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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, inclusive of 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 so 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.

The Newsletter 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

#### Contractual Employment

#### MC MEHTA V. UNION OF INDIA AND ORS., IN RE: NUMBER OF VACANT POSTS IN STATUTORY POLLUTION CONTROL BOARDS OF VARIOUS STATES, WP (C) NO. 13029 OF 1985

**SUPREME COURT DIRECTED FOUR STATES WITH THE HIGHEST VACANCIES IN POLLUTION CONTROL BOARDS TO TAKE IMMEDIATE STEPS**

**Facts:** The case comes from the 1985 judgment that led to the formation of Pollution Boards in various states. A report was submitted to the bench by the Amicus Curae showing that a large amount of vacancies existed in the Pollution Boards of several states, and thus, in April the Supreme Court directed for four state with the highest vacancies - Haryana, Rajasthan, Delhi and Uttar Pradesh, to take immediate steps at filling them.

**Judgment:** The Supreme Court observed that even despite the Court order, about half the posts still remained vacant in each state. Moreover, the Court observed that the Delhi government had adopted a new practice of engaging contractual employees instead of making regular appointments to the State Pollution Control Board. They criticized this practice and asked all four states to comply with the Court orders.

#### Regularization of Employee

#### STATE OF MADHYA PRADESH & ORS. V. SHYAM KUMAR YADAV & ANR., SPECIAL LEAVE TO APPEAL (C) NO. 25609 OF 2018

**DAILY WAGE EMPLOYEES DO NOT HAVE A LEGALLY VESTED RIGHT TO SEEK REGULARIZATION**

**Facts:** The respondent was engaged as a daily-wage employee at a public college. His services were terminated but after a gap of several years, he was later reinstated. During the interim period, the government released a circular directing for absorption of the temporary employees. The respondent contended that he was entitled to be absorbed as a regular employee keeping in view the circular and the long period rendered by him as a daily wager.

**Judgment:** The Apex Court observed that while daily wage employees do not have a legally vested right to seek regularization, benefits of any policy or circular released for regularization must be extended to all eligible individuals. The Court noted that several juniors of the respondent had already been regularized and in spite of this, the State government had chosen not to regularize the respondent due to which the respondent had to approach the court. The Court held that authorities are not permitted to pick and choose in such circumstances.

The Supreme Court directed for the absorption of the worker alongside all benefits of regular employment including arrears of pay and seniority.

## Pension Benefits

**EMPLOYEES THAT WERE TEMPORARY AND HOLDING NON-PENSIONABLE POSTS WERE NOT ENTITLED TO PENSIONARY BENEFITS**

### UP ROADWAYS RETIRED OFFICIALS AND OFFICERS ASSOCIATION V. STATE OF U.P. & ANR, CIVIL APPEAL NO. 894 OF 2020

**Facts:** The appellants were created under the State government as a temporary department providing transport facilities, and the employees thereunder were appointed temporarily. A notification was later issued that provided for pension to permanent employees in the department. Afterwards, some of the employees were regularized. The appellant-employees, immediately after retirement claimed their post-retiral benefits and contended that they held a pensionable post after their absorption.

**Judgment:** The Court held that pension can only be claimed under a relevant rule or scheme, and if an employee is not holding a pensionable post, he cannot claim it as a matter of right. The Court observed that those employees who were temporary and holding non-pensionable posts were not entitled to pensionary benefits, however held that those employees who were later regularized and absorbed into the service would be granted pension.

The Court set aside the orders of the lower court and held that pension of a non-pensioned post could not be claimed as right by way of a writ of mandamus.

## Menstrual leave policy

**SUPREME COURT ASKED THE UNION TO CONSULT ALL STAKEHOLDERS ON THE QUESTION OF HAVING A MENSTRUAL LEAVE POLICY FOR WORKING WOMEN**

### SHAIENDRA MANI TRIPATHI V. UNION OF INDIA, W.P.(C) NO. 327 OF 2024

**Facts:** Jurisdiction under Article 32 of the Constitution was invoked for directing the Union government and states to implement policies for the grant of menstrual leave to women under the Maternity Benefit Act, 1961.

**Judgment:** The Supreme Court asked the Union to consult all stakeholders on the question of having a menstrual leave policy for working women. The Court also expressed apprehension that such a policy may not be welcomed by the employers and create troubles for women seeking jobs, since employers would not agree to hire women at the cost of compromising their workplace productivity. Accordingly, the Court believed that the matter should be entrusted to the policy decisions of both the Union and State governments. The Court directed the Secretary in the Union Ministry of Women and Child Development to look into the matter after due consultation with all stakeholders and governments.

## Recruitment Process

**AGE RELAXATION ARE WITHIN THE DOMAIN OF EXECUTIVE DECISIONS AND SHOULD NOT BE INTERFERED WITH UNLESS DISCRIMINATORY OR ARBITRARY**

### MAHESH CHAND BARETH & ANR. V. STATE OF RAJASTHAN & ORS., CIVIL APPEAL NO. 7906 OF 2010

**Facts:** In 1987, the Rajasthan government launched the Siksha Karmi Project with the aim to provide education in remote rural areas. In 2008, rules were framed stipulating the qualifications, age limits, and recruitment processes for Prabodhaks (teachers) and Senior Prabodhaks, including provisions for age relaxation. The appellants were teachers from recognized educational institutions and challenged this age relaxation, arguing it was discriminatory and violative of Article 14 of the Constitution.

**Judgment:** The Apex Court upheld the age relaxation, highlighting that age relaxation are within the domain of executive decisions and should not be interfered with unless discriminatory or arbitrary. The Court observed that if the government felt that experience gained as a teacher should not be lost and in that regard granted them age relaxation, then no fault could be found with the same.

The Court dismissed the batch of appeals and the recruitment process as conducted was upheld.

## Promotion

### BIHAR STATE ELECTRICITY BOARD AND OTHERS V. DHARAMDEO DAS, CIVIL APPEAL NO. 6977 OF 2015

**PROMOTION IS EFFECTIVE FROM THE DATE ON WHICH IT IS ACTUALLY GRANTED AND NOT FROM THE DATE ON WHICH A VACANCY IS CREATED**

**Facts:** The respondent was a physically challenged employee belonging to the SC category who was engaged with the appellants. Later on, the appellants passed a resolution specifying the time period for promotion for one grade to another grade. Under this, the respondent was granted accelerated promotion to the post of Joint Secretary after completing the prescribed time period, however, later on the appellants passed another resolution to reduce the number of posts of Joint Secretary due to the bifurcation of Bihar, due to which the respondent lost out on the promotion.

**Judgment:** The Court held that a promotion is effective from the date on which it is actually granted and not from the date on which a vacancy is created. It observed that though the right to be considered for promotion is a fundamental right, it would not automatically create a right in the employee to claim a promotion except when it was finally granted, and not merely on fulfillment of the prescribed time period. The Court further observed that the denial was not due to any malafide intention on part of the employers but due to administrative exigencies. The Court allowed the appeal and held in favor of the appellants.

## Selection Process

### BIHAR STAFF SELECTION COMMISSION & ANR. V. HIMAL KUMARI & ANR., 2024 INSC 531

**ONLY QUALIFYING CRITERIA FOR MINIMUM QUALIFYING MARKS MENTIONED IN THE ADVERTISEMENTS WERE FOR THE WRITTEN TEST**

**Facts:** The respondent was a candidate for a post in a State department participated in the selection examination and achieved the minimum qualifying marks in the written test. However, the appellant declared the candidate as unsuccessful because she did not obtain the minimum qualifying marks because she had no prior work experience and got no marks in that category. Therefore, in totality her marks were lower than the required amount. The respondent contended that the advertisement for the post had only mentioned the minimum requirement and by simple interpretation must mean only the written examination.

**Judgment:** The Court observed that the only qualifying criteria for minimum qualifying marks mentioned in the advertisements were for the written test according to a reasonable person's interpretation. Thus, the appellants had erred in denying the respondent a place in the merit list.

## High Court

### Allahabad High Court

1. AS v. State Of U.P. Thru. Addl. Chief Secy. Medical And Health Services, U.P. Lucknow & 2 Ors., Writ - A No. 9427 of 2023 - Severe depression and anxiety that are life threatening should be grounds for voluntary retirement as forcing an employee to continue working would be violative of their right under Article 21 of the Constitution.

### Bombay High Court

1. The Indian Express (P) Ltd. and Ors. v. Ganesh Gopinath Rane, WP No. 8387 of 2024 - Merely a transfer of an employee being exceptional and there being previous litigation between employer and employee is not a ground for the Industrial Court to stay the transfer.
2. Vidya Sunil Ahire and Ors. v. Commissioner of Police, Thane, WP No. 9685 of 2023 - Family of employee having more than two children ineligible for compassionate appointment.

### Rajasthan High Court

1. Amita Singh and Ors. v. State of Rajasthan & Ors., 2024:RJ-JP:18874 - Continuous work of contractual employees does not create any vested right for permanent employment.

### Delhi High Court

1. IRCON International Ltd. v. Bhavneet Singh, 2024:DHC:5269-DB - The provisions of the Rights of Persons with Disabilities Act, 2016 take precedence over any employment and contractual arrangements in cases relating to transfer of a disabled employee.
2. Lily Packers Private Limited v. Vaishnavi Vijay Umak and Connected Matters, ARB.P. 1210/2023 - Disputes relating to lock-in periods that apply during the subsistence of employment contracts are arbitrable.
3. Isha v. Union Of India And Ors., W.P.(C) 3732/2019 - A pregnant woman cannot be denied an employment opportunity because of inability to appear in a physical efficiency test.
4. Govt. of NCT of Delhi & Ors. v. Shashank Singh Tomar & Ors., W.P.(C) No. 9244 of 2024 - The regularization of contractual employees must be seen from the essence of the employment and not merely determined by the initial terms of appointment.
5. Vinod Kumar Sharma & Ors. v. Union of India & Ors., 2024:DHC::5546-DB - Contractual workers that rendered medical services during Covid should be considered for regularization.
6. Aditya Suresh Rao Kaware & Ors. v. Western Railway Recruitment Cell & Ors., 2023:DHC::5538-DB - Change in recruitment criteria should have prospective application when it can be beneficial to an applicant who applied before the change.

### Jammu and Kashmir High Court

1. National Insurance Company v. Zahoor Ahmad Sofi, FAO(WC) 6/2021 - The scope of an appeal against an award passed under the Employees Compensation Act is permissible only if a substantial question of law is involved.
2. Shameem Ahmad Shah v. UT of J&K, SWP 667/2017 C/W - Employees appointed in contravention of Articles 14 and 16 of the Constitution can be disengaged without affording them an opportunity to be heard.
3. State through Executive Engineer PHE Division, Doda v. Sakina Begum, FAO (WC) No. 23/2022 - The principal employer is liable to compensate for the accidental death of a worker engaged by a contractor.
4. Bashir Ahmad Wani v. J&K Forest Development Corporation & Ors., WP(C) No. 2183 of 2020 - The competent authority has the option to secure a second medical opinion before concluding on the genuineness of medical leave.

### Jharkhand High Court

1. Suraj Kumar Mahato & Anr v. Bharat Coking Coal Limited through its Chairman cum Managing Director, WP(S) No.811 of 2018 - The wife of a deceased employee is entitled for compensation from the date of employee's death, regardless of whether an application for compensation was submitted or not.

### Karnataka High Court

1. State By Karnataka Lokayuktha Police v.T. Manjunath & Anr., Criminal Revision Petition No. 422 of 2018 - Exoneration of employee in departmental enquiry will not halt criminal trial under Prevention of Corruption Act, 1988.

### Patna High Court

1. Smt. Pratima Kumari v. State of Bihar, Civil Writ Jurisdiction Case No.21937 of 2014 - A departmental proceedings for an order of dismissal from service can only be initiated with the approval of the state government.

### Punjab and Haryana High Court

1. Anuradha v. Union Of India & Ors., 2024:PHHC:059731 - There is no violation of the fundamental right of an employee if a competent authority abolishes a promotional post.
2. Maya Devi v. State of Haryana & Ors., 2024:PHHC:072898 - An employer cannot demote an employee post-retirement if he fails to pass a mandatory test.



## International Cases

### Discrimination

**EAT HELD THAT CHARGING A FLAT FEE TO ALL DRIVERS AMOUNTS TO NOT TREATING PART-TIME AND FULL-TIME EMPLOYEES EQUALLY**

#### MR W AUGUSTINE V. DATA CARS LTD., [2024] EAT 117 (UK)

**Court:** Employment Appellate Tribunal of the UK

**Facts:** The claimant was a part-time taxi driver and was required to pay a flat weekly fee to the respondent-employer, which was the same amount paid by all drivers regardless of hours worked. The claimant alleged discrimination against part-time workers, arguing that paying the full fee each week was unfair to part-time workers like himself. The lower tribunal dismissed the claim, ruling that the claimant had not demonstrated less favorable treatment compared to full-time workers, as both were subject to the same fee.

**Judgment:** The appellate tribunal upheld the claim but disagreed with the reasoning. The EAT noted that by charging a flat fee to all drivers, the respondent was not treating part-time and full-time employees equally. The claimant, being part-time, was effectively earning less than his full-time counterparts. However, the correct test of discrimination in the UK was the “sole reason” test, which stated that any less favorable treatment must be solely on the grounds of being a part-time worker for a claim to succeed. The appellate court held that the lower court had not utilized this test properly, and remanded the case back to the lower court.

### Dismissals

**EAT HELD THAT RIGHT UNDER ARTICLE 2 OF ECHR OVERWEIGH THE RIGHT UNDER ARTICLE 8 OF ECHR**

#### MASIERO & OTHERS V BARCHESTER HEALTHCARE PLC, [2024] EAT 112 (UK)

**Court:** Employment Appellate Tribunal of the UK

**Facts:** In early 2021, the respondent employers introduced a policy mandating staff vaccination against Covid-19, before it became a legal requirement. The claimants were dismissed for refusing vaccination and contended that this went against their legal rights under Article 8 of the European Convention on Human Rights (ECHR), which was the right to private and family life.

**Judgment:** The tribunal noted that the respondent’s policy did not enforce mandatory vaccination (i.e., forced medical treatment). Instead, the policy aimed to protect residents’ right to life under Article 2 of the ECHR. The tribunal noted that when there was a clash of rights between Article 2 and Article 8, even a small reduction in the risk to life from the vaccination policy could outweigh the claimants’ Article 8 rights. Thus, the tribunal held that the employers acted reasonably in the present case and upheld that the dismissals did not breach Article 8.

### Termination

**EMPLOYER BORE THE ONUS OF PROVING THAT THE ADVERSE ACTION DID NOT OCCUR DUE TO EXERCISE OF WORKPLACE RIGHTS**

#### PARSONS V SERCO CITIZEN SERVICES PTY LIMITED [2024] FCA 754

**Court:** Federal Court of Australia

**Facts:** The appellant-employee was terminated by the respondent following a series of complaints made against him by another employee and by him against his managers. He contended that adverse action had been taken against him for exercising his “workplace” rights by making complaints.

**Judgment:** The Court held that the employer bore the onus of proving that the adverse action did not occur due to exercise of workplace rights. The employee had proven that adverse action had been taken against him and that he had exercised his workplace rights by making a complaint, and now the employer was presumed to have acted wrongfully unless it could show otherwise and objective reasons for his dismissal. Since the employer was not able to discharge this burden of proof, the Court directed for compensation to be paid to the employee for loss of earnings as well as non-economic losses.



## Definition of 'Housewife'

**GENDER-BASED DISTINCTION DERIVED FROM THE DEFINITION OF HOUSEWIFE WAS THE PRODUCT OF AN OUTDATED WORLDVIEW THAT ASSUMED A DIVISION OF FUNCTIONS BETWEEN A MAN AND A WOMAN**

### **INI V. AMIR HANDEL, LABOR APPEAL (LA) 74074-05-23 (ISRAEL)**

**Court:** National Labor Court of Israel

**Facts:** Under the national and health insurance laws of Israel, a “housewife” is a married woman whose spouse is insured and who herself does not work and is not employed. A “married woman” is defined as including a person “who is known to the public as his wife and who cohabits with him.” The respondent and his same-sex spouse filed a request from exemption of payment of insurance premiums based on the “housewife” exemption.

**Judgment:** The Court held that the gender-based distinction derived from the definition of housewife was the product of an outdated worldview that assumed a division of functions between a man and a woman in which the man was responsible for financially supporting the family while the woman was responsible for housework. It observed that this gender-based distinction is inapplicable to the division of roles in a same-sex family. The court determined that the law established two requirements to qualify as a housewife: a. a marriage or being known to the public as married, and b. an insured spouse. These requirements reflect the legislature’s intention to exempt a family from insurance premiums if one spouse is insured and the second does not work. Further, it was not the legislature’s intention to exempt family units consisting of homosexual unions from the Act.

The Court concluded that a man in a same-sex family unit can be included under the term “housewife” subject to all rights and duties.

## Gig-Workers

**GIG-WORKERS WOULD REMAIN AS CONTRACTUAL LABOUR RATHER THAN EMPLOYEES**

### **CASTELLANOS V. STATE OF CALIFORNIA, S279622 (UNITED STATES)**

**Court:** Supreme Court of California

**Facts:** The suit was filed by a labor union and four drivers contending that the law which preserved the contractor status of drivers on delivery and ridesharing apps as being unconstitutional. The law, which was passed in the way of a popular referendum (called a proposition in California) regarded drivers as independent contractors while providing them some benefits and protections.

**Judgment:** The Supreme Court of California dismissed the suit, observing that such a measure was not unconstitutional under the Constitution of California. It observed that a move to recognize thousands of gig-workers as employees of ridesharing apps was a decision that must be made by the legislature, and holding the proposition that was decided by popular vote to be unconstitutional would imply restricting the power of majorities to make appropriate laws on workers’ compensation. As a result, the Court concluded that gig workers will continue to be categorized as independent contractors rather than employees.



# POLICY AND LEGISLATIVE UPDATES

## THE MINISTRY OF LABOUR AND EMPLOYMENT AMENDS SCHEMES UNDER THE EMPLOYEES' PROVIDENT FUND AND MISCELLANEOUS PROVISIONS ACT, 1952 TO REDUCE THE DAMAGES

The Ministry of Labour and Employment issued notification bearing G.S.R. 329(E), G.S.R. 327(E) and G.S.R. 330(E) dated 14th June 2024 to amend Paragraph 32A of The Employees' Provident Funds Scheme, 1952, Paragraph 5 (1) of the Employees' Pension Scheme, 1995 and paragraph 8A of The Employees' Deposit Linked Insurance Scheme, 1976 to reduce the damages recovered from the employer in case of non-payment of contribution to 1% of the arrears of contribution per month or part thereof.

## THE RAJASTHAN GOVERNMENT PROVIDES EXEMPTION FOR EMPLOYMENT OF WOMEN DURING NIGHT SHIFT

The state government vide circular no. F.14(11) (1)Labour/law/2017/4863607 dated 20th June 2024 released exemption for a period of 3 years for employment of women during night shift in Rajasthan subject to following conditions among others:

1. It is the responsibility of Employers to ensure safety of women during night shifts. Safe transportation arrangements must be provided by employer to women working in night shifts.
2. There must be separate restrooms and lockers for women employees at the workplace.
3. Pregnant women must not be called for work at night 3 months prior to her delivery and 3 months postdelivery.
4. The employer is required to obtain the consent of women employee to deploy her at work during night.

## THE RAJASTHAN GOVERNMENT EXEMPTS SHOPS AND ESTABLISHMENTS FROM CLOSING ONE DAY A WEEK

The state government vide circular no. F.14(11) (1)Labour/law/2017/4863577 dated 20th June 2024 released exemption for a period of 3 years for the registered shops and establishment from closing one day in a week subject to the following conditions among others:

1. All the employees employed in the shops and establishment are entitled to one day weekly holiday on a rotational basis.
2. Employees must be made to work only for a period of 9 hours in a day and 48 hours in a week. Employers should maintain separate record for overtime work and overtime wages must be paid to employees.
3. Appointment letters must be given to the employees by the employer and a copy of the appointment letters must be sent to the area inspect

## THE LABOUR DEPARTMENT OF KARNATAKA RELEASES KARNATAKA PLATFORM BASED GIG WORKERS (SOCIAL SECURITY AND WELFARE) BILL, 2024 TO INVITE OBJECTIONS/SUGGESTIONS

The bill provides for social security, occupational health and safety, transparency in automated monitoring and decision making systems, to provide dispute resolution mechanisms, to establish a welfare board and create a welfare fund for platform based gig workers and aggregators in the state. Gig workers under the bill include the workers involved in scheduled services. They include ride sharing services, food and grocery delivery services, logistics services, etc. Aggregators are the digital intermediary for a buyer of goods or user of services to connect with the seller or service provider. Aggregators registration is compulsory under the bill. The bill mentions rights of platform based gig workers. Rights such as registration with the state government and be provided with unique ID, access to general and specific social security schemes, grievance redressal mechanisms and other such rights. The government has attempted to regulate and impart job security to gig workers by fixing income and providing reasonable working conditions. The grounds for termination must be set forth in the contract.

## THE GOVERNMENT OF MAHARASHTRA HAS NOTIFIED AMENDMENT OF FACTORIES (SAFETY AUDIT) RULES

The government of Maharashtra in its Notification No. FAC-2023/CR.No.52(Part-2)/Labour – 4 dated 19th June 2024 has released Maharashtra Factories (Safety Audit)(Amendment) Rules, 2024. Applicability is changed from factories employing 250 workers to factories employing 50 workers. Some other changes include informing electronically of the commencement of safety audit to Directorate of Industrial Safety and Health within 7 days for the earlier 15 days, changes in proforma of safety audit, non-eligibility for renewal of certificate of recognition as a safety auditor, etc.

## CHANDIGARH LABOUR DEPARTMENT NOTIFIES EXEMPTION TO SHOPS AND ESTABLISHMENT

The Chandigarh administration labour department has released notification no. 12/2/149-HII(2)/2024/97898 dated 25th June 2027 exempting shops and establishments from operation of provisions containing opening and closing hours[Sec. 9 of the Punjab Shops and Commercial Establishments Act, 1958 ("Act")], close day (Sec. 10(1) of the Act) and condition of employment of women (Sec. 30 of the Act) subject to following conditions among others:

- 1.The Shops and Commercial Establishments registered under this Act in the Union Territory of Chandigarh are permitted to keep open on all 365 days and operate 24 hours.
2. The exemptions are granted for a period of 1 year.
3. No employee shall be required to work for more than 9 hours in day or 48 hours in a week.
4. If any shop or establishment remains open after 10.00 pm on any day, adequate safety and security arrangements shall be ensured for all employees and visitors by the management.
5. The employees shall be provided with all the facilities mentioned in the relevant Labour Laws.
6. The CCTV Camera with minimum 15 days recording backup shall be installed on the Shop/Commercial Establishment premises for safety purpose.
7. That the female employees shall be provided separate locker, security and restrooms at the workplace.

Certain Conditions among others to be ensured by employer for female employees working at night:

- 1.To obtain consent of women in writing.
2. To ensure compliance under the POSH Act.
3. The management will provide adequate security and proper transport facilities to the women workers including women employees of contractors during the evening/night shifts.
4. The management will ensure that women employees will board the vehicle in the presence of security guard on duty.
5. The management will ensure that emergency call numbers are prominently displayed inside the vehicle.
6. The management will ensure that there is an annual self-defence workshop/training for women employees, etc.



## DESK DISPATCHES

# Social Security Concerns for Platform Workers in India

Keerat Sidhu, Research Intern, CLLRA

### ABSTRACT

*The gig economy, characterized by short-term contracts and freelance work, has expanded rapidly in India, introducing significant challenges for platform workers. The Code on Social Security 2020 aims to consolidate nine legislations to provide uniform social security benefits, including extending these benefits to platform workers, who are defined as individuals providing services through digital platforms. This Code mandates compulsory registration and offers several social security benefits such as accidental insurance, life and disability cover, old age protection, health and maternity benefits, and childcare facilities. However, the Code has several shortcomings: it limits labor rights, imposes stringent eligibility criteria, lacks clarity in the distribution of welfare responsibilities, presents overlapping definitions, introduces governance duality, and fails to specify the quantum of welfare each stakeholder must provide. These issues can hinder the effective implementation of the Code and leave platform workers vulnerable. To enhance its effectiveness, the Code requires clearer definitions, better delineation of responsibilities, inclusion of labor rights, simplified eligibility criteria, and explicit specifications of welfare contributions. Addressing these concerns is crucial for ensuring the economic security and well-being of platform workers and recognizing their essential role in the economy.*

### INTRODUCTION

Platform workers, as defined by the International Labour Organization (ILO), are individuals who provide services through digital labour platforms. These platforms include both web based platforms, where work is outsourced to a geographically dispersed crowd ("crowdwork"), and location-based applications, which allocate work to individuals in a specific geographical area.

The new Code on Social Security, 2020, aims to consolidate and replace nine legislations that provided social security benefits to employees. This unification of these nine codes, seeks to provide uniformity in social security benefits, which were previously segmented under different acts with varying applicability and coverage. Social security aims to ensure that people have access to essential services like healthcare and income support, thereby reducing poverty and economic insecurity among vulnerable populations. It is funded through contributions from workers, employers, and sometimes the government, and is an essential component of a country's social safety net. The social security has become the major concerns for the sect of the economy due to various reasons

which is further defined in the code in 2(78) as:

"(78) "social security" means the measures of protection afforded to employees, unorganised workers, gig workers and platform workers to ensure access to health care and to provide income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner by means of rights conferred on them and schemes framed, under this Code;"

One of the features of the Code extends social security benefits to a broader group of employees, i.e., platform workers. As defined by the Code of 2020, 2(60) and 2(61) defines what is platform work and who is a platform worker as:

"(60) "platform work" means a work arrangement outside of a traditional employer employee relationship in which organisations or individuals use an online platform to access other organisations or individuals to solve specific problems or to provide specific services or any such other activities which may be notified by the Central Government, in exchange for payment;

(61) "platform worker" means a person engaged in or undertaking platform work;"

Social security is crucial for platform workers because it provides a safety net in an otherwise precarious work environment. Platform workers, such as those working for ride-sharing or food delivery services, often lack traditional employment benefits, including health insurance, retirement plans, and job security. Social security measures ensure that these workers have access to essential protections like healthcare, income support during unemployment or illness, and financial security in old age. Given the often irregular and unstable nature of platform work, social security helps mitigate the risks and vulnerabilities these workers face, promoting their overall well-being and economic stability.

### PRESENT SCENARIO OF THE INDIA

The gig economy in India, characterized by short-term contracts or freelance work as opposed to permanent jobs, has seen a rapid increase in the number of workers. While it offers flexibility and independence, it also presents numerous challenges that affect the livelihoods and well-being of platform workers.

- **Job Stability and Security:** One of the primary issues faced by platform workers is the lack of long-term job stability.

Most platform workers operate on a daily basis and can be terminated from their jobs without any notice, making it difficult to plan for the future. This instability is compounded by the absence of social security benefits such as Employees' State Insurance (ESI), Provident Fund (PF), or insurance. Unlike traditional employees, platform workers do not receive paid leaves, meaning that any inability to work directly results in a loss of income. This absence of benefits can lead to significant financial strain, especially during periods of illness or economic downturns.

- **Workload and Incentives:** The gig economy promises flexibility, but this often comes at the cost of long working hours. Many platform workers need to put in extended hours to make their jobs viable. For instance, a substantial number of app based cab drivers and delivery persons work more than 10 hours a day. A large portion of their wages comes from incentives, which pressures them into working longer hours. This reduces the purported advantage of flexibility in the gig economy. Furthermore, there is often a lack of transparency regarding how incentives are structured. Frequent and arbitrary changes in commission rates add to the financial insecurity and stress faced by these workers.

- **Legal and Regulatory Challenges:** Platform workers in India are not fully covered under existing labor codes, which prescribes minimum wages for various jobs. Without wage regulation, workers are at the mercy of aggregators who can dictate pay rates. This lack of legal protection leaves platform workers vulnerable to exploitation. Employers, on the other hand, must navigate complex legal environments, ensuring compliance with labor laws, tax regulations, and worker classification rules. This can be resource-intensive and challenging, particularly when employing platform workers across international borders.

- **Health and Safety:** The physical and mental health of platform workers is often compromised due to the nature of their work. Long working hours without adequate rest or benefits can lead to significant health issues. Many drivers report experiencing various physical ailments such as knee, leg, foot, and back pain. Mental health issues are also prevalent, with many workers experiencing anxiety, stress, panic attacks, and irritability. Additionally, many platforms fail to provide basic amenities or safety measures for their workers, further exacerbating health and safety concerns.

- **Data Privacy and Security:** The use of artificial intelligence (AI) in hiring platform workers raises concerns related to data privacy and security. While AI-driven platforms can effectively match platform workers with opportunities, they may inadvertently contribute to biases in the hiring process. Issues related to the confidentiality of data and the protection of intellectual property also pose significant challenges. Freelancers often work for multiple competitors simultaneously, which can jeopardize the interests of the companies employing them due to the absence of non-

compete clauses.

- **Worker Representation and Voice:** Platform workers often have little voice or bargaining power in their working conditions. Technology and platform policies heavily favor companies, leaving workers with limited means to advocate for their rights. Frequent and random changes to commission structures, payment delays, and deliberate miscommunication about earnings potential further disadvantage platform workers. Many platforms also lack basic amenities and support for workers, adding to their overall stress and job dissatisfaction.

The gig economy, while offering flexibility and opportunities for many workers, presents significant challenges that need to be addressed. The lack of job stability, social security benefits, and fair compensation, coupled with long working hours and health risks, makes gig work precarious. Social disparities, data privacy issues, and complex legal environments further complicate the situation. Both workers and employers face significant hurdles that require comprehensive solutions and supportive policies to create a fair and sustainable work environment. Addressing these challenges is crucial to ensuring that the gig economy can provide meaningful and equitable opportunities for all involved.

## SOCIAL SECURITY CODE, 2020

The Code marks a significant legislative effort to extend social security benefits to platform workers, recognizing their growing role in the economy. The Code mandates the compulsory registration of these workers on an online portal to avail benefits, with the Central Government specifying the details.

### Registration Criteria

For platform workers to be registered, they must meet specific conditions:

- **Age Requirement:** Workers must be between 16 and 60 years of age.
- **Work Duration:** They must have worked for at least ninety days during the preceding twelve months.
- **Self-Declaration:** Workers need to submit a self-declaration electronically or otherwise, containing prescribed information.
- **Documentation:** Eligible workers must apply for registration in a specified form along with necessary documents, including their Aadhaar number.

### Social Security Benefits

The Code provides for several social security benefits aimed at improving the welfare of platform workers. These benefits include:

- **Accidental Insurance:** Coverage for injuries or accidents occurring during work.
- **Life and Disability Cover:** Protection against life-threatening events and disabilities.
- **Old Age Protection:** Schemes to support workers post-retirement.

- **Health and Maternity Benefits:** Access to healthcare services and maternity benefits.
- **Creche Facilities:** Provision of childcare support and any other benefits deemed necessary by the Central Government.

### Issues with the Code on Social Security 2020 for Platform Workers

• **Limited Labor Rights:** One of the primary criticisms is that while platform workers can claim social security benefits under the Code, they are not granted full labor rights. This means they are unable to seek legal recourse for stable and better pay packages or challenge the algorithms used by platforms to allocate jobs. As a result, platform workers remain vulnerable to exploitation and unfair labor practices without a legal framework to support their claims.

• **Exclusion Due to Eligibility Criteria:** The eligibility criteria for claiming benefits might exclude certain workers, particularly those who do not meet the 90-day work requirement in the preceding year. This restriction could leave some of the most vulnerable workers without support, especially those engaged in irregular or part-time work. The stringent criteria may fail to recognize the sporadic nature of gig work, where workers may not consistently meet the specified threshold despite contributing significantly to the economy.

• **Ambiguity in Welfare Responsibilities:** The Code states that providing basic welfare measures is a joint responsibility of the Central Government, platform aggregators, and workers. However, it does not clearly define the extent of each stakeholder's responsibilities. This ambiguity can lead to gaps in welfare provision and a lack of accountability, potentially leaving workers without adequate support. Clear guidelines on the distribution of responsibilities are essential to ensure effective implementation.

• **Duality of Governance:** The Code introduces a duality in governance between the central and state governments, particularly in providing social security for unorganized sector workers. This duality can create further confusion and inefficiencies in implementing the Code, potentially hindering the delivery of benefits to platform workers. Clear delineation of roles between central and state governments is crucial to avoid overlap and ensure smooth execution.

### RECOMMENDATIONS FOR IMPROVEMENT

To enhance the effectiveness of the Code on Social Security 2020 for platform workers, several measures can be considered:

• **Clearer Definitions:** Establish distinct and clear definitions for unorganized, gig, and platform workers to avoid overlap and ensure targeted implementation of schemes.

• **Defined Responsibilities:** Clearly delineate the responsibilities of the Central Government, platform aggregators, and workers in providing welfare benefits to ensure accountability and effective delivery.

• **Labor Rights Inclusion:** Extend labour rights to platform workers, allowing them to seek legal recourse for fair wages and working conditions.

• **Simplified Eligibility:** Simplify the eligibility criteria for claiming benefits to ensure that more workers can access the social security measures provided under the Code. • **Quantum of Welfare:** Specify the quantum of welfare that each stakeholder is responsible for delivering to ensure clarity and accountability.

By addressing these issues, the Social Security Code 2020 can better serve the needs of platform workers, ensuring their economic security and recognizing their critical role in the modern economy. The inclusion of these workers in the social security framework is a step forward, but continuous refinement and clarity in the provisions are necessary to achieve the intended welfare outcomes.

### ENDNOTES

- *Digital Labour Platform*, International Labour Organization, August 15, 2018 <https://www.ilo.org/digital-labour-platform>
- Dr. Pooja Nagpal, *Gig Economy in India: Drivers, Challenges & Road Ahead*, ISME, May 15, 2023 <https://www.isme.in/gig-economy-in-india-drivers-challenges-road-ahead-dr-pooja-nagpal/>
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- A.M. Jigeesh, *Gig workers suffer from lack of social security, regulations: study*, The Hindu, March 11, 2024, <https://www.thehindu.com/news/national/gig-workers-suffer-from-lack-of-social-security-regulations-study/article67936093.ece>



NLUD Journal on 'LABOUR'



## CALL FOR PAPERS

#### SUBMISSION PROCESS

All the submissions must be made online at submission portal [clra.com] or at [jol@nludethi.ac.in](mailto:jol@nludethi.ac.in)

#### SUBMISSION GUIDELINES

- All submissions (except Book Reviews) should be accompanied by an abstract of not more than 300 words and 5 important keywords.
- All word limits are inclusive of footnotes.
- Referencing and citations must conform to the APA Citation style

#### IMPORTANT DATE

20TH JULY 2024 Paper submission begins	30TH NOV 2024 Paper submission deadlines	15TH FEB 2025 Acceptance and Review Process	30TH APRIL 2025 Final Acceptance and Confirmation	15TH JULY 2025 Publication Date
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## DESK DISPATCHES

## Financial Capacity of Employers v. Workers rights in wage Determination

*Ivan Saleem and Mary Kurian Edassery,  
CHRIST (Deemed to be University), Bangalore*

In Labour Law, as a measure of collective bargaining, trade Unions submit a charter of demands. The charter can include various demands such as wages, bonuses, working hours, benefits, allowances, terms of employment, holidays, etc. As usual, disagreements arise, and the matter ends up being litigated. The Labor Court, while deciding, follows the 'industry cum region test', where the prevailing pay and other allowances should be compared with equally placed or similarly situated industrial units in the same area, as a standard criterion to decide upon the wage structure and other amenities. The financial capacity of the employers is generally not considered when increasing wages; however, it has been considered in the rarest of rare cases. The settled legal position in this matter was a legal battle until recently.

The crucial legal battle regarding the revision in pay scale and other allowances unfolded in the case of *The VFF Ltd Employees Union v. M/s. VVF India Limited & Anr*<sup>1</sup>. The cause of action arose on the wage revision and other demands pertaining to the workmen of VVF India Limited (The employer) raised by the Union as a Charter of Demand. The Charter of Demand for the corresponding years from 2008 to 2011 had 15 heads, including Revision in Payscale, Fixed Dearness Allowance, Shift Allowance, Medical Allowance, Leave Travel Allowance etc. By granting certain demands and rejecting certain others, the Tribunal granted partial relief to the employees. Both parties challenged the award by separate writ petitions, and this was disposed off by the Bombay High Court through a single judgment. The Court admitted Union's writ petition while dismissing the employer's writ. The two issues that were arrived at and examined in this case were, firstly, whether the High Court had jurisdiction to appreciate new facts and evidence and, secondly, whether the financial capacity of the employer is a factor in fixing wage structure.

In allowing the claims of the Union in the first issue, the Court upheld the Union's argument that the Tribunal had failed to consider the plea of the workmen for parity of wages from similar working units in the same locality (industry cum region test). The employer questioned the jurisdiction of the High Court in entering into a fact-finding exercise while testing the legality of an award. The Court, by placing reliance on *General management, Electrical Rengali Hydro Electric Project, Orissa & Ors. v. Giridhari Sahu & Ors.*<sup>2</sup> and *Surya Dev Rai v. Ram Chander Rai*<sup>3</sup> held that the High Court in appropriate cases can go into the facts while examining the award of a Tribunal.

Considering the second issue on the revision of pay scale

and other demands, the 'industry cum region test', where the pay and other allowances should be compared with similar industrial units situated in the same locality, was applied. However, relying on *French Motor Car Co. Ltd. v. Workmen*<sup>4</sup>, *The Silk and Art Silk Mills Association Ltd. v. Mill Mazdoor Sabha*<sup>5</sup>, *Shivara jFine Arts Litho Works v. State Industrial Court, Nagpur & Ors.*<sup>6</sup>, *A.K. Bindal v. Union of India*<sup>7</sup> and *Mukand Ltd. v. Mukand Staff & Officers Association*<sup>8</sup> the Court observed that the financial capacity of the employer is a substantial factor in determining units to which the 'industry cum region test' should apply. Further, in the *A.K. Bindal* and *Mukand Ltd.* cases, it was held that the High Courts, in its general ambit, are not supposed to re-appreciate evidence; however, this can be exercised through the Court's power of Judicial Review. Applying this rationale, the Court observed how the High Court had not considered the financial position of the employer and opined that it should be a substantial factor in determining the wage structure of the employees. Therefore, relying on the above-mentioned cases, the Court held that the financial capacity of the employer is an important factor in fixing the wage structure of employees.

The Supreme Court set aside the High Court's judgment and directed the Tribunal to re-examine the case afresh and conclude the reference within 6 months. The Court also noted that the High Court should have remitted the matter to the Industrial Tribunal and appreciated the employer's evidence regarding their financial position as they were in a regression as a result of a demerger that had taken place.

The Supreme Court's stance in considering the financial capacity of the employer while determining the wages of employees is to be appreciated as this is indeed the determining factor of their ability to pay wages and other amenities. Making an industry liable to pay more than it earns would result in a negative profit, affects the industry as well as hinders the principle of equity. The construction of a wage structure must be a long-range plan and while doing this the financial position of the employer must be carefully examined along with this, what has been the progress of the industry in question; what are the prospects of the industry in future; has the industry been making profits, if yes, what is the extent of profits; what is the nature of demands which the industry expects to secure; what would be the extent of the burden and its gradual increase which the employer may have to face, etc. must also be carefully weighed before a proper wage-structure can be reasonably constructed by industrial adjudication."<sup>9</sup>

Even though the State is duty-bound to ensure beneficial amenities to the employees, mandating an employer to incur losses to achieve this goal, being violative of the principle of equity, is not appreciated. However, this cannot be at the cost of the rights of employees. Article 21 includes the Right to life and liberty, and it means the right to live with 'dignity'. Therefore the financial difficulties of the institution cannot be considered to be above the fundamental rights of the citizens<sup>10</sup>. Therefore it is safe to conclude that the position in law regarding whether the financial capacity of the employer is a significant factor in determining the wage structure is settled. The VFF Ltd Employees Union v. M/s. VVF India Limited & Anr has set out a precedent beneficial to the employers, to escape their liability on increased wages, depending on their financial position.

## ENDNOTES

- 1 2024 SCC OnLine SC 534; 2023 LLR 597
- 2 (2019) 10 SCC 695
- 3 (2003) 6 SCC 675
- 4 (1962) 2 LLJ 744
- 5 (1972) 2 SCC 253
- 6 (1978) 2 SCC 601
- 7 (2003) 5 SCC 163
- 8 (2004) 10 SCC 460
- 9 Cellular Operators Association Of ... vs Union Of India & Ors 2003 (3) SCC 186
- 10 All India Imams Organisation & Ors. v. Union of India 1993 (3) SCC 584

## OPPORTUNITIES

### Applications Invited for Visiting PhD Fellowship Programme- Applications Invited for Visiting PhD Fellowship Programme

This PhD Fellowship Programme gives registered doctoral students the opportunity to utilize the resources and facilities at UNU-WIDER for their PhD dissertation or thesis research on developing economies, and to work with our researchers in areas of mutual interest. Visiting PhD fellows typically spend three consecutive months at UNU-WIDER before returning to their home institution. During their time in Helsinki, fellows prepare one or more research papers and present a seminar on their research findings. They may also have the opportunity to publish their research in the WIDER Working Paper Series. UNU-WIDER only receives online applications for the Visiting PhD Fellowship Programme twice each year. Deadlines for submission of applications are 31 March and 30 September 23:59 UTC+3 each year.

### Labour Law History Conference - Founders and Shapers of Labour Law: National and Transnational Perspectives

Following a successful conference in 2023, the Labour Law History from a Global Perspective network will meet for the second time, this year focusing on the law of labour from a biographical perspective. The focus will be on well-known labour lawyers, but also on people who have had an influence on labour law or the regulation of the world of work in other contexts. We are interested in what influence they had in their respective national contexts, as well as beyond – may that be transnational, transregional or translocal. The conference is co-organized by Johanna Wolf (MPILHLT) and Rebecca Zahn (Strathclyde University). The conference will be hybrid on 3rd September 2024. If you are interested in participating (in person or online), please send an email to [wolf@lhlt.mpg.de](mailto:wolf@lhlt.mpg.de)

### Post-doc and visiting scholar positions, ERC project “ChainGE Lab: Labour Law for a Global Value Chain Economy”

Labour Law for a Global Value Chain Economy” will focus on labour law and workers rights in global supply chains. We are currently seeking to fill positions for post-doctoral researchers and visiting scholars, as well as inviting general interest in being part of a research network in this field. All further information can be found at the following link:

[https://www.trafflab.org/\\_files/ugd/11e1f0\\_673a8c96317545e6892af1d63b6df1ee.pdf?index=true](https://www.trafflab.org/_files/ugd/11e1f0_673a8c96317545e6892af1d63b6df1ee.pdf?index=true)

### Call for Papers | NLUD Journal on LABOUR: Submit by Nov 30

The NLUD Journal on LABOUR, published by the Centre for Labour Law Research and Advocacy at National Law University, Delhi, is now accepting submissions for its inaugural issue. The theme for this edition is “Sociology of Labour,” and the journal invites interdisciplinary contributions from scholars, researchers, practitioners, and activists. Submissions must be original and conform to specified guidelines, with a deadline of November 30, 2024. For more details, visit the journal’s submission portal or contact [jol@nludelhi.ac.in](mailto:jol@nludelhi.ac.in).



# DOMESTIC LABOUR LAW NEWS

## ECONOMIC SURVEY 2024: INDIA HAS 18.3% UNPAID WORKERS, 57.3% OF TOTAL WORKFORCE SELF-EMPLOYED

According to the Economic Survey, India's workforce totals almost 56.5 crore people, with more than 45 percent employed in agriculture, 11.4 percent in manufacturing, 28.9 percent in services, and 13.0% in construction. According to the report, 57.3 percent of the entire workforce is self-employed, while 18.3 percent labor unpaid in domestic enterprises. Casual labor accounts for 21.8% of the entire workforce, while regular wage/salary workers make up 20.9%.



Gender-wise, the female workforce has transitioned toward self-employment, while the male workforce's proportion has remained consistent. Rural women's participation in agriculture and related activities has led to a dramatic increase in female LFPR during the previous six years, which is indicative of this.....[Scan QR](#) to read more

## CENTRE LIKELY TO LODGE COMPLAINT AGAINST INTERNATIONAL LABOUR ORGANISATION'S INDIA EMPLOYMENT REPORT

India plans to raise a complaint against the International Labour Organization (ILO) regarding its 2024 India Employment Report. The Union Labour Ministry criticized the model used by the ILO, claiming it was unsuitable for assessing India's employment scenario. The report highlighted that 83% of India's unemployed workforce consists of youth, with a significant increase in the share of unemployed youth with secondary or higher education from 35.2% in 2000 to 65.7% in 2022. Notably, the report's release occurred just weeks before the general election.....[Scan QR](#) to read more.



## INDIA MUST LABOUR TO GENERATE 78.5 LAKH NON-FARM JOBS EVERY YEAR

The Economic Survey estimated that India needs to generate 78.5 lakh jobs annually in the non-farm sector until 2030 to accommodate the rising workforce. The private sector is urged to contribute, with existing schemes like the production-linked incentive and MITRA textile scheme playing crucial roles.



The survey highlighted the importance of easing compliance burdens and reforming laws to facilitate hiring. It also emphasized the need for businesses to balance capital and labour deployment, considering their responsibility for employment generation and social stability. Current labour regulations were noted to have adverse effects, particularly on women, hindering manufacturing sector growth.....[Scan QR](#) to read more.

## VALMIKI COMMUNITY SANITATION WORKERS STRIKE OVER RECRUITMENT DISPUTE IN RAJASTHAN

The Access (In)Equality Index (AEI) 2024 report, authored by Siddhartha Bhasker, Deepanshu Mohan, Aditi Desai, Jheel Doshi, and Aryan Govindakrishnan, measures inequality in access to basic opportunities across India. It evaluates states and union territories based on five key pillars: basic amenities, healthcare, education, socio-economic security, and legal recourse.



The report highlighted significant disparities, with Goa, Sikkim, and Andhra Pradesh emerging as top performers, while Bihar and several northeastern states lag behind. The findings emphasized the need for targeted policies to address these inequalities, especially post-pandemic, to ensure inclusive growth and equitable access to essential services for all citizens.....[Scan QR](#) to read more

## INDIA AMBULANCE WORKERS' STRIKE INTENSIFIES AMIDST WAGE AND LABOUR DISPUTES

Nearly six thousand ambulance workers in Bihar, employed by PDPL and contracted to the State Health Society, are striking due to precarious working conditions and the non-implementation of the 2023 collective agreement. They have not received salaries for four months, endure long 12-hour shifts, and lack social security benefits. Despite submitting a memorandum outlining their demands, the authorities' apathetic response has led to industrial action in eight districts. UNI Global Union affiliate BRCKS supports the strike, urging the state government to engage in dialogue to prevent a state-wide strike across all 38 districts.....[Scan QR to read more.](#)



## INDIA'S ECONOMIC GROWTH MASKS DEEPENING INCOME INEQUALITY & SECTORAL DISPARITIES

India's robust GDP growth of 8% for FY24 highlighted macroeconomic stability and significant foreign capital inflows. However, it pointed out the stark income inequality, with the top 20% of the population accumulating 92% of the country's savings. While the wealthiest experienced rapid income growth, the bottom 80% saw much slower progress. The article attributed this disparity to both structural changes in the global economy and cyclical factors, such as the lingering effects of COVID-19. It suggests targeted rural programs and capital spending on the knowledge economy as potential solutions to address these inequalities.....[Scan QR](#)



## LABOUR MINISTRY REBUTS CITIGROUP'S RESEARCH REPORT ON EMPLOYMENT IN INDIA

The Ministry of Labour and Employment in India rebutted a Citigroup report predicting insufficient job creation despite a 7% growth rate. Citing official data from the Periodic Labour Force Survey (PLFS) and the Reserve Bank of India's KLEMS, the ministry highlighted the creation of over 80 million jobs from 2017-18 to 2021-22. Key labor market indicators, such as the Worker Population Ratio (WPR) and Labour Force Participation Rate (LFPR), showed significant improvement, with the unemployment rate dropping from 6% to 3.2%. The ministry emphasized the credibility of official data over private sources, attributing positive trends to government initiatives.....[Scan QR to read more.](#)



## 43 DEATHS IN SEWERS & SEPTIC TANKS IN 6 MONTHS BUT GOVT AND BUDGET SILENT ON IT

The ongoing deaths of sanitation workers in India, particularly those from the Dalit community, highlight a severe human rights crisis. Despite 43 deaths in the first half of 2024, the government has failed to acknowledge or address the issue in its Union Budget. These deaths violate Supreme Court orders and the Prevention of Atrocities Act, yet the government denies the existence of manual scavenging and does not track these fatalities. The lack of safety measures and training for workers further exacerbates the problem, reflecting a broader societal indifference towards marginalized communities. Urgent action is needed to prevent these tragic deaths.....[Scan QR to read more](#)



## EMPLOYMENT RATE RISES 6% PROVISIONALLY IN FY24

The Reserve Bank of India's data revealed a significant increase in employment, with the country's employment rate growing by 6% in the fiscal year 2023-24, reaching 64.33 crore from 59.67 crore in 2022-23. The Periodic Labour Force Survey (PLFS) indicated a decrease in the urban unemployment rate from 6.8% in January-March 2023 to 6.7% in January-March 2024. Female unemployment also declined from 9.2% to 8.5% during the same period. Additionally, the Labour Force Participation Rate (LFPR) and Worker Population Ratio (WPR) in urban areas showed an upward trend, reflecting overall positive employment growth.....[Scan QR](#)



## SEWA INDIA PROVIDES MEMBERS WITH HEAT WAVE INSURANCE

SEWA (Self Employed Women’s Association) which organizes women workers in the informal sector, including home-based workers in the garment industry and workers engaged in the downstream shipbreaking industry, launched a heat wave insurance programme for its members to mitigate the effects of harsh weather. As a part of this pilot insurance programme, the union provided financial assistance to workers so they could use the extra money for their health needs.....[Scan QR to read more.](#)



## AMID HUGE ROW, KARNATAKA PAUSES BILL FOR RESERVATION IN PRIVATE SECTOR FIRMS

The Karnataka government has paused, and will further study, a bill directing private firms in the state to reserve jobs for Kannadigas. The bill, cleared Monday, requires firms in India’s IT capital to prioritise local hires for 70 per cent of non-management roles and 50 per cent of management-level jobs.



Chief Minister Siddaramaiah posted on X that the bill, which aims to implement reservation for Kannadigas in private sector institutions, industries, and enterprises, is still in the preparation stage. He stated that a final decision would be made after a thorough discussion in the next cabinet meeting.....[Scan QR to read more.](#)

## KARNATAKA GOVERNMENT MUST REVISIT GIG WORKERS BILL, MAKE IT MORE INCLUSIVE

A year after Rajasthan released the first legislation on gig and platform workers in India, the Karnataka government has followed suit and released the Karnataka Platform-Based Gig Workers (Social Security and Welfare), Bill 2024.



At the outset, it is noted that the Bill is a broader version of the Rajasthan legislation, which was limited to social security. The Karnataka Bill, on the other hand, includes not only social security provisions but also covers algorithmic transparency, compulsory notice requirements, grievance redress, and other relevant provisions.....[Scan QR to read more.](#)

## FACT-FINDING REPORT EXPOSES ‘FLAWS’ IN WEST BENGAL EVICTION DRIVE

A survey conducted across municipalities and civic bodies in West Bengal on the recent eviction drive has pointed out that neither were laws passed by the Assembly followed nor attempts made to compensate or rehabilitate hawkers and vendors.



Last month, the police and civic bodies began evicting hawkers after Chief Minister Mamata Banerjee commented on the issue, stating that hawkers were occupying streets and leaving no space for pedestrians. The report, ‘Bulldozers vs. Livelihoods: Unmasking the Plight of West Bengal’s Street Vendors’, indicated that no rehabilitation was provided during the evictions, forcing many vendors to relocate their businesses.

Several organizations, including the Right to Food and Work Campaign, West Bengal, the People’s Union for Civil Liberties, Amra Ek Sachetan Prayas, and workers’ unions in unorganised sectors, made the fact-finding report public on Friday. The report mentioned that evictions in towns such as Rampurhat, Bolpur, Burdwan, Durgapur, and English Bazar involved the use of bulldozers or earth movers.....[Scan QR to read more.](#)

# INTERNATIONAL LABOUR LAW NEWS

## AG CAMPBELL REACHES NATION-LEADING SETTLEMENT WITH UBER AND LYFT, SECURES LANDMARK WAGES, BENEFITS AND PROTECTIONS FOR DRIVERS

The Office of Attorney General Andrea Joy Campbell has announced that it has reached a historic settlement with Uber and Lyft in its legal battle, requiring a minimum pay level of \$32.50 per hour as well as a number of benefits and rights for drivers. Moreover, Uber and Lyft have agreed to pay the state a total of \$175 million to settle claims that they broke Massachusetts wage and hour rules. The vast majority of this money will be given to both current and former drivers.....[Scan QR to read more.](#)



## KINGDOM OF SAUDI ARABIA HAS RELEASED SCHEDULE OF VIOLATIONS AND PENALTIES RELATED TO EMPLOYER AND EMPLOYEE CONDUCT

Based on Ministerial Resolution No. 75913 of 19/5/1445H (equivalent to 3 December 2023), a full schedule of violations and penalties relating to employer and employee conduct under the KSA Labour Law has been released and will go into effect in 2024. The resolution, which references Royal Decree No. M/51 and subsequent amendments, specifies fines for a number of violations, including noncompliance with occupational safety regulations, failure to provide safety instructions, employing children under the legal working age, and failure to provide medical insurance in accordance with the KSA Cooperative Health Law.



Penalties have also been established for hiring non-Saudi personnel without the necessary authorization, wage discrimination, and failure to adhere to Saudisation quotas for specific professions. Employers are now required to pay fines within 60 days of notification, and appeals to penalties for violations must also be made within that timeframe. This update supersedes conflicting decrees specifying violations and penalties under the Saudi Labour Law.....[Scan QR to read more.](#)

## REMOTE HEARING REQUEST DENIED AND JUDGES INSIST ON VICTIM RETURNING TO LEBANON TO TESTIFY IN-PERSON

Lebanese judges have denied a request in a landmark criminal case alleging slavery and slave trading brought by a migrant domestic worker (MDW) for the victim to be allowed to testify remotely in order to avoid the practical and emotional difficulties she would face returning to Lebanon, where she was enslaved and subjected to serious human rights violations at the hands of her employer over an eight-and-a-half-year period between March 2011 and September 2019.



Legal Action Worldwide (LAW), the group representing the victim in the case (MH), requested on February 29, 2024 that the investigating court follow the method for remote hearings established during the Covid-19 pandemic. A remote hearing was justified given the victim's financial circumstances and the difficulties of getting a visa for Ethiopian nationals, which made attending in person impossible.

Furthermore, LAW underscored MH's reasonable worries of punishment for speaking out, as well as the psychological pressure she would face if she had to return to the site where she was enslaved and abused. The investigating judge disregarded such factors in a ruling issued on March 21, 2024, putting the defendant's right to meet her accuser in person ahead of the victim's safety and well-being.

On appeal, a three-judge court concurred with the investigating judge, effectively requiring MH's in-person attendance.....[Scan QR to read more.](#)

## UK: AMAZON WORKERS LOSE RIGHT TO COLLECTIVE BARGAINING BY SLIM MARGIN, AFTER ALLEGEDLY "RELENTLESS" UNION BUSTING

In a historic ballot that could have compelled Amazon to recognise a union for the first time in the UK, 50.5% of workers voted against the request to represent them by the GMB union. If 15 had switched sides, the outcome would have been reversed. TUC General Secretary Paul Nowak remarked that Amazon had made extensive efforts to prevent workers from having an independent voice at work and stated that the situation was far from over. He indicated that the campaign would regroup and persist in highlighting unethical practices by employers. Union officials claimed that Amazon had fostered a culture of fear and employed intimidatory techniques to undermine support among the 3,000 staff members at the West Midlands center during the year-long campaign for recognition. GMB activists were permitted into the warehouse to present their case during precisely timed sessions leading up to the ballot, while managers used a number of separate briefings to advocate against recognition.....[Scan QR to read more.](#)



## THE 112TH INTERNATIONAL LABOUR CONFERENCE OF THE INTERNATIONAL LABOUR ORGANIZATION CONCLUDES, WITH SPAIN RATIFYING TWO NEW ILO CONVENTIONS

The 112th International Labour Conference (ILC), which is held annually in Geneva during the first two weeks of June, was attended by representatives of the 187 ILO member countries as well as employers' organizations and the most representative trade unions. This year's ILC was presided over by the Republic of Moldova.....[Scan QR to read more.](#)



## ILO CALLS ON G20 TO REDUCE INEQUALITIES, PROMOTE GENDER EQUALITY AND ENCOURAGE DIVERSITY IN THE WORLD OF WORK

Gilbert F. Hougbo, the director-general of the International Labour Organization (ILO), asked the G20 labor and employment ministers to take prompt action to reduce inequalities, advance gender equality, and foster diversity in the workplace.



The ministers agreed to a comprehensive set of measures to address global labor market difficulties, ensure just transitions, and promote decent employment at the high-level meeting, which was hosted by Brazil in the city of Fortaleza on July 25–26. They pledged to use coordinated social, economic, and environmental policies to end hunger and poverty, promote social inclusion, and create high-quality jobs.....[Scan QR to read more.](#)

## EQUAL PAY FOR EQUAL VALUE BY 2030: SECRETARY JULIE SU AND RAKESH PATRY CONVENE AT G20 TO DISCUSS THE EPIC COALITION

At a side event called "Together let's close the gender pay gap NOW!" on July 24, 2024, during the G20 Summit in Brazil, U.S. Secretary of Labor Julie Su and Rakesh Patry, Canada's Director General of International and Intergovernmental Labour Affairs, discussed gender equality and efforts to close the gender pay gap globally with other members of the Equal Pay International Coalition (EPIC) and worker and employer organizations. EPIC's Chair is Mr. Patry.



The purpose of the EPIC side event was to: highlight best practices and the effects of achieving equal pay for work of equal value on reducing poverty and inequality; refocus global attention on the existence, nature, causes, and measurement of the gender pay gap; and accelerate action to reduce the gender pay gap in labor force participation. The UN Sustainable Development Goal Target 8.5 calls for both presidents to close the gap by 2030, and they both reaffirmed their commitment to doing so.....[Scan QR to read more.](#)

## MATERNITY AND PATERNITY BENEFITS LAUNCHED IN OMAN: PIONEERING SOCIAL INSURANCE REFORMS IN THE GULF REGION

New social insurance maternity benefits have been implemented in Oman, and they are expected to greatly increase women's employment prospects in the Sultanate. The new program is a part of Oman's extensive and comprehensive social protection changes, which were created in July 2023 with the ILO's assistance. It contains a provision for paternity leave and enhances and broadens maternity benefits for working mothers.



The system complies with the major provisions of the ILO Maternity Protection Convention, 2000 (No. 183), including covering foreign workers in addition to domestic workers. The Kingdom of Saudi Arabia also unveiled laws earlier this month that would create a comparable maternity insurance program.....[Scan QR to read more.](#)

## ILO AND UZBEKISTAN AGREE TO DEVELOP NEW PROGRAMME TO IMPROVE LABOUR CONDITIONS AND STRENGTHEN SOCIAL JUSTICE

Uzbek President Shavkat Mirziyoyev, top officials of the Uzbek administration, and Director-General of the International Labour Organization (ILO), Gilbert F. Hounbo, reached a high-level agreement to set up a new country program for Uzbekistan. Both sides' commitment to enhancing working conditions and advancing social justice in Uzbekistan is emphasized by the initiative, which will also support the Global Accelerator on Jobs and Social Protection for Just Transitions, which is slated to run from 2026 to 2030.



Subsequent talks revealed important advancements in Uzbekistan-ILO collaboration, such as the country's ratification of 22 international conventions and approval of over 40 national labor-related regulatory instruments, which demonstrate Uzbekistan's adherence to ILO standards.....[Scan QR to read more.](#)

## GUINEA-BISSAU RATIFIES THE MARITIME LABOUR CONVENTION

On 10 June 2024, the International Labour Office (ILO) received the instrument of ratification of the Maritime Labour Convention, 2006, as amended (MLC, 2006), by Guinea-Bissau. This ratification represents a significant contribution towards the universal application of the Convention.



Alongside three Conventions of the International Maritime Organization (IMO), the MLC, 2006 is an inventive and comprehensive document that is often referred to as "the seafarers' bill of rights." These Conventions are the International Convention on Standards of Training, Certification, and Watch-keeping (STCW), the International Convention for the Prevention of Pollution from Ships (MARPOL), and the International Convention for the Safety of Life at Sea (SOLAS). Together, they form the fourth pillar of the international regulatory regime for the maritime sector.

The MLC, 2006 will enter into force for Guinea-Bissau on 10 June 2025, that is one year after its ratification.....[Scan QR to read more.](#)

## NEW IMPORTANT SET OF AMENDMENTS TO THE MLC, 2006 WILL ENTER INTO FORCE ON 23 DECEMBER 2024

It is now confirmed that the eight amendments to the Code of the Maritime Labour Convention, 2006, as amended (MLC, 2006) adopted by the ILO in 2022 will come into force on 23 December 2024.



These amendments aim at further improving working and living conditions at sea and address some of the key challenges faced by seafarers during the COVID-19 pandemic.....[Scan QR to read more.](#)

# PUBLICATIONS: ARTICLES

## LABOUR REGULATIONS AND JOB CREATION : EVIDENCE FROM INDIA'S ORGANISED MANUFACTURING- BISHWANATH GOLDAR

The impact of labour changes implemented by six Indian states between 2014 and 2017 on industrial employment in organised manufacturing was examined in this study. It was discovered that loosening labour laws had a favourable effect on job growth in these manufacturing facilities using plant-level panel data. States specifically lifted the 100 to 300 worker barrier for Chapter VB of the Industrial Disputes Act, 1947 to apply, eliminating the need for government approval for layoffs or closures in medium-sized businesses. Additionally, the applicability limit was raised from 20 to 50 workers by revisions made to the Contract Labour (Regulation and Abolition) Act, 1970. But according to econometric analysis by Chaudhary and Sharma (2022) and Goswami and Paul (2021), Rajasthan's reforms did not result in more jobs being created in organised manufacturing.....[Scan QR to read more](#)



## THE LEGAL CONCEPT OF WORK- BY ZOE ADAMS

The study's legal assessments of labour laws looked at various viewpoints on what constitutes work, with an emphasis on the internal workings of the legal system and how it affects society. Notable articles include "Getting More Than You Bargained For?" by ACL Davies. The 2017 book "Rethinking the Meaning of 'Work' in Employment Law" examined how courts have defined labour and found discrepancies between legal definitions and modern work practices, especially in relation to working time protections and the national minimum wage law. Empirical research has demonstrated how some contractual arrangements prohibit specific periods from being deemed work, as demonstrated by Lydia Hayes' investigation of employment contracts and electronic monitoring for care workers. Emily Rose's research on management strategies demonstrated how these approaches require workers to perform more than is specified in contracts.



Furthermore, Nicole Busby and Grace James reaffirmed that unpaid reproductive activity, which is frequently underestimated when carried out in the paid labour market, promotes productive work and is not legally recognised as work. These investigations, especially in circumstances that are racially and gendered, exposed the limitations of the law in terms of regulating and appraising different kinds of labour.....[Scan QR to read more.](#)

## DIGITALIZATION AND LABOUR MARKET: THE ROLE OF PROFILING IN OCCUPATIONAL TRANSITIONS- BY ANNA BEBBER

The study emphasised both pessimistic and critical viewpoints regarding the digitisation of job services. The shift to digital platforms typically improved transparency and the efficiency of service delivery, but users' technological proficiency was a need for success. It was difficult for vulnerable populations to adjust to these changes, such as those with inadequate digital skills, access problems, disabilities, or language limitations. In order to guarantee inclusivity, combat the digital divide, and offer alternatives to individuals who are unable to interact digitally, public employment services, or PESs, were required. In the future, PESs would have to deal with the shortage of skilled labour, manage a foreign labour force, and adjust to new service requirements. Enhancing the competencies of job centre employees and optimising internal organisational management were critical. This covered both specialised and general skills, such knowing the ins and outs of the labour market and how to communicate effectively. The statements underlined how critical it is to overcome technology gaps between job centres, encourage system interoperability, and make sure that technical developments don't make regional inequality worse.....[Scan QR to read more.](#)



## FROM "CARBON" TO "SOCIAL" OFFSETTING. AN ITALIAN TOOL TO ACCOMMODATE WORKPLACES FOR PERSONS WITH DISABILITIES- BY MASSIMILIANO DE FALCO

The Italian system was the main focus of the paper's examination of the labour inclusion of people with disabilities within the framework of sustainable development. People with impairments encountered severe difficulties in the job market despite required quotas, which were made worse by the epidemic. The Framework Agreement (Article 14, Legislative Decree No. 276/2003), which let people with disabilities to work in social cooperatives, provided a possible remedy within the Italian legal framework. Employers contracted out portions of their production to these cooperatives, which managed labour and provided care, resulting in a "Social Offsetting" procedure that was similar to "Carbon Offsetting." However, the employer reluctance and unfamiliarity—as well as the challenge of locating appropriate cooperatives—meant that the mechanism had not yet realised its full potential. In order to tackle these problems, Social Cooperatives started working together strategically, pooling resources, and handling complicated work orders, which made companies that were initially hesitant to join more willing. The Italian experience offered a best practice that could be shared and modified globally, presenting a viable paradigm for labour inclusion and sustainable development.....[Scan QR to read more](#)



## AI, TECHNOLOGY, AND WORK - BY LISA RODGERS

The chapter examined the disruptive effects of digitalisation on our conception of the "self" at work, especially in light of the increasing integration of technology that obfuscates the lines that traditionally separate work and personal life, the mind and body, and the human and machine. It looked at how the traditional labour law narrative and our preconceived concepts of "personhood" are challenged by these technological advancements, particularly the advent of artificial intelligence (AI) in the workplace. The debate centred on the impact of AI on workers' "rationality" and "autonomy," emphasising the conflicts that exist between traditional conceptions of personhood and the demands of contemporary technology environments. The chapter also looked into the possible advantages and consequences of reevaluating "personhood" from a theoretical standpoint. It offered a different interpretation of personhood in its last portion and offered doable strategies for implementing it.....[Scan QR to read more.](#)



## UKRAINIAN REFUGEES ON THE LABOUR MARKET- BY JUDIT CSOBA, ANDREA DIEBEL, AND KATALIN ÁBRAHÁM

As per the chapter the integration of Ukrainian refugees into the labour markets of Central and Eastern Europe faced numerous challenges. A significant barrier was the lack of language skills, with high percentages of refugees unable to speak the host country's language. Additionally, 75% of refugees had white-collar jobs and university degrees before the crisis, contrasting with the demand for low-skilled labor in these countries. Refugees, predominantly women, often faced precarious job conditions, low pay, and limited childcare availability. Counseling services, both online and face-to-face, offered employment guidance and career planning. Additionally, support for employers and initiatives for refugee entrepreneurship, such as Poland's "Diia.Business" and the Czech government's training programs, aimed to aid economic integration. Efforts were also made to recognize professional qualifications, a key step for refugees to secure appropriate employment.....[Scan QR to read more.](#)



## FORMALISING CARE WORK CAN PAY GENDER JUSTICE DIVIDENDS

New data paints a sobering picture of progress towards gender equality. According to the World Economic Forum (WEF), it will take 134 years for the world to achieve gender parity. That's five generations from now. India's overall position in the WEF's 2024 Global Gender Gap ranking — despite policies such as the Women's Reservation Act — dropped by two spots from the rankings' previous edition, to 129th out of 146 countries. Central to this reality is the low level of economic participation among Indian women. Less than half of Indian women are currently in employment, one of the lowest figures globally.....[Scan QR to read more.](#)





## TO STUDY THE IMPACT ON OCCUPATION AND ECONOMICAL STATUS DUE TO MINIMUM WAGES IN INDIA- BY PRATIVA TRIPATHY, PRASANTA KUMAR PARIDA, JYOTIRMAYEE PATI

This study makes an analysis of the impact of changes in legal minimum wages on various labor market outcomes using panel data at individual and household levels. The research found that increases in the minimum wage primarily affected employees whose initial pay was near the minimum wage threshold. Specifically, raising the minimum wage led to significant wage increases and employment losses among private sector workers who were paid within 20% of the previous minimum wage. The decline in private sector employment was attributed to a combination of hiring freezes and layoffs. The study observed that fewer affected workers found employment in the public sector. Most displaced workers either left the labor force or engaged in unpaid family work. The research found no evidence of these workers losing their jobs outright, suggesting they transitioned to other forms of economic activity rather than formal employment. The effects on wages in other parts of the wage distribution were negligible.....[Scan QR to read more.](#)



## THE UNITED ARAB EMIRATES' LABOUR MARKET: AN OVERVIEW- BY MONA ELSAYED

This paper provided an overview of employment in the UAE, highlighting both the quantity and quality of jobs. It reviewed employment regulations, noting that legislation favored public sector employees, including Emiratis, over private sector workers and migrants. While recent labor laws improved conditions in the private sector, they did not fully equalize treatment across different worker groups. The analysis revealed significant disparities: Emiratis enjoyed better working conditions, particularly due to public sector employment, while non-Emiratis faced poorer conditions despite higher participation rates and lower unemployment.....[Scan QR to read more.](#)



## A STUDY ON WOMEN IN THE LABOUR FORCE IN KENYA- BY WAKIBI, SAMWEL OLECHE, MARTINE

This publication conducted a comparative analysis of labor force participation among men and women in Kenya, focusing on employment and entrepreneurship. It highlighted the persistent gender gap in the labor market, where, in 2020, women's participation was about 13 percentage points lower than men's, and in 2016, business ownership was 22 percentage points lower for women. The study aimed to understand the status of women in the workforce, identify gender gaps and barriers to employment and entrepreneurship, and highlight data gaps in national labor market surveys. It assessed the adequacy of policies, programs, and regulations in safeguarding women at work and offered recommendations for improvement. The analysis utilized nationally representative datasets from the Kenya National Bureau of Statistics (KNBS), and international datasets from the World Bank and the International Labour Organization (ILO), alongside relevant literature and legal reviews. The findings underscored the need for stronger measures to close gender gaps, which could significantly boost global and national GDP, aligning with the 8th goal of the Post-2015 UN Development Agenda.....[Scan QR to read more.](#)



## PROTECTION STANDARDS AGAINST UNFAIR DISMISSAL IN THE KINGDOM OF SAUDI ARABIA- BY ALQARNI, MUATH

This study identified the inadequacies in Saudi Arabia's labor law and practices concerning unfair dismissal protection standards for workers. It provided an in-depth analysis based on recent developments in protection against dismissal in the country. The research offered insights into the shortcomings of existing protections, using the International Labour Organisation's norms as a reference point and comparing them with the UK's legislative and judicial approaches. By doing so, the study aimed to offer Saudi lawmakers a framework for improving protection standards against unfair dismissal for all workers in Saudi Arabia. This comparison with international standards and practices highlighted areas where Saudi laws could be enhanced, contributing to the existing knowledge and proposing better legal safeguards for workers.....[Scan QR to read more.](#)



# PUBLICATIONS: REPORTS AND BOOKS

## Research Handbook on Migration and Employment- by Guglielmo Meardi

The Research Handbook provided a comprehensive overview of key issues related to the integration of migration and employment studies. It emphasized the importance of interdisciplinary and global perspectives in understanding the complexities of labor migration. The handbook addressed various aspects of how migration intersects with labor markets, highlighting the need for a multifaceted approach to grasp the nuances of these issues. It also underscored the significance of considering diverse factors, such as economic, social, and political contexts, that influence labor migration dynamics. By drawing on insights from multiple disciplines, the handbook offered a holistic understanding of the challenges and opportunities associated with labor migration, making it a valuable resource for scholars, policymakers, and practitioners interested in this field.....[Scan QR to read more.](#)



## Labour Law and the Person: An Agenda for Social Justice- By Lisa Rodgers

This book aims to revitalise the link between social justice and labour law through exploring the issue of personhood and the 'subject' of the law. Rodgers argues that incorporating a more 'relational' notion of self into labour law not only provides a fresh normative perspective through which to evaluate existing labour laws, but will also make us more able to respond to labour market 'shocks' and labour market change into the future, including the introduction of AI. It is only by embedding relationality into our law that can we really respect the humanity of workers and construct a legal framework through which social justice can be achieved at work.....[Scan QR to read more.](#)



## Mind the AI Divide: Shaping a Global Perspective on the Future of Work

This report, co-authored by the United Nations and the International Labour Organization, addresses the critical issue of the uneven adoption of Artificial Intelligence (AI) and its implications for global equity, fairness, and social justice. Disparities in access to digital infrastructure, advanced technology, quality education, and training are deepening existing inequalities, particularly as the global economy shifts towards AI-driven production and innovation. Less developed countries risk being left behind, exacerbating economic and social divides.



The report stresses the importance of targeted and concerted efforts to bridge this digital divide to ensure AI's potential to foster sustainable development and alleviate poverty. It highlights the role of the workplace in AI adoption, where productivity gains and improved working conditions can be achieved with the right conditions, including digital infrastructure, skills, and a culture of social dialogue. ....[Scan QR to read more.](#)

## New report highlights achievements of Global Accelerator on Jobs and Social Protection for Just Transitions

The Global Accelerator on Jobs and Social Protection for Just Transitions has gained significant momentum, with 16 new members joining as pathfinder countries since the initiative's launch three years ago, according to the first progress report. The [Global Accelerator Progress Report](#) highlights the strong engagement of governments, social partners and civil society organizations. It also underscores the commitment to the initiative by development partners and international financial institutions.



Started in September 2021, the Global Accelerator on Jobs and Social Protection for Just Transitions works to speed up progress towards the 2030 Sustainable Development Goals. It addresses issues like poverty, income inequality, informal jobs, the global job shortage, and inadequate social protection.

According to the report the resources mobilized by the initiative will allow countries to design and put in place national roadmaps to promote decent jobs and universal social protection. Already, 14 of the Global Accelerator's pathfinder countries are set to benefit from an initial funding envelope of US\$17.8 million.....[Scan QR to read more.](#)

## The book "Los acuerdos del diálogo social durante la pandemia por COVID-19" promoted by the ILO Office for Spain has been published

During the COVID-19 pandemic, the most representative business and trade union organizations in Spain, together with the Spanish government, adopted various agreements within the framework of social dialogue as an essential mechanism for addressing challenges in key areas such as employment, occupational safety and health, protection of the most vulnerable, labor flexibility, training and adaptation to new labor realities.



The book, promoted by the ILO Office for Spain, compiles the many important tripartite social dialogue agreements during the years 2020 and 2021, with the aim of highlighting the role played by all participants in this historic process, putting the general interests of the country and its citizens before individual ones, activating all the dialogue experience and resources available in favor of the common good, and showing that it is possible to find consensus and common ground in the most difficult moments.

The agreements adopted go beyond the years under study and extend to other very relevant years to promote a modernization of the labor market, the recovery of the economy and the promotion of labor and social rights, being an example of the benefits of social dialogue consistent with the aims, objectives, guidelines and international standards for the promotion and defense of labor rights and social dialogue of the ILO, which should inspire other countries and international actors to achieve social justice.

The book can be purchased at the [virtual bookstore of the Spanish Ministry of Labor and Social Economy](#), the department in charge of its publication.....[Scan QR to read more.](#)



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- All word limits are inclusive of footnotes.
- Referencing and citations must conform to the APA Citation style

## IMPORTANT DATE

20TH JULY 2024

Paper submission begins

30TH NOV 2024

Paper submission deadlines

15TH FEB 2025

Acceptance and Review Process

30TH APRIL 2025

Final Acceptance and Confirmation

15TH JULY 2025

Publication Date

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