudence, constitutional law, statutory law, case law and experiential learning. CLLRA remains particularly sensitive to deriving insights from the 'feminist movement' in the struggle against patriarchy, the movement of 'persons with disabilities', the 'child rights movement', and especially the social movements of the excluded and marginalised people, to seriously internalise different perspectives and contribute substantially to the realisation of an inclusive society.

This Newsletter, titled 'Labour Law Insights', started as there is a need for renewed thinking to reinvigorate Labour Law in the context of debates on new work, new employment relations and new legal frameworks. The lack of exchange and sharing of information on labour law and policy updates through a consistent medium has created a vacuum in the assimilation of knowledge around the discipline. This Newsletter attempts to fill in this gap by bringing forth important judicial discourse, legislative updates, scholarly discussions and information on labour, to the readers. It aims to reach a wider audience, both students and researchers and therefore, opportunities for career/future learning are also included in the Newsletter. At the very outset, it is necessary to clarify that in today's context when we say 'labour' we must take it to mean the entire 'workforce' in our society. The Centre will strive to study conditions in which all working people can live with dignity. There is an increasing need to study various anti-poverty and social justice measures with labour-related entitlements such that the workforce can access a package of measures which contributes to their enhanced quality of life. The 'Labour Law Insights' newsletter has four primary objectives:

- (i) disseminating legal knowledge by conveying developments in Indian labour laws,
- (ii) elucidating precedent through curated case laws,
- (iii) cultivating awareness about legal rights and safety among the workforce, and
- (iv) fostering scholarly discourse on labour law topics.

It commits to providing an informative platform that enhances understanding of labour laws and their profound impact on the Indian labour landscape. Hope you will read and write to us at [cllra@nludelhi.ac.in](mailto:cllra@nludelhi.ac.in) with your feedback.

Best regards,  
Sophy

# LABOUR LAW INSIGHTS

Decoding Labour Discourse: Insights, Updates, and Analysis

## LANDMARK LABOUR JUDGEMENTS

### Supreme Court

Right to Legal Representation under Industrial Dispute Act

ADVOCATE COULD NOT CLAIM THE RIGHT TO LEGAL REPRESENTATION WHEN IT PERTAINED TO MATTERS UNDER THE INDUSTRIAL DISPUTES ACT

#### THYSSEN KRUPP INDUSTRIES INDIA PRIVATE LIMITED & ORS V. SURESH MARUTI CHOUGULE & ORS.

**Court:** Supreme Court of India

**Citation:** Civil Appeal No. 6586/2019

**Facts:** Challenge was laid to S. 36(4) of the Industrial Disputes Act, 1947, which states that any workman who is a party to a dispute can be represented by a legal practitioner. The issue arose whether an advocate could claim the right to legal representation.

**Judgement:** The Court held that an advocate could not claim the right to legal representation when it pertained to matters under the Industrial Disputes Act, and S. 30 of the Advocates Act, 1961 would not come into force. The Court asserted that in these cases, the primary consideration was the rights and restrictions imposed on the parties (employers and workmen) rather than the rights of legal practitioners.

**Conclusion:** The Court answered the reference and reaffirmed that advocates cannot claim right of legal representation when issues pertain to IDA.

#### UNION OF INDIA V. K. SURI BABU

**Court:** Supreme Court of India

**Citation:** Civil Appeal No.1323 of 2010

**Facts:** The respondent was charged for disciplinary proceedings. He filed a petition to set aside the proceedings against him on the ground that the proceedings can only be initiated under the "Standing Orders" certified under the Industrial Employment (Standing Orders) Act, 1946 and not the Central Civil Services Rules, 1965 (CCA).

**Judgment:** The Court held that standing orders would supersede all other rules and laws. It observed that the Industrial Employment Act was a special act that dealt exclusively with the interests of workmen in industrial establishments, and thus cannot be taken away by a general enactment like the CCA Rules.

Standing orders would supersede all other rules and laws.

STANDING ORDERS WOULD SUPERSEDE ALL OTHER RULES AND LAWS

## High Court

Income Tax must remain attuned to the economic realities

**LEGISLATURE NEED TO ENSURE THAT TAXATION POLICY REFLECTS A BALANCE BETWEEN INCENTIVIZING ECONOMIC ACTIVITY AND ENSURING THE EQUITABLE DISTRIBUTION OF FISCAL RESOURCES.**

### SERUM INSTITUTE OF INDIA PRIVATE LIMITED V. UNION OF INDIA

**Court:** Bombay High Court

**Citation:** Writ Petition No. 3735 Of 2021

**Facts:** The petitioners, who are a biotechnology company manufacturing drugs and vaccines, filed a petition challenging a 2016 amendment to the Income Tax Act. The amendment included subsidies, grants, waivers, concessions, reimbursements by the Centre or states, or incentives in cash or kind, as 'income'. The appellants contended that 'income' meant monetary returns, and therefore capital subsidies cannot be real income.

**Judgment:** The Court observed that the income tax laws must remain attuned to the economic realities and it is the duty of the legislature to ensure that taxation policy reflects a balance between incentivizing economic activity and ensuring the equitable distribution of fiscal resources. While dealing with economic legislation, this court would interfere only in those few cases where the view reflected in the legislation is not possible to take at all, otherwise the Court should not deal with these matters. The Court held that the amendment is not unfair or results in any gross disparity, and therefore dismissed the petition.

### ASHOK BHIKANRAO DESHMUKH V. STATE OF MAHARASHTRA AND ORS.

**Court:** Bombay High Court

**Citation:** Writ Petition No. 2149 of 2011

**Facts:** The petitioner, a 60 year old man working under the Employment Guarantee Scheme (EGS) for 2 years, sought regularization for his services.

**Judgment:** The Court observed that workers under the EGS scheme are not entitled to continued employment or regularization. However, they granted him a compensation for 2 lakhs, considering that he had been litigating for 67 years and was now 60 years of age. The court directed the Executive Engineer, Public Works Division to deposit Rs. 2 Lakhs in court within sixty days

Employment Guarantee Scheme

**WORKERS UNDER THE EGS SCHEME ARE NOT ENTITLED TO CONTINUED EMPLOYMENT OR REGULARIZATION.**

Medical Representative as 'Workmen'

**MEDICAL REPRESENTATIVES ARE WORKMEN UNDER THE INDUSTRIAL DISPUTES ACT: ALLAHABAD HIGH COURT**

### M/S NICHOLAS PIRAMAL INDIA LTD. AND ORS V. PRESIDING OFFICER LABOUR COURT LKO. AND 3 ORS.

**Court:** Allahabad High Court

**Citation:** WRIT-C No. 1004529/2007

**Facts:** The workman was appointed with the petitioners as a medical representative, and was alleged to have been involved in misconduct for which he was terminated. This order was set aside on the grounds that a workman did not have opportunity to present proper evidence. The petitioners contended that medical representatives are not 'workmen' under the Industrial Disputes Act.

**Judgment:** The Court observed the requirements for being a workman, which held that he should be employed in an industry for work, and should be engaged for hire or reward. Further, the Parliament had passed the Sales Promotion Employees Act, 1976 which held that employees in pharmaceutical companies are workmen, even those who were employed for sales promotion. Thus, medical representatives are workmen under the Industrial Disputes Act.



### Compassionate employment

## HARISH B T V. LIFE INSURANCE CORPORATION OF INDIA

**Court:** Karnataka High Court

**Citation:** Writ Petition No. 31445 of 2015

**Facts:** The petitioners submitted an employee had been dismissed from service, during the pendency of which he passed away. It was argued that after his demise, his legal representatives should be entitled to get full back wages.

**Judgment:** The Court held that the legal heirs of a terminated employee to claim compassionate employment would only arise when such termination was decreed to be illegal by a court of law. It was also important that the legal heir had staked his right to compassionate employment in a prescribed time period. In the present case, since the termination was illegal, the Court granted back wages and employment to the legal heir.

**LEGAL HEIRS OF A TERMINATED EMPLOYEE TO CLAIM COMPASSIONATE EMPLOYMENT WOULD ONLY ARISE WHEN SUCH TERMINATION WAS DECREED TO BE ILLEGAL**

## ASHOK AGARWAL V. UOI & ORS

**Court:** Delhi High Court

**Citation:** 2023 LiveLaw (Del) 1054

**Facts:** In October 2023, the Supreme Court had passed a direction increasing the compensation in cases of sewer deaths to be increased to Rs. 30 lakhs.

**Judgment:** The Court directed the Delhi Government, Municipal Corporation of Delhi and other civic authorities in the national capital to strictly comply with the Supreme Court ruling which called for a complete eradication of the practice of manual scavenging. The court disposed of a bunch of pleas seeking strict enforcement of the provisions of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and the Rules framed thereunder

### Compensation to Manual Scavengers

**STRICTLY COMPLY WITH THE SUPREME COURT RULING WHICH CALLED FOR A COMPLETE ERADICATION OF THE PRACTICE OF MANUAL SCAVENGING.**

### Compassionate Employment

## SITA KUMARI V. BHARAT COKING COAL LTD. AND ORS

**Court:** Jharkhand High Court

**Citation:** W.P.(S) No. 2178 of 2021

**Facts:** The appellant, a married daughter of the deceased, submitted an application seeking compassionate employment. The management rejected her request citing that that being married, she was not entitled to the benefit. She challenged the above decision, stating that she was unmarried at the time of her father's death.

**Judgment:** The Court held that the petitioner's brother and husband had both died as well during the pendency of her petition, and as such, a widowed daughter counts as a dependent. The Court held that the primary objective of compassionate employment was to provide support to bereaved families and prevent them from facing destitution. In doing so, all the facts and the financial condition of the dependent had to be analyzed before offering employment.

**LEGAL HEIRS OF A TERMINATED EMPLOYEE TO CLAIM COMPASSIONATE EMPLOYMENT WOULD ONLY ARISE WHEN SUCH TERMINATION WAS DECREED TO BE ILLEGAL**



## International Cases

### Resignation

**SURROUNDING CIRCUMSTANCES TO BE CONSIDERED BEFORE ASSESSING WHETHER A RESIGNATION IS VALID**

#### OMAR V. EPPING FOREST DISTRICT CITIZENS ADVICE

**Court:** Employment Appeal Tribunal (EAT)

**Citation:** [2023] EAT 132

**Facts:** This case involved Mr. Omar, who resigned verbally during a heated exchange with his line manager. Mr. Omar subsequently sought to retract the resignation, but his employer disagreed and proceeded on the basis of the verbal resignation, bringing the employment to an end. Mr. Omar brought a claim for unfair dismissal.

**Judgment:** The EAT found that Mr. Omar’s resignation was not a genuine expression of intent. The decision emphasized the importance of considering the surrounding circumstances when assessing whether a resignation is valid. had not taken any steps to finalize his resignation, such as clearing his desk or handing in his keys.

### INDEPENDENT WORKERS UNION OF GREAT BRITAIN V. CAC

**Court:** Supreme Court of the UK

**Citation:** [2023] UKSC 43

**Facts:** The workers were delivery riders of a food delivering company that allowed people to sign up to be drivers. They wanted to be classified as ‘workers’, which would grant them the right to collective bargaining.

**Judgment:** The Court held that the delivery drivers were not workers considering that they had freedom to choose when and how to work, their ability to substitute others and their lack of entitlement to benefits such as sick pay and holiday pay.

### Food delivery partner as Worker

**FOOD DELIVERY RIDERS ARE NOT WORKERS**

### Resignation

**SURROUNDING CIRCUMSTANCES TO BE CONSIDERED BEFORE ASSESSING**

#### STEEL V. SPENCER

**Court:** England and Wales High Court

**Citation:** [2023] EWHC 2492 (Ch)

**Facts:** A clause in an employment agreement required repayment of a bonus if the employee left employment at any point and had to give a notice of 3 months.

**Judgment:** The Court held that while it was a disincentive to resign, it was not a restraint to trade since it did not prevent the employee from working elsewhere. It was also a “modest” restriction, which only required him not to give notice for three months, as bonuses are paid as a reward for loyalty, and the period involved was not excessive.

### RIGHT TO STRIKE UNDER ILO CONVENTION NO. 8

**Court:** International Court of Justice

**Facts;** The International Labour Organization (ILO) has asked for an advisory opinion on the right to strike under ILO Convention No. 87. The Court has currently passed on Order organizing the proceedings. The Court has called member states to the Freedom of Association and Protection of the Right to Organise Convention as well as six other organizations to furnish their contributions to the Court.

### Right to Strike

**ILO SEEKS ADVISORY OPINION ON RIGHT TO STRIKE**

# POLICY AND LEGISLATIVE UPDATES

## REVISION OF MINIMUM WAGES OF WORKERS IN ODISHA

The Government of Odisha vide notification dated October 4, 2023, revised the minimum wages of workers. The daily minimum wages of the following categories of employees have been revised:

- Unskilled workers: INR 352 (Rupees Three Hundred and Fifty-Two)
- Semiskilled workers: INR 392 (Rupees Three Hundred and Ninety-Two)
- Skilled workers: INR 442 (Rupees Four Hundred and Forty-Two); and
- Highly skilled workers: INR 502 (Rupees Five Hundred and Two)

## STANDARD OPERATING PROCEDURE FOR MANAGEMENT AND REGULATION OF EMPLOYEES' PROVIDENT FUND EXEMPTED ESTABLISHMENTS

The Employees' Provident Fund Organisation ("EPFO") released the Standard Operating Procedure ("SOP") for management and regulation of EPF exempted establishments on October 6, 2023.

EPFO has issued a standard operating procedure (SOP) for organisations exempt from the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 ("EPF Act"). Exemption from the operation of the Employees' Provident Funds Scheme, 1952 is granted by the competent Government to an enterprise to manage the provident fund of its employees subject to specified restrictions and requirements. This SOP intends to outline the procedure of compliance that exempted/relaxed establishments must follow while administering their own trust and the regulations that govern the conditions and obligations outlined in the statute.

The SOP lays down the compliance terms of the exempted establishments managing their own provident fund trust and further describes EPFO's methodology to monitor and regulate the compliance of the exempted/relaxed establishments. It covers within its ambit establishments which have been granted:

- exemption under Section 17(1) (power to exempt) of the EPF Act; and
  - exemption under Section 17(2) (power to exempt) of the EPF Act
- (read with Para 27A (exemption of a class 15 of employees) and Para 27 (exemption of an employee) of the Employees' Provident Funds Scheme, 1952).

## GOVERNMENT OF DELHI ISSUES ADVISORY ON PAYMENT OF BONUS

The Office of the Commissioner, Labour Department, Government of the National Capital Territory of Delhi issued an advise on October 11, 2023, based on allegations about non-payment of bonuses by contractors and complaints from outsourced workers.

According to the aforementioned recommendation, all contractor's enterprises that employed 20 (twenty) or more people on any day throughout the fiscal year are covered by the Payment of Bonus Act, 1965. As a result, it is a regulatory requirement for contractors to pay bonuses to their employees as employers. The guidance also emphasised the requirements of the Contract Labour (Regulation & Abolition) Act, 1970, which provide that the major employer is responsible for ensuring that their respective contractors comply with various labour regulations.

The warning also adds that if the establishments/contractors fail to pay the bonus, they will face prosecution. Furthermore, the unpaid bonus will be recovered as land revenue arrears.



## EMPLOYEES ENTITLED TO INTEREST ON MEDICAL REIMBURSEMENT FROM THE DATE OF CLAIM UNDER EMPLOYEES COMPENSATION ACT, 1923

In the case of Venugopalan V. The Managing Partner, the High Court of Kerala noted in an order dated October 11, 2023, that an employee is entitled to claim interest on medical reimbursement under Section 4A of the Employees Compensation Act, 1923 from the date of making claim before the Compensation Commissioner, not from the date of the accident. In the current instance, the appellant filed an application with the Employees Compensation Commissioner (Industrial Tribunal) in Thrissur for compensation for functional disability received in an accident while on the job. However, the aforementioned commission did not pay interest on the medical reimbursement, as required by Section 4A(3)(a) of the Employees Compensation Act of 1923.

Thus, an appeal was preferred. The High Court of Jharkhand, allowed the appeal in part and ordered for payment of interest on medical reimbursement at the rate of 12% (Twelve Percent) from the date of petition till realization.

## CHANGE IN INTEREST RATES UNDER PROVIDENT FUND SCHEME IN WEST BENGAL

The Finance Department of West Bengal decided, in a resolution dated October 12, 2023, that the accumulated credit of Subscribers who have subscribed for the general provident fund and other similar funds maintained under administrative control of the government from October 1, 2023, to December 31, 2023, shall bear a rate of 7.1% (Seven Point One Percent) per annum. The funds concerned are:

- General provident fund (West Bengal Service).
- Contributory provident fund (West Bengal).
- Provident funds maintained under the West Bengal Non-Government Educational institutions and Local Authorities (Control of Provident Fund of Employees) Act, 1983.
- Any other provident fund maintained under state account with the approval of the government.

## ENFORCEMENT OF PROVISIONS OF EMPLOYEES STATE INSURANCE ACT 1948 IN SOME DISTRICTS OF TAMIL NADU AND UTTAR PRADESH

The Ministry of Labour and Employment, vide notification dated October 13, 2023 has enforced the following provisions of the Employees State Insurance Act, 1948 ("ESI Act") in all the areas of Lalitpur, Kushinagar, Kaushambi, Budaun, Sultanpur, Deoria, Ballia, Jaunpur, Azamgarh, Baghpat, Chitrakoot, Sambhal and Ayodhya districts in the State of Uttar Pradesh and all the areas of Nilgiris district, in addition to the already notified areas in the said district, in the State of Tamil Nadu:

- Sections 38 to 43 and sections 45A to 45H of Chapter IV which relates to 'contribution';
- Sections 46 to 73 of Chapter V which relates to 'benefits'; and
- Sections 74, 75, sub-sections (2) to (4) of section 76, 80, 82 and 83 of Chapter VI which relates to 'adjudication of disputes and claims'.

## SAME WAGES & SEPARATE TOILETS FOR CONSTRUCTION WORKERS IN DELHI

In a notification dated October 18, 2023, the Office of the Commissioner, Labour Department, Government of the National Capital Territory of Delhi stated that all employers, contractors, and establishments on a construction site must pay the same wages to female workers as they do to male workers for the same work, as mandated by the Equal Remuneration Act, 1976. According to the aforementioned notification, such employers, contractor establishments are required to provide separate toilets for male and female construction workers on a construction site, as mandated by the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, and the Delhi Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2002.

## REVISION OF MINIMUM WAGES OF WORKERS IN PUNJAB

The Office of the Labour Commissioner, Punjab, vide notification dated October 13, 2023, adjusted and revised the minimum wages of workers with effect from September 1, 2023. The revised monthly minimum wages are as detailed below:

- Unskilled: INR 10,736.75 (Rupees Ten Thousand Seven Hundred and Thirty-Six and Seventy-Five Paise)
- Semi-skilled: INR 11,516.75 (Rupees Eleven Thousand Five Hundred and Sixteen and Seventy-Five Paise)
- Skilled: INR 12,413.75 (Rupees Twelve Thousand Four Hundred and Thirteen and Seventy-Five Paise) and
- Highly skilled: INR 13,445.75 (Rupees Thirteen Thousand Four Hundred and Forty-Five and Seventy-Five Paise).

## GOVERNMENT OF HARYANA TO PROVIDE HEALTH SERVICES TO CONTRACTUAL EMPLOYEES

Mr. Sanjeev Kaushal, Chief Secretary of Haryana, said in a press release dated October 16, 2023, that employees working in various departments of the Haryana Kaushal Rozgar Nigam Limited will now have access to health care through the Haryana Chirayu Yojana. This project will provide much-needed healthcare coverage to a large number of engaged contractual employees.

Employees of Urban Local Bodies who are not covered by the Employees' State Insurance Scheme and earn more than INR 21,000 (Rupees Twenty-One Thousand) per month will now be able to obtain medical care. Furthermore, if employees of municipal councils, municipalities, or municipal companies are injured on the job, the State Government will cover their medical expenditures.

Employees, including sanitation workers, sewage workers, firefighters, and fire brigade drivers, are entitled to INR 5,00,000 (Rupees Five Lakh) in insurance benefits in the case of a sudden death under the Mukhyamantri Karamchari Durghatna Beema Yojana. Employees are also given financial help of up to INR 3,00,000 (Rupees Three Lakh) on an ad hoc, day wage, and contract basis.

## DELHI GOVERNMENT RECONSTITUTES SCREENING COMMITTEE UNDER MODIFIED ASSURED CAREER PROGRESSION SCHEME

The Labour Department of the Government of the National Capital Territory of Delhi will reconstitute a screening committee for granting financial upgradation under the Modified Assured Career Progression ("MACP") Scheme by notification dated October 19, 2023.

This order applies to eligible central government civilian personnel in Groups B and C. Casual employees, including those granted 'temporary status,' and government employees recruited on an ad hoc or contract basis are not eligible for benefits under MACP.

The MACP plan allows three cash upgrades after completing 10 (ten), 20 (twenty), and 30 (thirty) years of regular service from the direct entrance grade. The MACP method only allows for placement in the next higher grade pay. The MACP scheme for Central Civilian Government Employees supersedes the earlier Assured Career Progression Scheme.

In each department, a screening committee would be formed to assess the case for awarding financial upgradations under the MACP. A chairperson and two members will make up the screening committee. The committee's members must be officers holding positions at least one level above the level at which the MACP is to be considered and not lower than the rank of Under Secretary or equivalent in the government. In general, the chairperson should be at a higher level than the committee's 17 members. Accordingly, the composition of the screening committee is as follows:

- Additional Labour Commissioner: Chairperson
- Deputy Labour Commissioner (Administrative): Member and
- Senior Accounts Officer: Member.

## DESK DISPATCHES

# Discrimination of Queer Workers at Workplace: Vacuum in legal discourse

*Karan Singh Tomar, Research Intern, CLLRA*

In the ever-evolving landscape of gender equality and workplace rights, there remains a stark and troubling reality: queer individuals continue to face widespread discrimination in their workplace. This pressing issue not only touches upon the realms of social justice and human rights but also delves deep into the legal framework that shapes our workplaces. Take, for instance, the termination of Sabi Giri by the Indian Navy in October 2017 as a result of her acceptance of her gender identity. Due to the lack of policies permitting transgender duty in the Navy, her transition from MK Giri to Sabi was met with a show-cause notice, six months of isolation in a male psychiatric facility, and ultimately, job loss. The account of Sabi is not really new and unique. It sheds light on the numerous difficulties transgender people have, including those related to employment and workplace sustainability. The case throws light on a wider discussion on the lack of necessary labour law provisions in India that specifically address the rights and protections of queer people in the workplace. This is at the root of the problem (barring the social realities) Even if an institution is able to ensure representation, the community continue to face exclusion. 23 transgender people were employed by Kerala's Kochi Metro Rail Limited in 2017, but eight of them left their jobs within a month as multiple landlords refused to provide them with housing. Since their employer lacked the legal requirement and/or motivation to intervene on their behalf and assist them in combating this kind of discrimination, their only option was to resign from their positions.

However, the problem does not only end with the absence of explicit legal provisions for the protections. Even when the law is invoked, the issue of judicial interpretation further aggravates the challenges faced by queer individuals. The term "transgender" itself has often been subject to varying interpretations by the courts, making it difficult to establish a uniform legal framework for their protection. As we delve deeper into this crucial issue, we will explore the deep impact of these legal gaps and the interpretative uncertainties on the lives of queer individuals, specifically transgenders, in the workplace. The aim is to shed light on the urgent need for reform and the pursuit of a more inclusive and equitable workplace environment. As Sabi's case pointed out, this therefore persists throughout at the institutional level. The "visible absence" of those law provisions gives leeway to the institutions to discriminate against queer individuals.

### **"Transgender - for Gynee opinion"**

There are cases when we see how the institutions proceed to discriminate against queer individuals; they are often being

termed as of a gender that they don't belong to. Consider Nangai - III (name changed), whose appointment was denied after being mistakenly labelled as "Transgender - for Gynee opinion" after a medical examination. Nangai-III had to fight the case in court for the same, in order to get back the job. The court further opined that since the individual has the freedom to identify as a woman and has always been accepted as such, the rejection of employment based on false accusations that she is transgender is untenable under the law, necessitating intervention from this court.

When instances like those take place, an individual reach out to institutional structure. But, what happens when institution proceed to turn deaf ear to the complainant or even if it does not, there are not equipped laws/law enforcement to deal with it? The issue is two-fold: firstly, the institution mechanism does not provide for redressal of those complaints and that there are instances which are happening at institutional level, and secondly, there are not well-equipped law provisions which deal with such instances.

### **Instances at Institutional Level**

Different studies and surveys suggested that queer employees continue to face wide discrimination throughout workplaces, whether private or public. Even after homosexuality was decriminalized in 2018, there is still discrimination against queer people in India, at least according to surveys and studies that have shown how widespread this problem is. For example, the Workplace Equality Index 2021 found that only 5% of Indian companies have a policy that explicitly forbids discrimination based on sexual orientation or gender identity. This lack of explicit protection leaves queer employees vulnerable to mistreatment and prevents them from advancing in their careers. Additionally, the 2019 report on the status of LGBTQ+ people in India by the Naz Foundation India revealed that 40% of LGBTQ+ people had experienced discrimination at work, underscoring the widespread nature of this problem.

The present labour laws are intended to protect workers' rights by assuring equality of treatment, the absence of discrimination, and safe working conditions. When it comes to addressing the particular issues and difficulties that transgender employees may encounter, they fall terribly short. There is no set of clear guidelines regarding the protection of such persons in an institution thereby leaving them vulnerable to discrimination, harassment, and unequal treatment both horizontally and vertically. This consequently

leads to an unsafe and hostile work environment, where persons from queer communities are properly being excluded. Without adequate legal safeguards, the workplace can become a hostile and unwelcoming environment, where transgender individuals find themselves entirely excluded.

### Legal Vacuum

The problem of discrimination against queer people in the workplace is made worse by the legal framework in India's lack of concrete regulations that forbid discrimination based on sexual orientation or gender identity. They lack sufficient protection and redress against unfair treatment as a result of this legal void. In the absence of well-defined legal rules, discriminatory acts may remain unchecked and employers may be unaware of their obligations towards queer employees. In addition to creating a climate of fear and silence, the absence of specific legal protection deters LGBTQ+ workers from coming forward with reports of discriminatory practices even though it affects their overall well-being and professional growth and feeds the vicious cycle of marginalization.

In India, there are more than 40 laws presently governing the labour realm in India at the national level. With the aim of streamlining and simplifying the labour regulations in the country, the Government of India introduced four labour codes thereby encompassing the present 44 laws. Though the codes have not been implemented yet, they do hold importance regarding what these codes mentioned about the issue. Despite the existence of the Transgender Persons (Protection of Rights) Act, 2019, Section 3 and Section 9 of which specifically prohibited discrimination in employment at all levels, i.e., entry, sustenance, and termination, there is no specific labour law provision for ensuring the protection of the queer employees in new labour codes. This has been the same ever since the old laws. For e.g., the Equal Remuneration Act of 1976 provides no guarantee for equal pay for all people, regardless of gender identity or sexual orientation. The law is blatantly lacking on the same line. It is essential to enact a clause requiring equal pay in order to address this shortcoming and ensure that no one experiences wage discrimination based on gender identity. Equal pay should not be an only priority in amendment but also an equal opportunity and unrestricted access to jobs. As discussed, these cases serve as a stark reminder of the urgent need for comprehensive labour laws in India as well as a reassessment of existing legal precedents pertaining to transgender rights and workplace discrimination.

These all happen even when the constitutional provisions are present there for the citizens. From a constitutional perspective, the lack of protection violates queer individuals' fundamental rights enshrined in the Constitution. The right to equality, guaranteed by Article 14, ensures equal treatment

for all citizens, regardless of their sexual orientation or gender identity. The right to work, recognized under Article 19(1)(g), protects every citizen's right to employment without discrimination. The right to life, enshrined in Article 21, encompasses the right to dignity and a life free from humiliation and violence. The lack of protection also hinders an individual's right to choose their livelihood and pursue their career aspirations. Denied equal opportunities due to discrimination, queer individuals have their freedom to choose their path restricted. This violation of the right to choice extends beyond the workplace, impacting their overall life trajectory and aspirations.

### The Problem with Judiciary: NALSA Case

On the 15th of April in the year 2014, the Supreme Court of India passed a much-celebrated and awaited judgement of National Legal Services Authority vs. Union of India, (referred to as "NALSA judgement"). The judgement recognised the legal rights of transgender persons as "third gender". While the judgement was widely publicised and much celebrated as a hallmark of gender equality, it was reasoned with certain inherent flaws. These points were later identified and discussed in the judgement of Nangai I. In Nangai I case, the petitioner was terminated from Police on the basis of her identity as "transgender" even though she identified herself as a woman all along. The court then set aside the termination order by the Superintendent of Police while relying upon NALSA judgement. The court also found that the NALSA judgement did not uphold the wider meaning of the term "transgender", which also includes gay men, lesbians, bisexuals, and cross-dressers within its scope. Only Hijaras, Eunuch, Kothis, Aravanis, Jogappas, Shiv-Shakthis etc. were considered as transgender. In the Nangai I case, the court's judgement clarified that Supreme Court was only concerned with the Male-to-Female category of transgender, not the Female-to-Male or lesbians or bisexuals. The other transsexuals such as Females to Males (FTMs) did not have the benefit of the classification as third genders. After that court interpreted the NALSA judgement in a wider manner upholding the rights given also to the FTM category of transgender persons. This case identifies that the responsibility also lies on the judiciary's part. The interpretative complexities need to be dealt with by the judiciary.

### Conclusion

In the modern workplace, where diversity and inclusion are increasingly emphasized, it is disheartening to witness the persistent discrimination faced by queer individuals. The lack of clear legal protections leaves them vulnerable to mistreatment and hinders their career advancement. The narrow interpretation of the term "transgender" by the judiciary has further exacerbated the marginalisation of

certain groups within the queer community. To address these pressing issues, comprehensive labour law reforms are essential. These reforms should explicitly prohibit discrimination based on sexual orientation or gender identity and provide clear guidelines for ensuring equal rights and opportunities for all workers.

Beyond legal reforms, a broader cultural shift is needed to foster a more welcoming and supportive environment for queer individuals in the workplace. Sensitisation programs, diversity training, and inclusive hiring practices can play a crucial role in dismantling ingrained biases and promoting acceptance. By acknowledging and addressing the

challenges faced by queer individuals in the workplace, we can collectively create a more equitable and just society where everyone has the opportunity to succeed.

This article is a mere attempt to bring forward the much-needed discussion regarding the widespread discrimination that queer individuals face in the workplace. It is no surprise that violations of rights take place on multi-levels and for that to get discontinued, coordinated efforts from all the relevant stakeholders must take place. In this case, the state along with corporations must ensure the well-being of queer individuals in workplace. We cannot just be-succumb ourselves to the “visible absence” of law.

## Systems of Non-Parental Care and Labour Force Participation: Polycscape in New Labour Codes

*Dr. Sophy K.J., Associate Professor & Ms. Adanyaa Garg, Research Intern*

### Context

There is a severe lack of reliable childcare systems beyond parental care in India and this inadequacy has not been recognised by the Labour laws. Due to the existing patriarchal social structure, the burden of childcare is primarily shouldered by women, a fact that is visible across the literature (ILO, 2018); (Schochet, 2019); (Parker, 2015). The availability of childcare services appears to substantially influence a mother’s ability to work, although there is no impact of the same on the father’s employment. A survey found that mothers were significantly more likely to be employed among families who avail a childcare programme (Statistics, 2018).

As per the latest Annual Periodic Labour Force Survey Reports, the estimated Labour Force Participation Rate (LFPR) of women is significantly lower than that of men. Due to lack of access to education and skill training, the majority of female workers are engaged in the informal and unorganised sector. This problem is further compounded by the additional burden of unpaid care work that women perform and the lack of non-parental support systems. The International Labour Organisation (ILO) estimates that unpaid care work is amongst the most critical barriers that prevent women from joining and remaining in the workforce (ILO, 2018) and creates what is called ‘time poverty’, which inhibits their ability to dedicate time to paid work and acquire the skills necessary to seek better opportunities (Nikore, 2022). This social reality has forced them to bear the double burden of productive and reproductive labour.

A 2017 World Bank working paper found that urban women with children under six had lower participation in the workforce. In the informal sector, the ‘motherhood penalty’ is

evident where women make concessions by taking up flexible and low-paying work or self-employment (Yu & Kuo, 2017). This impacts the well-being of both the woman and the child (Gautam Bhan, 2020). The Protection of Women from Domestic Violence Act, 2005, includes economic abuse as a form of domestic violence and defines it as ‘deprivation of all or any economic financial resources to which the aggrieved person is entitled under any law or custom whether payable under an order of a court or otherwise’. Thus, there exists a conceptual understanding in protectionist legislation that deprivation of ability to work, directly or indirectly through structural control, amounts to economic abuse. This understanding needs to be incorporated into the labour law framework to bring about a fuller realisation of a woman’s right to work.

This Policy Paper looks at how the existing and proposed labour policy of India overlooks the responsibility of childcare shouldered by women, especially its underlying dynamics of ‘gendered work’ and ‘double burden’.

### Reproductive Rights and Labour Law: Existing Polycscape

#### Maternity benefits

The first law that gave working women in India maternity benefits was passed in Bombay in 1929 after extensive debate and discussion. The central legislature passed the Mines Maternity Act in 1941, the Employees State Insurance Act (ESI Act) in 1948, and the Plantation Labour Act in 1951. All the provincial acts were consolidated in the Central Maternity Benefit Act, 1961, which granted 12 weeks of maternity leave along with other provisions of employment while availing benefits under the act. The Employees State Insurance Scheme provides cash benefits in the case of



sickness, maternity, and employment injury. The Central Maternity Benefit Act applies to every establishment and makes the employer responsible for the costs involved. For women in the unorganised sector, there are no benefits available. Although the Bidi and Cigar Workers Act, 1966, extends benefits to home-based workers and some state government schemes are there for women agricultural workers, the coverage is still limited (Chhachhi, 1998). Numerous studies have pointed out that even in the organised sector women workers do not receive many of the benefits (Amrita Chhachhi, 1998). There are many reasons for this, such as complicated self-registration processes for government schemes, under-reporting of worker numbers by employers (which allows them to bypass social-security payments and employee benefits), weak enforcement of labour laws, and worker invisibility (Tiwari, 2020). In 2017, the Maternity Benefits Act was amended to 26 weeks as opposed to 12 weeks. In a landmark judgement, the Supreme Court stated (*MCD vs. Respondent Female Workers [Muster Roll] & Anr*, 2000) that regular women employees as well as those who are engaged on a casual basis or on muster roll on a daily wage basis are entitled to various benefits under the Maternity Benefits Act. There is no law mandating provision of paternity or parental leave in India, which reinforces the notion that childcare is a woman's responsibility. The Central Civil Services (Leave) Rules, 1972, provide for paternity leave, but this welfare measure is not provided in many of the Indian states (Chandar, 2023).

### Creches

Traditionally, the joint family structure, especially grandparents, served as primary childcare for working parents. With increasing urbanisation and migration to urban areas, it was replaced by the nuclear family structure thereby creating a need for public childcare facilities. Provision of creches was first mandated under the Factories Act, 1948, in establishments that employed more than 30 women. The Buildings and Other Construction Workers Act, 1996, mandates provision of a creche in every place where more than fifty women are regularly employed. The Mahatma Gandhi National Rural Employment Guarantee Act, 2005, mandates deputation of one woman to look after children under 5 accompanying the women working at a site, provided there are 5 or more such children. The Act says that the person so deputed shall be paid the wage rate and recommends that 'most marginalized women in the locality, women in exploitative conditions or bonded labour, or those vulnerable to being trafficked or liberated manual scavengers should be employed for providing child-care services' (Annual Master Circular 2020-21, MNREGA). In 2017, the amended Maternity Benefits Act mandated establishments with 50 employees to provide crèches within an accessible distance, either separately or along with common facilities and to allow the mothers four visits a day to the crèches. However, only women working in the formal sector can avail of such a facility (Nair, 2015). The requirement of 50 workers

excludes all women working in the unorganised sector which includes establishments employing 10 workers or less.

### The Proposed Four Labour Codes and Scope of Childcare

The Union Government introduced the following 4 labour codes in 2020 which subsumed 29 existing statutes on labour law: Code on Wages, 2019; the Industrial Relations Code, 2020; Code on Social Security, 2020; and the Occupational Safety, Health and Working Conditions Code, 2020. While these were promulgated with the intention of improving labour conditions, they seem to have failed an essential part of the workforce- unorganised workers that include most women workers in India. The new codes seem to have overlooked the changes taking place in gender equations and division of work. They only cover formal and organised sector employees with all labour rights and exclude the unorganised workforce.

The Code on Minimum Wages, 2019, which has assimilated the Equal Remuneration Act, 1976, prohibits discrimination on the grounds of gender in matters relating to wages and recruitment for the same work or work of a similar nature done by any employee under Section 3. Although important, the prohibition is restricted to surface-level considerations. It neither considers equity in promotions nor recognises reproductive labour of women and protection from stereotyping. Consequently, it does not ensure equal opportunities or a level playing field for women.

The Code on Social Security, 2020, provides for medical and maternity benefits, maternity leave up to 26 weeks, nursing breaks, and protection from dismissal while availing these benefits. It mandates the provision of crèche facility only in establishments where 50 or more workers are employed and fails to specify who is to bear the cost for the same. However, this gender-neutral requirement of 50 workers is an improvement over the earlier provision which mandated creche facilities only in establishments which employed more than 30 women workers. It provides additional coverage of maternity benefits in case of illness arising from pregnancy, child delivery, premature birth, miscarriage, or medical termination of pregnancy, yet it fails to explicitly recognise mental disorders such as post-partum depression. The code also fails to acknowledge the need for leave in case of surrogacy or adoption of a child, thereby discriminating between workers on grounds of biological childbirth. A child, regardless of the manner in which it is born into the family, needs care. Intellectual and cognitive disabilities, which are often diagnosed after the child is 2 years old, lay a heavy care burden on the mother, yet there is no provision for disability care leave in the code. It also does not ensure work schedule flexibility, child sickness leave, or work-from-home provisions although there is a serious need for robust and holistic benefits beyond pregnancy.

In conclusion, the codes do not have a vision of providing childcare as a measure to support female participation in the economy and seem blind to ground realities such as fragmentation and casualisation of work.

## Critical Concerns

### 1. Childcare facilities

Childcare responsibilities drive employees—primarily women—to leave the workforce. Women are often forced to choose between caregiving and employment. This choice has had significant economic implications, including decreased work force participation and employee productivity (Stengel, 2023). Women from marginalised communities and those working in the informal sector do not have the luxury to choose between childcare responsibilities and work. Compelled by their circumstances, they bring along their children to work, irrespective of whether the worksite is hazardous or not. Therefore, childcare facilities are crucial for mothers and their children. SEWA is a trade union which operates Sangini Bal Sewa creches in Gujarat based on a cooperative model. Provision of full-day childcare has resulted in the holistic growth and development of children, enabled women to work and earn more, and increased school enrolment of older children including girls who no longer had to take care of their younger siblings (Chatterjee, *Decentralised Childcare Services: The SEWA Experience*, 2006). Day care facilities not only become centres for community and capacity building, but also for providing health services such as immunisation, medical check-ups, and wellness education (Chatterjee, *As India rethinks labour rules, one item not on the agenda: Childcare facilities for women workers*, 2018).

The holistic growth and development of children in creches and day care facilities are a direct result of early childhood care and education practices known as ECCE, which involve the inseparable elements of health, nutrition, play, and early learning within a protective and enabling environment. It is an indispensable foundation for lifelong development and learning and has a lasting impact on a child's growth. It is imperative to invest in and pay priority attention to ECCE as it is the most cost-effective way to break the intergenerational cycle of multiple disadvantages, remove inequity, and bring about long-term social and economic improvement. In situations where women are compelled to bring their children to work, care facilities for the latter's safety, well-being, and holistic development are crucial.

The period between 0 to 6 years of age is the most critical phase in a child's development (UNICEF, 2013) when the provision of ECCE is absolutely essential, yet women are compelled to bring them to worksites where childcare facilities are absent. There is a demand for creating more reliable, affordable, and convenient childcare systems, particularly in workplaces and other establishments.

### 2. Maternity leave

The Code on Social Security, 2020, has provision for extending paid maternity leave from 12 weeks to 26 weeks. Maternity leave duration should be decided with both women's labour force participation and the child's well-being in mind. Research suggests that it is best when maternity leave is between 6 months and 2 years. Women's participation in the labour market tends to increase if fathers devote more time to their children. This can be facilitated by providing paternity leave. In many European countries including France, Germany, and the UK, fathers can claim parental leave. Although brief, the leave is an important step towards ensuring that women do not leave the labour market (UNICEF, 2013). In Sweden, the state provides 480 days of parental leave of which 60 days must be used by each parent and the remaining may be divided between them as per their convenience. The mental impact of pregnancy and childbirth, like post-partum depression, must be explicitly recognised as a ground to avail additional benefits. Paid maternity leave has been proven to be associated with lower rates of postpartum depression (PPD) (Van Niel M.S., 2020). In India, even the current provision of 26 weeks of leave is unavailable to women in the informal sector, forcing them to work throughout pregnancy and resume work immediately after delivery or miscarriage. This adversely impacts the health, nutrition, and well-being of mothers and their children, as well as their economic security and sustainability in case of complications or inability to return to work (WHO, 2019).

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### 3. Recognition of ASHA/Anganwadi workers

The Integrated Child Development Services (ICDS) Scheme or the Anganwadi Services Scheme is one of the world's largest programs for early childhood care and development. The scheme was designed as a response to the fundamental challenges of child development (for children in the age group 0-6 years) in terms of:

- a. cognitive development through preschool non-formal education
- b. physical growth by liberating childhood from the vicious cycle of malnutrition, morbidity, reduced cognitive capacity, and mortality.

Despite decades of ICDS investments, there is much to be attained in the sphere of child development in India (NITI Aayog, 2020).

The National Health Mission (NHM), a flagship programme, is the backbone of healthcare along with the ICDS in India. ASHA (Accredited Social Health Activists) workers, under the NHM, are responsible for implementing a multitude of tasks like providing natal care, carrying out immunisation drives, giving contraception education, and doing vaccination surveys in rural areas. Under the ICDS, Anganwadi workers, are employed to carry out the crucial task of providing nutritional and educational support to children (Sreeram, 2022).

Despite the immense significance of their work, ASHA and Anganwadi workers are denied government employment and are instead classified as honorary volunteers under their respective scheme documents (Sreeram, 2022). This classification, along with the structure and design of their employment, prevents regularisation, allows the state to pay them less than minimum wages, and denies them benefits like provident fund, gratuity, and pension. Their position as honorary volunteers further consolidates the notion that caregiving is not work as it comes naturally to women and doesn't require skills (Modigliani, 1986).

Anganwadi and ASHA workers are overworked (part-time duty is often a full-time commitment due to the demands of their job) and severely underpaid. The Codes have left ASHA and Anganwadi workers outside their coverage (Qazi, 2021). The Supreme Court in 2007 held that neither are Anganwadi workers employed in statutory posts nor there is an employer-employee relationship between the State and the Anganwadi worker. The Court recognised their right to gratuity under the Payment of Gratuity Act, 1972, however, it refuses to allow them dignified employment.

The state is the largest provider of ECCE services in India through ICDS, which provides services to nearly 80 million children under six years of age with the help of a network of 1.4 million approved Anganwadi centres. To ensure female labour force participation, provision of quality and affordable childcare, positive health and nutritional indicators for

children, recognition of care work as work, and acknowledgement of ASHA and Anganwadi workers as participants in the economy (entitling them to financial and social security) are crucial.

### 4. Provision of flexible work arrangements and family-friendly practices

Flexible working hours aim at meeting the needs of families with working parents. It provides them a right to choose what suits them best among many alternatives including part-time work, work from home, compressed work, working in breaks, and after working hours. This is crucial for parents, especially mothers with disabled children.

There are some countries where flexible working hours are in practice. In the Netherlands, for example, working hours may be modified in enterprises employing 10 or more workers without the requirement for any specific reason. In the UK, parents with children under the age of 6 have the right to ask for flexible working hours. If women in the UK have worked for longer than 26 weeks and have the responsibility of a child under 16 or a disabled child under 18, they are entitled to ask for flexible working hours and employers are obligated to consider this request (UNICEF, 2013).

### 5. Leave for parents with disabled children

Granting leave to parents with disabled children is a positive practice as it supports women's employment and is in alignment with family-friendly industrial policies. In Germany, each parent has the right to fully-paid leave of 10 days a year to take care of a sick child. For single mothers, this leave is for 20 days. If parents have more than 2 children, each parent is entitled to 25 days' leave. Single mothers with more than 2 children are entitled to 50 days of paid leave a year (UNICEF, 2013).

### 6. Recognition of unpaid housework

Feminists have argued for 'wages for house-work' from 1970 onwards (McKeen, 1994). In India, a vast majority of women drop out from employment because of care work and other responsibilities at home. It is in this context that unpaid housework still goes un-recognised and unevaluated.

### Recommendations

In order to ensure labour participation, the fact that female workers have needs that differ from those of male workers has to be recognised and the needs met. Women need quality and affordable childcare and family benefits such as maternity leave, leave to care for sick children, and flexible work schedules. Recognising and accommodating women's needs has a crucial bearing on economic welfare as it allows women to enter the workforce, be more productive, and opt for more desirable opportunities. It would allow 151 million able and willing female workers to enter the workforce and contribute to the economy (Ethiraj, 2021). For instance



, accessible and affordable creche facilities can reap a 'triple dividend' wherein women's work and mobility are encouraged, they are integrated into the economy, and maternal and child health is simultaneously looked after (Kalia, 2023).

1. Coverage of Labour policies must be extended to all workers, including those in the informal sector. The State must take responsibility in cases where there is no employer, such as street vendors and rag pickers who are not employed by anyone and yet contribute to the economy. The 259th Law Commission Report recommended that the 'Provision of maternity benefits should be made obligatory on the State and not left to the will of the employers and should cover all women, including women working in the unorganized sector' (Commission, 2015). Mere provision of schemes and yojanas is not enough; social security provided by the State must be institutionalised.

2. ECCE based programmes must be promoted and strengthened. These are essential for workers as well as children. The 259th Law Commission suggested that 'every child under six should have an unconditional right to crèche and day care provided, regulated and operated by the State and that the provision of crèches should be made the responsibility of the State, not of the employer, especially in the unorganised sector' (Commission, 2015). While a structural framework exists under the ICDS and Anganwadi centres, it must be scaled up and better financed to increase coverage. Care must be taken to ensure that childcare programmes align with the working hours of mothers and that they do not hinder their access to further employment (Development, 2013). Full-day, reliable and affordable public childcare systems must be provided for all workers, whether informal or formal. In today's world where industries are getting fragmented into smaller units, the Code of Social Security -- with its mandatory requirement of a certain number of workers for the provision of a creche -- defeats the all-important need for ensuring decent working conditions for women.

3. Recognise care work as real work, requiring skill which is at par with other forms of productive labour and thus increase care work wages and coverage under the social security benefits (Rutman, 1996). Especially, under the Code on Social Security, 2020, institutional maternity benefits are available only in establishments having 10 or more workers. Informal women workers are only entitled to social security schemes of the government. Moreover, ASHA and Anganwadi Workers do not get covered either under formal or informal workers in these new Codes. They should get covered for the purpose of labour rights as they are engaged in reproductive work envisaged and allotted by the State. The 45th session of the Indian Labour Conference in 2013 had recommended that all caregivers in the ASHA and Anganwadi centres should be recognised as 'workers'

instead of 'volunteers' or 'honorary workers' and should be paid minimum wages and statutory social security benefits.

4. Formulate policies to recognise and address the needs of working parents, especially women who must balance paid labour and unpaid care work besides childcare. Child sickness leaves, flexible working hours and scheduling, and accommodation of parents caring for disabled children and elders must be included to enhance female workforce participation. Parents of disabled children should be given special attention, resources, and consideration in workplace policies.

5. The impact pregnancy and childbirth have on mental health must be explicitly recognised. The complete physical, mental, and emotional recovery of the new mother must be ensured before she resumes work.

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# DOMESTIC LABOUR LAW NEWS

## HIGH COURT DIRECTS DELHI GOVT, MCD TO STRICTLY COMPLY WITH RECENT SUPREME COURT RULING ON MANUAL SCAVENGING

The Delhi High Court has urged the city government and civic agencies to ensure strict adherence to the Supreme Court's decision on the abolition of manual scavenging.

A panel led by Chief Justice Satish Chandra Sharma noted that the Supreme Court has issued several directives on the subject, including an increased compensation value of Rs 30 lakh for sewer deaths and a minimum compensation amount of Rs 20 lakh in the case of permanent impairment.

"The apex court has issued various other directions to ensure that the practice of manual scavenging stands completely eradicated. The Government of NCT of Delhi, the Delhi Jal Board, the Municipal Corporation of Delhi and all other authorities are directed to strictly comply with the judgment delivered by the Hon'ble Supreme Court," said the bench in a recent order.....[Scan QR to read more.](#)



## SUPREME COURT AMENDS ITS HANDBOOK TO SUBSTITUTE THE TERM 'SEX WORKER' WITH 'TRAFFICKED SURVIVOR'

The Supreme Court has decided to replace the term "sex worker" in its gender stereotypes handbook with "trafficked victim/survivor or woman engaged in commercial sexual activity or woman forced into commercial sexual exploitation," following a letter from a group of anti-trafficking NGOs to Chief Justice of India, Justice DY Chandrachud, warning that using the term "sex worker" for words like "hooker and prostitute" may end up promoting another set of gender stereotypes, people familiar with.....[Scan QR to read more.](#)



## GARBAGE COLLECTORS FORMED INTO A UNION

Garbage collectors in Hyderabad organised a union for the first time. These garbage collectors, who play an important part in the city's environmental protection, sanitation, and hygiene maintenance, are now demanding for some type of social security and economic guarantee. Montfort Social Institute, situated in Hyderabad, has taken the initiative to mobilise garbage workers.

In a remarkable display of unity and determination, over five hundred garbage collectors employed with Swachh Auto Tippers in the Greater Hyderabad Municipal Corporation (GHMC) gathered at the City Convention of Hyderabad Garbage Collectors' Collective (HyGCC).....[Scan QR to read more.](#)



## AT 48 HOURS A WEEK, INDIANS 6TH MOST HARDWORKING GLOBALLY: ILO DATA

Narayana Murthy, co-founder of Infosys, recently sparked a dispute when he stated that millennials should work 70 hours per week, although Indians are already the sixth hardest workers in the world, ranking sixth out of 163 countries. The ranking is based on the average amount of hours worked per week in India, which is 47.7 hours, according to the most recent International Labour Organisation (ILO) data from April 2023.

Figure shows that Indians work longer than workers in China (46.1 hours), Vietnam (41.5 hours), Malaysia (43.2 hours), the Philippines (39.2 hours), Japan (36.6 hours), the United States (36.4 hours) and the United Kingdom (35.9 hours). .....[Scan QR to read more.](#)





## LEAVE BENEFITS FOR WOMEN IN ARMED FORCES MADE UNIFORM

Defence Minister Rajnath Singh has approved a proposal to provide women soldiers, sailors, and air warriors the same maternity, childcare, and child adoption leave as officers. According to the Defence Ministry, the move is in keeping with Mr Singh's aim of "inclusive participation" of all women in the armed forces, regardless of rank.

It stated that the policy would improve working conditions for women in the military by allowing them to better combine their career and familial life.

Women officers currently receive 180 days of maternity leave with full pay for each child, up to a maximum of two children. Women officers are entitled to 360 days of childcare leave during their whole service tenure (if the child is under the age of 18). According to officials, a child adoption leave of 180 days is allowed following the date of the legitimate adoption of a child under the age of one year.

"The extension of leave rules will go a long way in dealing with women-specific family and social issues relevant to the armed forces," the Ministry said in a statement.....[Scan QR to read more.](#)



## EMPLOYER CANNOT 'HIRE AND FIRE' EVEN IF EMPLOYEE IS ACCUSED OF MISCONDUCT SANS FAIR OPPORTUNITY OF HEARING: RAJASTHAN HIGH COURT

The Rajasthan High Court recently overturned a State Government order dismissing a Physical Education Teacher (PET) from service for allegedly furnishing a forged sports certificate for appointment, on the grounds that the said teacher was not served with a charge-sheet and no investigation was conducted against him.....[Scan QR to read more.](#)



## CENTRAL TRADE UNIONS CALL FOR PROBE INTO TUNNEL COLLAPSE

Central trade unions have voiced outrage over the authorities' unwillingness to accept responsibility for the Silkyara tunnel disaster in Uttarkashi, Uttarakhand. Since November 12, 41 workmen have been stranded in the tunnel. The trade unions said in a joint statement issued here on Wednesday that workplace accidents exposed the flaws in rules governing worker safety and highlighted abuses of current laws. They requested the Centre to repeal the Occupational Safety, Health, and Working Conditions Code and ratify the International Labour Organization's (ILO) health and safety conventions.

The trade unions said that the Centre sent a team to supervise the rescue operations quite late. "The other workers are telling that the escape routes/tunnels, which are compulsory to meet such emergency situations in construction of long tunnels, were not even planned," the two workers claimed in a joint statement. "There should be a thorough investigation into the laxity at any level, from tendering to various other stages of tunnel work," they added, urging the Centre to convene the Indian Labour Conference as soon as possible to address workers' concerns.....[Scan QR to read more.](#)



## INDIA SHOULD BE CAUTIOUS ON LABOUR PROVISIONS IN FTA NEGOTIATIONS: EXPERTS

Experts advise India to be cautious while negotiating employment terms in free trade agreements (FTAs), since these could have an impact on domestic manufacturing and overall trade competitiveness. According to international trade experts, India has begun to engage on labour concerns in its trade negotiations with the United Kingdom, the European Union, and the US-led Indo Pacific Economic Framework for Prosperity (IPEF).

# INTERNATIONAL LABOUR LAW NEWS

## NEARLY 3 MILLION PEOPLE DIE OF WORK-RELATED ACCIDENTS AND DISEASES

According to latest ILO estimates, about three million workers die each year as a result of work-related accidents and diseases, an increase of more than 5% from 2015. The toll highlights the ongoing difficulty in ensuring workers' health and safety around the world.

The majority of these 2.6 million work-related fatalities are caused by occupational illnesses. According to the study, work-related accidents kill an additional 330,000 people. The top three causes of work-related death are circulatory disorders, malignant neoplasms, and respiratory diseases. These three categories account for more than three-quarters of all work-related deaths.....[Scan QR to Read more.](#)



## SOCIAL DIALOGUE INSTITUTIONS PLEDGE TO TACKLE INEQUALITIES IN THE WORLD OF WORK

Following a two-day conference in Athens on November 23-24, they adopted a resolution pledging to strengthen activity towards the creation and implementation of national policies to eliminate and avoid disparities in the workplace through social dialogue. Based on a three-way consensus, such policies will respond to national conditions, needs, and priorities. They requested assistance from the International Labour Organisation and the International Association of Economic and Social Councils and Similar Institutions (AICESIS) in their efforts.

Gilbert F. Hougbo, Director-General of the International Labour Organisation, emphasised the importance of addressing inequities as part of global efforts to promote social justice. "All of these initiatives must be supported by social dialogue." Because only when governments collaborate with employer and worker groups can really durable solutions to inequality be devised and properly implemented," he remarked.

Participants from 36 countries/territories, representing governments, employers and workers, and other ESC-SI members, shared their experiences - both problems and successes - in tackling inequalities in their respective national contexts.....[Scan QR to read more.](#)



## CLIMATE CHANGE AND NEW TECHNOLOGIES MEAN DOUBLE IMPACT FOR WORKERS, ILO DIRECTOR-GENERAL UNDERLINES

Gilbert F. Hougbo, Director-General of the International Labour Organisation (ILO), has warned that workers will be hit twice by climate change and emerging technologies such as artificial intelligence (AI). Hougbo also mentioned rising inequality, instability, and vulnerability in a speech to a virtual summit of G20 Leaders held by the Indian Presidency. He warned the leaders that this increased the need of working on improving and protecting talents. "Workers will need new skills in order to adjust and to thrive in the face of these tough transitions," he went on to say. "The ILO looks forward to providing our assistance to the G20."

The ILO has vowed to assist the G20 in addressing global skills gaps, particularly by working to construct an international taxonomy of occupations that can serve as a foundation for G20-wide mutual recognition of skills certifications. The International Labour Organisation will also collaborate with the Organisation for Economic Cooperation and Development to expand its shared skills databases to all G20 countries and beyond.....[Scan QR to read more.](#)



## MORE MUST BE DONE TO PROTECT SEAFARERS AND FISHERS' RIGHTS SAYS WORK AT SEA CONFERENCE

Seafarers' rights must be strengthened as the sector prepares for a digitalized and decarbonised future, according to delegates at the first joint high-level conference on seafarers organised by the ILO and IMO.

Representatives from fishers and fishing vessel owners, universities, and governments all agreed that existing restrictions to protect fishers must be better enforced, and that more fishing treaties must be ratified immediately.

The Work at Sea Conference, held on November 13, is part of a concerted effort by the two United Nations organisations to recognise the critical role of seafaring in future global development and to maintain strong safeguards for individuals who work at sea. Issues discussed included working conditions, abandonment at sea, responsible ship management and the physical and psychological well-being of seafarers and fishers.....[Scan QR to read more.](#)



## ILO ADVOCATES FOR INCLUSIVE GREEN TRANSITION FOR PERSONS WITH DISABILITIES

People with impairments may be able to find work as a result of the green transition. According to a new report by the International Labour Organisation Global Business and Disability Network (ILO GBDN) and Fundación ONCE (The Spanish National Organisation of the Blind), realising this potential will necessitate inclusive training, education, and sector-specific accessibility measures, among other things.

People with disabilities frequently suffer the brunt of limited resources and are among the first to be badly impacted by global economic transition. The analysis emphasises that they are typically disregarded in the creation of policies addressing environmental issues and adaptation.....[Scan QR to read.](#)



## ILO REFERS DISPUTE ON THE RIGHT TO STRIKE TO THE INTERNATIONAL COURT OF JUSTICE

The International Labour Organization's Governing Body has decided to refer a disagreement over the right to strike to the International Court of Justice in The Hague. Delegates voted in a special session on November 10 to refer the case to the court as soon as possible.

A proposal to urgently place a standard-setting item on the right to strike on the agenda of the 112th Session of the International Labour Conference in 2024 was not accepted in a second special session convened on 11 November. The Governing Body agreed that after obtaining the International Court of Justice's advisory opinion, it would consider appropriate follow-up measures.....[Scan QR to read more.](#)



## WORKING UNDER THE SUN CAUSES 1-IN-3 DEATHS FROM NON-MELANOMA SKIN CANCER, SAY WHO AND ILO

Working in the sun is responsible for nearly one-third of all non-melanoma skin cancer fatalities, according to estimates from the World Health Organisation (WHO) and the International Labour Organisation (ILO). The study, published in the journal Environment International, discovered that outdoor workers bear a high and growing burden of non-melanoma skin cancer and advocates for action to minimise this serious employment hazard and the deaths it causes. According to the estimations, 1.6 billion persons of working age (15 and older) were exposed to solar UV radiation while working outdoors in 2019, accounting for 28% of all working-age people. In 2019 alone, almost 19,000 people in 183 countries died from non-melanoma skin cancer due to having worked outdoors in the sun. The majority (65 per cent) were male.....[Scan QR to read](#)



# PUBLICATIONS: ARTICLES

## DIGNITY AND HUMAN RIGHTS VIOLATIONS AT THE WORKPLACE: INTERSECTIONAL VULNERABILITY OF WOMEN DOMESTIC WORKERS IN INDIA

Through an intersectional perspective, this research investigated the dignity and human rights breaches experienced by women domestic workers in India at their workplaces. Over 50 million domestic workers, predominantly women, work in the country and suffer severe structural risks at work. The existing literature on domestic workers focuses on economic labour rights breaches. In India, the subjective experience of daily loss of dignity, humiliation, and human rights violations at work is mostly neglected. In this context, a survey was done among 600 female domestic workers from three selected states: Mizoram, Tamil Nadu, and Kerala (200 each). Six focus group conversations with domestic workers and ten in-depth interviews with NGO officials and activists were conducted by the study team.....[Scan QR to read more.](#)



## FUTURE OF WORK REPORT 2023: REMOTE AND FLEXIBLE WORKING

More than two years after most major markets abolished pandemic limitations, the remote and flexible working boom they fueled is still a big trend: 88% of companies report a workforce that is at least mostly hybrid, and 23% report a workforce that is primarily or totally hybrid. Furthermore, most businesses continue to promote flexible working, with large majorities reporting that they have revised core hours to allow remote work (63%) and plan to grade employees on productivity rather than hours worked (68%). Despite the prevalence of hybrid working, flexible working arrangements are less popular than in 2021, with the proportions of respondents changing core hours and planned productivity-based assessments each declining by more than 15 percentage points. Plans to let workers choose their hours, working environments and holidays have fared even worse, with the share of respondents pursuing these policies plummeting from 85% in 2021 to 43% today.....[Scan QR to read more.](#)



## REDRESSAL OF SEXUAL HARASSMENT AT THE WORKPLACE: A STUDY OF LEGAL EDUCATIONAL INSTITUTIONS IN AHMEDABAD

The participation of a greater number of women in the labour field has characterised modern India. Unfortunately, sexual harassment in the workplace has also become more prevalent. The Sexual Harassment of Women in the Workplace (Prevention, Prohibition, and Redressal) Act of 2013 is a key piece of law aiming at reducing gender-based workplace harassment. Following the passage of this legislation, the University Grants Commission (UGC) released the University Grants Commission (Prevention, Prohibition, and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations of 2015. This paper aims to study the existing legal framework for addressing the issue of sexual harassment in India. It analyses the state of implementation of UGC regulations at legal education institutions in Ahmedabad, Gujarat.....[Scan QR to read more.](#)



## RIGHTS OF MIGRANT WORKERS WITH REFERENCE TO HUMAN RIGHTS PERSPECTIVES

Labour rights are human rights, and the ability to exercise these rights at work is required for workers to enjoy a variety of other rights such as economic, social, cultural, and political rights. Since then, some of the most heinous crimes have occurred among informal, migrant, and female workers in global supply chains. Despite their efforts, most states are still ineffectual in managing the flow of migrant labour and properly screening them. Because migrant labourers' socioeconomic condition is tough, policymakers must take a practical approach to protecting their rights. It is widely acknowledged that most countries have maintained a cavalier attitude towards ILO rules for migratory laborers/workers.....[Scan QR to read more.](#)



## INTER-STATE MIGRATION AND REVERSE MIGRATION: A STUDY ON THE CAUSES AND CONSEQUENCES IN THE SELECT CITIES IN TAMIL NADU

Reverse migration is the act of returning migrants to their native countries. In extreme circumstances, migrants are unable to accept the situation and prefer to return to their home countries. The decision is not based on luxury or improved quality of life in their current location, but rather on challenges encountered in the migrated state. It is a logical option available to migratory workers when the entire economy is badly impacted by a rainstorm such as covid-19. Migrants' lives are jeopardised by a business climate that cannot provide them with a living, shelter, or any other form of social protection. Migration is a constitutionally protected right. Increased enforcement of labour and migration rules, as well as More concrete efforts to combat exploitation and mistreatment of in-migrants would only help to solve problems in such a sensitive situation. The present study attempts to find out the impact of inter-state labour in-migration in Tamil and also the effect of reverse migration from the state. ....[Scan QR to read more.](#)



## THE FOREMOST ISSUES RELATED TO UNORGANIZED SECTOR EMPLOYMENT IN INDIA -AN EVALUATION

The Unorganised sector or Informal sector is crucial in India's labour market because it employs people who obtain social security benefits from their employers, leaving workers in the official sector unemployed and without access to social security. The formal sector employs only 0.66 percent of the population. However, the ratios in the unorganised wage and self-employment sectors are significantly higher, at 1.14 and 1.86, respectively. The Unorganised sector is often defined as the production of goods or services with the primary objective of providing employment and income to those involved. It is a recognised company that must pay taxes. Banks and other corporations are included in the "formal sectors" category.....[Scan QR to read more.](#)



## LABOUR LAWS IN INDIA: HISTORY, EVOLUTION AND CRITICAL ANALYSIS

This paper conducts a thorough evaluation of the evolving landscape of labour laws in India, with a particular emphasis on the new labour codes enacted in 2020. We contextualise the current employment regulatory system through a historical examination of labour regulations, emphasising the role of the Indian state on the altering dynamics of worker relations. Our analysis shows that, rather than altering the 'protectionist' labour laws outright, the government has greatly increased labour market flexibility through less visible routes and covert policy modifications throughout the years.



We contend that the new labour rules are part of the government's ongoing "silent reforms" to increase labour market flexibility under the pretence of encouraging job creation and economic growth. The new codes continue to exclude the majority of the unorganised labour and have limited relevance in the organised sector. They erode trade union negotiating power and 'juridify' industrial relations, and the OSHWCC's exemption provisions further expose workers to unstable and substandard working circumstances.....[Scan QR to read more.](#)

## LABOR RIGHTS AS HUMAN RIGHTS?

Labour rights and human rights movements appear to have a lot in common: both are motivated by a desire for justice, both advocate for the disadvantaged, and both have long employed rights principles and terminology to achieve their goals. Yet, as Virginia Leary demonstrated in a seminal 1996 essay, these movements have long "run on tracks that are sometimes parallel and rarely meet." While unions and other labour rights organisations tended to monopolise workplace justice issues, Leary wrote that human rights organisations generally chose to focus on political and civil rights issues that received more popular support, such as torture, the imprisonment of political prisoners, or free speech issues, usually focusing on failed states.....[Scan QR to read more.](#)





# PUBLICATIONS: REPORTS AND BOOKS

## Greening Enterprises: Transforming processes and workplaces



The conduct of enterprises is crucial to the natural environment’s well-being and to a just transition. Most enterprises, including small ones, are implementing measures to reduce waste and carbon emissions; in the majority of cases this entails no cost or even a reduction in production costs. Measures to green the places where people carry out their work are an integral part of the greening of enterprises and are important to both workers and employers. But more needs to be done to help enterprises and workplaces become green and be productive in environmentally sustainable ways. Innovative tools and solutions to make enterprises greener are highlighted in this report, including measures for small enterprises in developing countries as well as the role of social dialogue.....[Scan QR to read more.](#)

## Mortality from COVID-19 in the US : Did unions save lives?



This paper combines data from the NVSS with the CPS into a unique dataset to answer the question on whether unions saved lives during the COVID-19 Pandemic. It finds that if the United States had the union density of 35 percent that it had in 1954 instead of today’s rate of 10 percent, the COVID-19 mortality rate for working people would have been 19 per 100,000 instead of the 26 actually observed.

This paper builds on the existing literature on the effect of unionization on OSH by providing an analysis of unionization’s effects on COVID-19 mortality. It combines data from the NVSS with the CPS into a unique dataset. It finds that a 10 percentage-point increase in unionization is associated with a reduction in mortality from 26 per 100,000 workers to 24 per 100,000 workers. This means that if the United States had the union density of 35 percent that it had in 1954 instead of today’s rate of 10 percent, the COVID-19 mortality rate for working people would have fallen from 26 to 19 per 100,000.....[Scan QR to read more.](#)

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<b>Date issued:</b>	14 November 2022
<b>Reference:</b>	Print: 978-92-2-032008-2[ISBN] Web PDF: 978-92-2-032007-5[ISBN]
<b>Authors:</b>	Catherine Saget, Tahmina Karimova, Trang Luu, Nicolas Maitre and Sévane

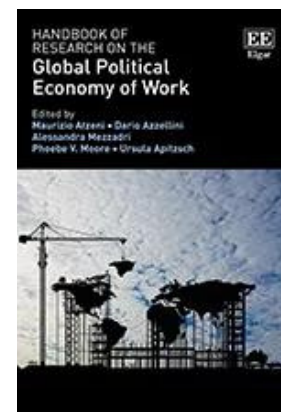


## Handbook of Research on the Global Political Economy of Work

**About the Authors:** Maurizio Atzeni, Dario Azzellini, Alessandra Mezzadri, Phoebe Moore, and Ursula Apitzsch

### About the Book:

This ground-breaking Handbook broadens empirical and theoretical understandings of work, work relations, and workers. It advances a global, intersectional labour studies agenda, laying the foundations for the politically emancipatory project of decolonising the political economy of work.



**Elgar Publishing**  
ISBN: 9781839106576

## Businesses leading the way on disability inclusion: A compilation of good corporate practices

### About the Book:

This comprehensive compilation includes good corporate practices from 30 multinational enterprises, all members of the ILO Global Business and Disability Network, who share the goal of creating a work culture that is welcoming and inclusive of persons with disabilities. Each company presented here has shared their single best practice regarding disability inclusion, with the aim to inspire and encourage other companies to learn from these practices and to improve the inclusion of persons with disabilities in their specific corporate setting. This is even more important as more and more companies are starting their disability inclusion journey, while others are working to continue improving what already exists in their enterprises.

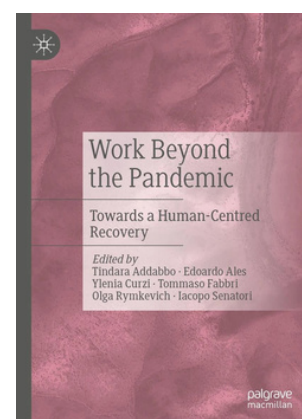


**ILO Publication**

## Work Beyond the Pandemic: Towards a Human-Centred Recovery

**Author:** Tindara Addabbo, Edoardo Ales, Ylenia Curzi, Tommaso Fabbri, Olga Rymkevich, Iacopo Senatori

This book is a groundbreaking piece of interdisciplinary research on post-Covid labour market policies. It is a unique instrument to study in a comparative perspective the laws that tackle new vulnerabilities at work. This book is an essential tool for scholars and practitioners interested in sustainability and employment relations.



**Springer**

# CONFERENCES/WORKSHOP/FELLOWSHIPS

## FELLOWSHIPS

### 1. Deadlines Approaching for Doctoral and Postdoctoral Fellowship Opportunities at the American Bar Foundation

The American Bar Foundation (ABF) is still accepting applications for several doctoral and postdoctoral fellowship opportunities for the 2024-25 academic year. Applications are open until mid-January via the ABF's career portal. The ABF invites applications for the following five fellowships:

- ABF/AccessLex Institute Doctoral Fellowship in Legal and Higher Education
- ABF/AccessLex Institute Postdoctoral Fellowship in Legal and Higher Education
- Doctoral Fellowship in Law and Inequality
- Postdoctoral Fellowship in Law and Inequality
- ABF/JPB Foundation Access to Justice Postdoctoral Fellowship

For further information, please visit our fellowship program webpage or email [fellowships@abfn.org](mailto:fellowships@abfn.org) with any questions.

### 2. Judicial Fellowship Programme

The Judicial Fellowship Programme, formerly known as the University Traineeship Programme, was established in 1999 to enable recent law graduates to gain professional experience by working for the International Court of Justice. The programme aims to improve participants' understanding of public international law in practice and the Court's procedures by directly involving them in the activities of the Court. Judicial Fellows work on a full-time basis under the supervision of a Member of the Court, alongside the Member's primary legal assistant. Fellows can expect to conduct research and draft memorandums on questions of law or fact relating to cases pending before the Court, attend hearings and sittings, and perform any other duties that may be assigned to them by their respective judges. The duration of the fellowship is approximately ten months, from early September to June of the following year. The Court generally selects 15 participants nominated by universities across the world.

#### Call for applications for the 2024-2025 Judicial Fellowship Programme

The Court is currently welcoming applications from eligible universities worldwide for the 2024-2025 edition of the programme. The deadline for the submission of applications is 5 February 2024. All applications must be completed by this deadline. The Court expects to make its final decision on the selection of candidates by April 2024. Selected candidates will be informed accordingly by their nominating university.

# OPPORTUNITIES

## Postdoctoral research positions under YUFE4Postdocs

**Call for postdoctoral research positions under YUFE4Postdocs:** This call is supported by the EC under the Marie-Curie Sklodowska scheme. UAntwerpen and the other YUFE partners offer a total of 25 positions in the nine YUFE universities for candidates in all disciplines. There are 3 positions in the University of Antwerp for incoming international postdocs, co-funded by the EC and the Special Research Fund (BOF).

### Features

- \* For early career postdocs, with their (first) PhD max. 6 years before the call deadline: 20th December 2023. Years of experience outside of research and career breaks will not count towards the amount of research experience. Applicants having submitted their thesis and having been allowed to defend before 20th April 2024 are also eligible.
- \* For candidates from all over the world in all disciplines
- \* Candidates identify a supervisor at a YUFE host university, and a co-supervisor at a YUFE co-host university.
- \* Candidates are incoming mobile in the host university: they must not have resided or carried out their main activity (work, studies, ...) in the country of the prospective host university (here Belgium) for more than 12 months in the 36 months immediately before the call deadline.
- \* The proposed research project must explicitly address one or more societal challenges in an urban context. The urban context refers to people, communities, organizations, structures, and processes identifiable within cities and their surroundings.
- \* Candidates direct their project application on urban challenges or opportunities to one of the two YUFE focus areas: 'Citizens' wellbeing' or 'European Identity'. The choice of the focus area depends on the primary focus of the project.
- \* Where the subject of research touches upon health (physical, mental, environmental, public health, etc.) or other aspects of well-being of citizens in various capacities (residents, patients, students, caregivers, parents, or other stakeholders) the application can be directed to the focus area "Citizen's Well-Being". The subject should be explicitly framed in an urban context, which could consider, for example, health burdens, populations, environments, inequalities, care systems, planning and policy, etc.
- \* Where the subject of research touches on European identity/ies in an urban context, the application should be directed to the focus area "European identity". The subject can consider inter-relationships between European identity/ies and urban policies, structures, processes, communities or stakeholders, as well as elements of such identities in an urban context, such as culture, heritage, politics, values, .... Research taking a critical perspective exploring the potential threats, challenges and risks of a concept like European identity (e.g. social and economic exclusivity, governance approaches, etc.) also fits in the scope of this focus area.

### Timeline

- \* Deadlines for submission of the proposal: 20th December 2023
- \* Start of appointment: around (but not before) 1st September 2024



# EDITORIAL TEAM



## Managing Editor

Dr. Sophy K. J. is Associate Professor of Law at the National Law University Delhi. She is currently the Director of Centre for Labour Law Research and Advocacy (CLLRA). Her areas of research interest are Law relating to Labour and Development, Gender and the Law, Legal History and Anthropology.



## Editor in Chief

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## Editor

Akanksha Yadav, our editor is a PhD Scholar at National Law University Delhi. She has post-graduated from National Academy of Legal Studies and Research, Hyderabad [NALSAR]. She did her graduation from RMLNLU, Lucknow. She is currently working at the Centre for Labour Law Research and Advocacy (CLLRA). She has published several articles and research papers in National Journals.



## Editor

Tejas Misra is a 2nd Year Law Student at National Law University, Delhi. Areas of interest include socio-legal research, activism and advocacy. Passionate about history, philosophy and society's intersection with the law. Currently working on research topics relating to labour rights and legal news.



## Editor

Kapil Kumar Verma is an LL.M. student at National Law University Delhi; he graduated from National Law Institute University, Bhopal. He is currently working for the Centre for Labour Law Research and Advocacy (CLLRA). His areas of interest include labour law, affirmative action, and women's rights, among others.

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The newsletter titled "Labour Law Insights: Unlocking India's Labor Legal Labyrinth: Insights, Updates, and Analysis" is a comprehensive resource focusing on the intricate landscape of labor law in India. It provides timely updates on legal developments, in-depth analysis of key cases, expert commentary, and answers to common questions, all rooted in Indian legal provisions and case laws. This publication stands as an invaluable resource for scholars, practitioners, and stakeholders seeking profound insights into India's labor legal framework.



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