

Workers connect...

Code on Wages: Universalising Rightlessness

The Code on Wages was one of the first proposals on labour reform in 2015 to be floated by the BJP government soon after coming to power at the centre. Initially the government claimed that the proposed changes were necessary to reflect changes in technology and will create more jobs. The government also claimed that the merging of the four existing laws into one code aimed to eliminate the various contradictions between these existing laws. The Code was introduced in the Lok Sabha in August 2017 but got referred to a Parliamentary Standing Committee. The Code had to be re-introduced and was passed in both houses of the parliament in August 2019. It received presidential assent and was gazetted on 8 August 2019. The Code on Wages is now a law – a law that repeals the earlier Payment of Wages Act, 1936, the Minimum Wages Act, 1948, the Payment of Bonus Act, 1965 and the Equal Remuneration Act, 1976.

Why do we need Labour 'Reform'?

India's 'inflexible' labour laws have been blamed for almost everything that has ever gone wrong in the economy. Yet there are two issues with the labour laws that raises questions on this:

(i) How many workers do these laws actually cover?

According to government estimate over 92% of workers in the country are NOT covered by these labour laws. So how do these laws act as barriers to investors?

(ii) How stringently are these laws implemented where they do apply?

In sectors and industries where there are strong unions, the laws may work to some extent. But over the years unions have lost their strength with large scale precarisation in all unionised sectors and thus implementation of the laws have become merely an aspiration of the struggles.

So then, why do we still need these new labour codes when they were already not working?

The new Codes aim to create a system where the gains of collective struggles are wiped out. It aspires to promote a system where every worker is individualised and they are forced to negotiate their conditions of work at an individual level. Thus labour 'reform' is not simply to cut costs for employers, it is to further skew the balance of power between labour and capital, it is to change how working people view 'rights' in the future. Thus the attack is not just to take away rights that exist, it is to erase any possibility of seeking rights in future.

The story of aspiration woven by the proponents of a neo-liberal world stresses on aspirations that can be fulfilled with individual effort, on removal of institutional barriers that prevent individuals from reaching the unreachable. This narrative of individual success does not reveal the probability of success of every individual. It does not reveal the thousands of stories of failure, of unemployment, of poverty, of intergenerational misery that are shoved under the carpet of one success story. This is an effort to review the Code on Wages from the perspective of the many, and not the few. The many who will get left behind, who will be pushed to poverty wages, who will not be able to afford education for their children, healthcare for their family, care for their ageing parents, who will not have enough to save for their own old age.

Code on Wages – Wiping away Aspirations

Applicability: You Can't Fool All the People All the Time

Myth 1: The Minister for Labour and Employment while introducing this legislation stated that the existing wage legislations only covered about 40% of the workforce (quoting an ILO report) who were included in scheduled employments but this historic code will benefit about 50

crores of workers. He specifically claimed that this code will 'especially include workers in the informal sector like agricultural workers, those who push carts, head loaders, mothers and sisters who work as domestic workers, guards who protect our neighbourhoods' for the first time.

Reality: Agricultural work has been a scheduled employment in most states, headloaders and construction workers have not only been scheduled employments, they had sector specific welfare boards for social security which they won through long militant struggles, domestic worker is also scheduled employment in many states now.

In addition, in states where agricultural workers and domestic workers were included in the schedule of employment, there were no restrictions on their eligibility to minimum wages under the old law. What the code on wages has put in place is that domestic workers and agricultural workers are covered by the code only if their employer employs more than 5 workers! How many employers in this country employ domestic workers? And how many of them hire more than 5 workers? The issue of domestic workers for the longest period has been that they are employed ubiquitously by even the higher end working class and thus it is extremely difficult to build solidarity with other sections of the working people in their struggle. This makes it clear that even a worker in a factory often is an employer for a domestic worker. Thus regulation of working conditions of domestic workers is a severely contentious issue even within trade unions.

The Wage Code for the first time restricts the applicability of a wage law to the number of workers employed in an establishment. In the case of agricultural workers as well, the largest number of agricultural workers in our country are employed in farms which employ less than 5 agricultural workers. Thus the new law in reality excludes the largest majority of agricultural workers and domestic workers.

Besides it also excludes all workers under the various government flagship schemes like the Anganwadi workers, ASHA workers, ANMs, Mid-day meal workers despite the recommendation of the 45th session of the

Indian Labour Conference. And finally it also excludes the NREGA workers who according to the original act were supposed to be paid the prevailing agricultural wage in the state for its projects. With the implementation of the NREGA in rural areas, prevailing wages in agricultural work increased considerably. This was met by opposition from medium and large landholders. The Code now excludes NREGA from the minimum wage legislation claiming that work under NREGA is not work!

Regulation and Violation

The Labour Minister claimed that the minimum wages act could not be applied to all workers. Was it because the law was inapplicable or was it because of lack of political will? These questions are critical to ponder over when certain laws are replaced by others to ensure expansion of the reach and increased efficacy.

The minimum wage act and the payment of wages act had certain provisions in place through its mechanism of penalties, including imprisonment, which made violation of its provisions, a criminal offense. This has been vehemently opposed by employers for years.



The new Code takes away the teeth of both these laws. It limits the power of the labour inspectors who were empowered to conduct inspections and punish the violators and converts them into 'facilitators' to make sure employer interest is protected. Under the new code Labour inspectors will have to inform the employer of their visit before they come and can only visit with the permission of the employer. The experience in the garment industry across Asia is proof enough of how inspections work when employers are aware of the visits. Factories are cleaned up, workers are threatened with dire consequences before an inspection rendering

the entire exercise of inspection and audit futile. Rana Plaza in Bangladesh was certified as safe by an international audit company months before it collapsed and killed thousands. This is a clear violation of ILO Convention 81 on Labour Inspection that was ratified by India in 1949. Article 12 of this Convention states that “Labour inspectors ... shall be empowered: (a) to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection”.

The non-implementation of the act is blamed on multiple and conflicting definitions and provisions of these laws. The new code has definitely not eliminated the so called multiple definitions, in fact it has created more confusion than existed earlier. The Code has created confusing definitions of working people to be covered by it – workers and employees, of wages – minimum wage and floor wage, along with an entire structure for arbitrary determination of hours of work in a normal working day, time of revision of wages, determination of minimum wage and floor wage.

Rendering the labour inspectors powerless to conduct independent random enquiries and take immediate action against violators is proof enough to show the intent of the code. Though the code claims to promote inclusivity, in reality it is a smokescreen for allowing violation of minimum wage with impunity. The code even takes away the threat of imprisonment for first time violators. In the name of extending minimum wages to all, the code creates a legal structure for non-payment of minimum wages to workers in all sectors, not just the informal sectors.

Employer Accountability

The Wage Code, contrary to existing law on contract labour, absolves the principal employers from all responsibility for payment of minimum wages, for payment of equal wages for equal work, for delayed wage payment by contractors.

A worker employed at the grand Manesar factory of Suzuki producing the highest end cars for the super-rich, if is hired through a local contractor, the contractor shall be responsible for his conditions of work and not Suzuki. Intermediaries (Contractors) are created by



the principal employer so they can squeeze the workers without spoiling their own name. Contracts are given out to the intermediaries through a bidding system: lower the bid, higher the chances for the contractor to get the contract. In such a situation, a contractor is forced to pay a low wage, sometimes even lower than the minimum wage, because the cost of the contract set by the company is too low to afford a higher wage. Thus the primary responsibility for the low wage rests with the company floating the contract and not the contractor who pays it. These contracts could be, by law, earlier proven to be sham and bogus contracts. The Code on Wages legalises such contracts.

Capacity to Pay as Determinant of Wage

The schedule of minimum wages was replaced by a standardised rates of minimum wage based on skill levels irrespective of sectors in the state of Delhi. This was a step towards universalisation of the applicability of the minimum wages act. The new code has pushed us back to a regime where the central government will have the power to decide minimum wages for different sectors based on skill of workers or the geographical area where they are working in or both, on the arduousness of the work, on the hazards and if it is underground work on its own. While these parameters seem reasonable, the tripartite nature of determining the wages and negotiating these factors has been done away with along with the 15th ILC norms in conjunction with the Reptakos Bret and Unichoy orders of the Supreme Court.

In the present socio-political and economic circumstance, it does not require very high intelligence to understand how these wages would now be determined. In low value addition sectors such as garments, in the states of both

Karnataka and Tamil Nadu, employers have over the last two decades delayed revision of wages, and implementation of revised wages through legal action, on the plea of incapacity to pay. This has also been the case in the tea industry in West Bengal and Assam despite both states producing much higher quality tea than Tamil Nadu or Kerala. This will now become the norm, not the exception. The capacity of employers to pay will take precedence over workers' ability to survive on the minimum wage. While employers' capacity to pay was considered irrelevant by the Supreme Court, through the new code, this will become the bottom line for determining the minimum wage with no available tripartite space for trade unions to voice their opposition and negotiate for the workers.

Concentration of Power

This code concentrates power in the hands of the central government, in spite of the fact that labour is in the concurrent list of the constitution. The Code makes it clear that the states will no longer have the right to decide on basic elements of the minimum wages act:

(i) Number of hours of work that constitute a Normal Working Day:

May Day is celebrated every year across the world in memory of the struggle for an 8-hour working day. Over hundred years later workers are being pushed to a time where a 'normal working day' will have to be redefined. The central government will be the agency to determine the length of a normal working day.



(ii) Period of Revision of minimum wages:

The central Government will also be the agency that will determine the period for revision of minimum wages for specific sectors. This again as stated earlier would critically rely on

employers' capacity to pay. The experience of the private sector collective bargaining process is that employers always try to increase the



period of revision of wages so that industrial peace is maintained for a longer period of time through the agreement.

This obviously is against the interest of workers whose bargained wage gets eroded over time through inflation. Again in the tea plantation sector in West Bengal and Assam, the experience is that employers try their best to drag out the negotiations for wage revision beyond the 5 year norm pushing down real wages further. The removal of the 5 year norm from the law and placing it within the power of the central government to fix will only benefit employers.

(iii) Norms of Determining Minimum Wage:

The 15th ILC norms along with the subsequent Supreme Court orders in the cases of Reptakos Bret and Unichoy had become a standard measure for determining minimum wage in the country. A new law should have attempted to codify it. Instead the new code gives the Central government the power to determine the minimum wage. The central government, according to the Code, may or may not consult trade unions in determining this wage. It may appoint a committee that will review wage fixation and thereby publish the wage proposal by notification for the information of those affected. (The government appointed a Committee for determining the floor wage. The committee recommended Rs 375. The government fixed it at Rs 178 and provided no explanation for its decision!)

This is a clear breakdown of the tripartite process of negotiation for wages. Workers organisations and trade unions are no longer important decision makers in the process of wage setting. This law also undermines trade

unions and their right to represent workers in tripartite bodies. Thus this is not just a law on wages, it is a law to bypass the trade unions.

Floor Wage = Forced Labour

The understanding that the statutory minimum wage is the minimum that a wage can be set at is challenged by the new Wage Code. The code establishes a wage that can be even lower than the statutory minimum wage and this will be called the Floor Wage. According to several Supreme Court orders, non-payment of minimum wage is considered to be forced labour. Article 23 of the Constitution prohibits forced labour. Thus a floor wage is in violation not just of the Supreme Court orders but also of the Constitution.



The minimum and the floor wage together also create a legal anomaly – should employers pay the minimum wage or the floor wage to avoid penalty? The code states two things: (i) violation of minimum wage will attract a monetary penalty; and simultaneously (2) wage paid cannot be lower than the floor wage. So if an employer does not pay the minimum wage but pays the floor wage or more, the employer can escape even the monetary penalty. If this is the case, why would any employer pay its employees the minimum wage? The announcement of such a floor wage creates a race to the bottom.

This race to the bottom will not just lead to stagnation of wages in most sectors, it will also lead to large scale migration of workers from regions/sectors of low wage to regions/sectors of relatively higher wages. This in turn

will create a desperate pool of migrant workers who are willing to work for small increases in wage under much more hazardous conditions of work than what local workers are willing to do leading to conflicts between local and migrant workforce. This division among workers works in the interest of the employers who are then able to pitch one section of workers against another and push the general level of wages and conditions of work lower.

Equal Remuneration*

The Equal Remuneration Act, 1976 clearly stated that no employer could discriminate between workers on the basis of gender in (i) payment of remuneration for same or similar work; (ii) in recruitment and (iii) in promotion, without any conditions.

The Wage Code now qualifies how same and similar work performed by men and women can be defined. Similarity of work will be determined with (i) level of skill, (ii) effort required to perform a certain task, (iii) experience in the job, and (iv) responsibility in the job. In a male dominated work environment, in over four decades of the earlier legislation in place women and trans workers have struggled to climb the wage and skill ladder. This new conditional law will make it impossible for women and trans-workers to earn equal to their male counterparts. The change in law in fact will make it easier for employers to employ women and trans-workers for less citing flimsy grounds on the basis of these conditions.

*** Conditions Apply**

Bonus: Take it or Leave it

Finally, the Bonus Act provided workers and their organisations the right to access company financial documents on the basis of which bonus would be calculated and negotiated in the organised private sector. It was the power of trade unions that determined how much bonus a union could bargain for its members based on the profit earned by the company. This was possible only because companies, according to the bonus act, were required to disclose their financial documents to trade unions for the negotiation.

The Wage Code makes disclosure non-mandatory for employers thereby crumbling



the entire premise of negotiation for bonus. If a union has no access to documents, it has no basis for demanding any bonus. It has to rely on the word of mouth of the employer and their audited accounts, which cannot be questioned, for any calculation. Seeking legal recourse will also not achieve much as the courts are also not allowed to disclose the financial documents to the trade unions unless permitted by the employer. Under the Code, workers will either have to accept the bonus that the company is offering or let it go. There is no other way.

Code on Wages: It Matters!

The Code on Wages is a law that is aimed to make it easier for the employers to exploit workers without any punitive action. It creates legal scope for allowing discrimination at the workplace on the basis of gender – between men and women and trans workers, on the basis of nature of contract – between regular and contract workers, on the basis of size of establishment – domestic workers and agricultural workers will not be eligible if they work in an establishment that hires less than 5 workers. The code also brings in the universal floor wage that will set the standard for wages – every state and every sector will try to reach that level leading to stagnation in wages and large scale impoverishment and destitution. By eliminating the tripartite process, the code also aims to make trade unions irrelevant. The Code on Wages is not to protect workers, it is a law to protect employers.

Our lives begin to end the day we become silent about things that matter.

Martin Luther King Jr.

Karnataka: Directorate of Public Instruction issues warning to schools against unlawful termination of Mid-Day Meal workers

27 January 2020: Directorate of Public Instruction has issued a circular to schools in Karnataka warning them of strict action for terminating the services of Mid-Day meal workers on the basis of their caste. DIP has further said that Mid-Day Meal workers cannot be asked to cook during private functions including those held by teachers.

Cases of exploitation of mid-day meal workers are on the rise.

Government planning National Database of Workers in Informal Sector

19 January 2020: Ministry of Labour and Employment has proposed a national database of workers in the informal sector to better implement the social security schemes for informal workers by seeding their Aadhar details in a central database. National Statistical Commission has been roped in to help the Labour Ministry carry out the exercise to map over 90% of workers who are forced to work in informal and precarious employments.

Odisha: Government hikes employment days under MNREGA from 100 to 200

17 January 2020: Odisha government has hiked employment entitlement for rural workers from existing 100 days to 200 days under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) for residents of 20 blocks which were found to be vulnerable during household survey in the state. Residents of 477 gram panchayats across the districts of Bargarh, Balangir, Nuapada and Kalahandi districts will benefit from the move.

Haryana: Pension for widow and elderly under Building and Other Construction Workers Fund hiked

16 January 2020: Haryana Building and Other Construction Workers' Welfare Board has announced an increase in the pension of widows and elderly to Rs.2,750 per month from the existing Rs.2000 and Rs.2500 per month respectively. The Board has also sought a plan from the road transport department to issue

free pass for construction workers to travel on Haryana Road Transport Buses thereby easing commute within the state.

Maharashtra: Government to conduct safety audit of all hazardous factories

14 January 2020: Following the massive blast in chemical factory at Tarapur in Palghar the Maharashtra Government has directed the labour department to conduct a safety audit of all hazardous factories in the state. Over 8% of factories in Maharashtra fall in the hazardous category. Directorate of Industrial Safety and Health and Directorate of Maharashtra Fire Service among other departments have been directed to ensure compliance of safety norms. Maharashtra has witnessed an unprecedented hike in factory mishaps since it replaced factory inspection with self- certification.

Chandigarh: Municipal Corporation mandates real-time tracking of Safai Karmcharis through GPS enabled watches

13 January 2020: Contravening right to life and privacy of Safai Karmcharis the Chandigarh Municipal Corporation has mandated the use of GPS enabled watches for payment of wages. Municipal Corporation claims that the real-time movement tracking of workers through GPS enabled watches will put an end to absenteeism. The watches which cost the Chandigarh government Rs.20,000 a piece are three times the wages of contract safai workers who work at meager Rs.8,000 per month.

Workers have opposed the move and submitted a memorandum asking the Municipal Commissioner to withdraw the notification.

Karnataka: Wages of National Health Mission contract workers to be slashed

6 January 2020: Wages of over 23,000 contract workers employed under the National Health Mission (NHM) will be slashed as the Central government has declared the wage hike by the Karnataka government to be unscientific. The Karnataka State Health Department had rationalised the wages of all contract and outsourced National Health Mission staff to end wage disparity among workers employed for similar work under different sections in 2017. The restructuring of 2017 wages will result in wage cuts for over 20% of contract NHM

workers. Social workers working in the mental health unit who were drawing Rs. ₹27,563 after the rationalisation in 2017, will get ₹16,044 after the restructuring. Ward assistants, who drew ₹11,025, will now get ₹5,700 and record keepers will get ₹8,684 against the previous pay of ₹12,800.

Legal News

Supreme Court raps PSU for violation of equal pay for equal work, orders extension of Provident Fund benefits to contract workers

19 January 2020: Pawan Hans Limited, a Public Service Undertaking (PSU) that provides helicopter services was pulled up by the Supreme Court for filing a petition against its employees' union, Aviation Karmachari Sanghatana that had been seeking Provident Fund coverage for over 270 workers employed on contract. Justices U.U. Lalit and Indu Malhotra upheld the principles of equal pay for equal work and ruled that all employees who draw wages from a company directly or indirectly are entitled to the benefit of provident fund.

Tamil Nadu: Madras High Court pulls up Municipal Corporation for delaying compensation to family of deceased safai karmchhari

18 January 2020: Madras High Court pulled up Trichy Municipal Corporation for delaying compensation to the kin of deceased safai karmchhari - Rajendran who was killed of asphyxiation in 2007. Municipal Corporation had denied compensation and employment to the wife of deceased stating that an inquiry was underway based on an anonymous complaint claiming that Rajendran had wrongfully obtained the job on compassionate grounds after the death of his father, not revealing that his mother was still employed with the corporation. The Court has directed the municipal commissioner to disburse terminal benefits within twelve weeks.

Himachal Pradesh: Court directs GVK EMRI to hike workers' wages

10 January 2020: A division bench of Chief Justice L Narayana Swami and Justice Jyotsna Rewal Dua ordered health service provider GVK EMRI (Emergency Research Institute), which

runs ambulance services in the state to hike wages of its drivers and medical technicians by Rs. 1500/- per month. Currently drivers and technicians are paid Rs. 11,350/- per month and their work hours extend to 12 hours per day. GVK EMRI workers had gone on strike against meager these wages and unpaid overtime in 2017 leading to a dispute which is now pending before the labour department. The court has also directed the labour authority to decide the dispute within six months.

Tripura: Expression of political belief is not criminal, Court orders reinstatement of worker fired over attending political rally

10 January 2020: In two landmark judgments on 9 and 10 January 2020, Tripura High Court has set aside charges filed against Lipika Paul who was suspended by the state government's fisheries department for 'participating in a political rally' organised by the Left Front and making a Facebook post criticizing another party's candidates. Her suspension occurred five days before her retirement on the claim that her action was violation of Rule 5 of the Tripura Civil Services (Conduct) Rules, 1988. The Court ruled that mere presence in a rally does not account for political participation and that restrictions do not govern government employees' right to hold and express political beliefs.

Odisha: High Court orders compensation and rehabilitation of 14 families rescued from bonded labour

7 January 2020: A division bench of Acting Chief Justice Sanju Panda and Justice SK Sahoo issued a notice to the Principal Secretary of Panchayati Raj department, Dhenkanal Collector and Kamakhyanagar Sub-Collector to ensure the release of 14 persons in the Dhenkanal district, Odisha and provide them financial assistance of Rs. 20,000/- each. The 14 released were barbers and washermen from Gadagaonpur village employed in 'bartan', a customary practice leading to bondage of dalits wherein they are denied any monetary compensation and forced to work for wages in kind amounting to 15 kg of paddy per year. Government had issued notices to abolish the practice in 2011, following direction from National Human Rights Commission after it

found the regressive practice violative of the Bonded Labour System (Abolition) Act, 1976.

Collective Bargaining

Haryana: Shivam Auto Tech workers emerge victorious, management agrees to enforce wage settlement signed in 2018

21 January 2020: 11-day long sit-in protest of over 1200 workers of Shivam Auto Tech Limited (SATL) has forced the management to yield to the demand of the SATL Employees Union regarding implementation of wage settlement signed between the management and the Union in May, 2018. Over 150 workers went on strike on 7 January 2020 when the company locked-out the factory to permanent workers and arbitrarily denied work to several contract workers. SATL employs over 400 permanent and 800 contract workers in Binola, Haryana.

Delhi: Paramedic staff and nurses go of Hindu Rao Hospital go on strike against non-payment of wages

11 January 2020: Over 300 workers of North Delhi Municipal Corporation run Hindu Rao Hospital including nurses, paramedical staff and clerks have gone on strike against non-payment of wages for over 3 months. Hindu Rao Hospital which caters to over 2,000 patients every daily is infamous for delayed wage payments. In May, 2019 resident doctors had gone on strike against non-payment of wages.

Tamil Nadu: Conservancy workers demand regularisation, end to outsourcing

8 January 2020: Over 14,000 conservancy workers held a protest at the offices of Greater Chennai Corporation demanding regularisation and roll back of new system of conservancy operations based on Public Private Partnership which encourages outsourcing of conservancy work. Protesting workers pointed out that the wages and benefits paid to outsourced conservancy workers were not at par permanent workers employed by the Corporation and worked long working hours without any overtime.

Karnataka: ASHA workers storm Bengaluru streets against non-payment of wages and 11 point charter of demands

04 January 2020: Thousands of Accredited Social Health Activists (ASHA) workers who have been denied wages for the last 15 months marched under the banner of All India Centre of Trade Unions (AICTU) from City Railway Station to Freedom Park on 3 January 2020 demanding immediate payment of wages due to them for the last 15 months. Delay in payment of wages is a result of ASHA Soft the online payment system introduced by the state government last year. Striking workers have put forth a 11 point charter of demand to the health secretary which includes demands for timely payment of wages, a fixed monthly honorarium and additional sarees per year.

Workplace Safety Watch

Sanitation

On 25 Jan., Siddappa (17), died of asphyxiation after he entered to clean a manhole in the premises of Sri. SSBS Jain Sangh Trust, Bengaluru. Marianna (50), the contractor who entered to check on Siddappa in the sewage chamber, also died after being put on a ventilator for three days. The police delayed in filing a case under IPC 304 Part II, against the trust. It was also found later that the police initially identified Siddappa as a 20-year-old in the FIR.

On 1 Jan., Arunkumar Patel (43), Manoj Goswami (41) were killed of asphyxiation when they entered an eight-foot-deep MTNL duct which was full of sewage water in Goregaon (E) area, Mumbai.

Construction

On 24 Jan., Antaryami Guru, helper of a truck, died while transporting construction materials when the 10,000 square feet roof of a building at Biju Patnaik International airport caved in and crushed him, soon after it was cast. The building was constructed to link two terminals of the airport. The owner of the construction company Dilip Khatoj has been arrested and an inquiry is being carried out.

On 16 Jan., Narasimhamurthy (34) died after slipping and falling 35 feet down a pillar at a metro construction site in Bayanapalya, Bengaluru. His father has filed a complaint against the private agency and Bangalore

Metro Rail Corporation Limited (BMRCL) for not providing Narasimhamurthy with any safety gear.

On 15 Jan., Gulam (40) died at a construction site when the scaffolding they were standing on collapsed and they fell from a height of 20 feet in Nolambpur. They were not provided any safety equipment by their employer.

On 13 Jan., Vinod Kumar Saroj (26) and Mohd Saleem (30) were killed after the under construction wall collapsed on them while they were at work.

On 12 Jan., Jaywant Hadal (38) and Ganesh Vayde were killed after falling from 15 feet steep hillock at Jivdani Temple in Virar, Maharashtra. They were employed by the Jivdani trust to work on a funicular rail project.

On 11 Jan., Explosion in chemical factory killed 8 people in Boisar, Maharashtra. The blast took place due to the testing of hazardous chemicals in the factory.

On 9 Jan., Phool Dev (25) who worked as a helper and a guard was killed after the printing press where he was employed caught fire in the Patparganj Industrial Area, Delhi. A case of causing death by negligence has been registered by the Police.

On 05 Jan., 5 workers and a child - Sukhlal (36), Sunita (35), their daughter Pooja (1), and Uma (30), Kamlesh (40) and Raheesh (35) died and 6 others were injured when an under-construction wall collapsed on them in Jhansi district in Uttar Pradesh.

Manufacturing

On 22 Jan., and Pankaj Chauriwar (25) and Chen Gang (31) died after the roof of a manganese mine caved in on them, 400 feet below ground level in Gumgaon, Nagpur. Pankaj and Chen were employees of Manganese Ore India Limited (MOIL) and China Coal C3 respectively. A case for causing death by negligence has been registered against the assistant manager of MOIL and safety personnel of China Coal C3.

On 3 Jan., Ayub Ghanchi (45) and Dayashankar Rajput (35) died and 10 others were injured when a boiler exploded in PI Industries Limited factory in Bharuch district of Gujarat.

On 7 Jan., Temraj (20) died upon being trapped and crushed between two wagons at Bhilai Steel Plant in Raipur. Around six workers have fallen prey to fatalities in the same plant over the last few days ranging from burns to inhalation of toxic gases.

Others

On 22 Jan., Sajith S (42), a railway employee died on being run over by a train near a coach factory close to Kochuveli railway station.

On 18 Jan., Derangula Srinivas Rao (45), Karuchanla Maula Ali (22) and Sekhar (48) were killed of electrocution when the ladder they were using came in contact with live wire at a petrol station in Guntur district of Vijaywada. A case under section 174 of CrPC has been registered by the Police.

On 16 Jan., Nazir Ahmad Ghania, a PDD worker was killed of electrocution while fixing a transmission line in south Kashmir district of Kulgam.

News From Around the World

Brazil: Petrobras workers strike work against proposed mass lay-offs

29 January 2020: The Oil Workers Federation (FUP) a confederation of 13 unions representing workers employed by Brazilian oil giant Petrobras has gone on strike against company's plan to shut the Parana Nitrogen Fertilizer Plant and fire its 396 workers. FUP has said that the retrenchments are a violation of collective bargaining agreement signed between the company and the confederation which binds the company to negotiate with the union before proposing any job cuts.

Kenya: Oil Company fires workers for unionising

22 January 2020: Petro Oil Kenya Limited (POKL) has fired 30 workers including union leaders of Kenya Petroleum Oil Workers Union (KPOWU) and outsourced the service operations at diesel and petrol stations to crush workers' right to form a union. The recent firing is in continuation of POKL's aggressive attack on workers Right to Freedom of Association since the Employment and Labour Relations Court in Mombasa ruled on 13 December 2019 that the company must

recognize the union within 30 days. Instead of complying with the court's order the company has unleashed an attack on union leaders.

France: Workers register big win, government retracts proposal to amend pension laws

11 January 2020: Over 2 month long unwavering protest of workers across France has forced the Macron government to retract its proposal to amend existing pension rules. The government has proposed amendments to pension laws which would raise the age for availing full pension from existing 62 to 64 years and do away with different pension norms for different trades. Workers across sectors from all over France had come together to oppose the changes being peddled as pension reform.

USA: Tech workers refuse to develop software for immigration enforcement

9 January 2020: Workers of software development companies have come together under the banner of Tableau Employee Alliance to oppose their companies' engagement with government agencies working for immigration enforcement like the U.S. Department of Homeland Security. Workers have been organising protests and walk outs since October, 2019 demanding that company to create a human rights policy clearly stating out who the company does business with. Workers have refused to work on projects liked to the U.S Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP). Workers' protest had forced Chef a start-up working for ICE and CBP to end its contract in September, 2019.