October 2024 | NewsLetter Edition

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UCS POV

AN OVERVIEW OF E-SHRAM PORTAL AND REGISTRATION OF GIG & PLATFORM WORKERS

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The emergence of digital platforms across several industries has resulted in a rapid expansion of India's Gig and Platform economy. This growth has, in turn, led to a significant rise in the number of workers engaging in this sector. Gig and platform workers work in a flexible or freelance capacity, often through online platforms or apps. They work on a project-by-project basis for several clients or firms instead of being engaged by a single business. While this type of work offers greater flexibility in terms of hours and locations, it also presents challenges like job instability, lack of benefits, and the risk of exploitation. To address these challenges, the Ministry of Labor and Employment introduced the e-Shram portal in 2021. The Ministry aims to transform this portal into a comprehensive 'one-stop solution' for informal workers. This will enable workers to access various social security schemes conveniently, identify their eligibility, and claim their rightful benefits. The portal's ultimate goal is to provide social security coverage to millions of workers in the informal economy, including gig and platform workers.

Objective of the e-Shram portal:

- The portal aims to create a national database, provide a universal identity, and ensure the social security and welfare of the unorganized workers in India. Through the e-Shram site at https://eshram.gov.in/, the registration process can be completed.
- By providing access to social security benefits and various welfare schemes e-Shram offers a much-needed safety net for this vulnerable segment of the workforce.
- e-Shram is a pivotal initiative that has the potential to transform the lives of gig and platform workers in India.

Why e-Shram registration is important for gig and platform workers?

- Social Security: Registration on e-Shram provides access to various social security benefits, including accident insurance, life insurance, and maternity benefits.
- Government Schemes: Registered workers can easily avail themselves of government schemes and subsidies meant for the unorganized sector.
- Protection of Rights: By offering a platform to report grievances and seek redressal the e-Shram portal helps protect the rights of gig and platform workers
- Skill Development: The portal can also assist in identifying the skill gaps of unorganized workers and facilitate skill development programs.
- Universal Identity: A unique e-Shram card serves as a universal identity for unorganized workers.
- Grievance Redressal: A channel for reporting complaints and seeking resolutions is provided

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In conclusion, e-Shram is a vital tool that can empower gig and platform workers, enabling them to lead more secure and dignified lives. It is imperative for all gig workers, to register on the e-Shram portal and harness its benefits. By doing so, they can contribute to the growth of the economy and ensure their own social and economic well-being.

CENTRE PLANS TO REVIEW UPPER WAGE LIMIT FOR PF CONTRIBUTION

Union Labour Minister Mansukh Mandaviya recently said the Centre was trying to remove the ceiling for contributions towards the Employees' Provident Fund Organisation (EPFO) and the Employees' Pension Scheme (EPS) run by the EPFO. He said 92% of the subscribers paid a consolidated amount and the government was thinking to ease the upper limit so that they could invest more money in the EPFO. Mr. Mandaviya was talking to reporters about the decisions taken by his Ministry in the first 100 days of the third Narendra Modi government.

At present, the contributions are payable on the maximum wage ceiling of ₹15,000 and the pension contribution is at the rate of 8.33% of the maximum wage ceiling. "We are trying to increase this limit of ₹15,000," the Minister said, adding that a suggestion on this had already reached his table. Mr. Mandaviya said consultations were going on in the Ministry on increasing the minimum pension under the EPS. Asked about the delay in distributing the higher pension to those who applied after a Supreme Court verdict, he said the EPFO's platform would be reviewed soon and mission 3.0 would be implemented to help the subscribers.

ELI Scheme

He said the Ministry would move a Cabinet note on the employment-linked incentive (ELI) scheme announced in the Union Budget. "The Ministry is finalising a Cabinet note on the ELI scheme and it will be soon placed before the Cabinet for approval," Mr. Mandaviya said. Details of the internship scheme were being worked out with the Corporate Affairs Ministry. The Minister said the eShram portal completed the registration of over 30 crore unorganised workers in a short span of three years and more portals would be linked with it so that the workers could search for jobs and look for social security schemes for them using the eShram portal.

"The portal will help in identifying registrants who have not yet received the benefits of various schemes so that such workers can be provided schemes' benefit in a targeted manner based on their eligibility," Mr. Mandaviya said. He said the EPFO had increased the limit for auto claim settlement of partial withdrawals from ₹50,000 to ₹1,00,000. "The facility has been extended for housing, education and marriage in addition to illness. Partial withdrawals, which constitute nearly 60% of the total claims, have reduced significantly from 10 days to within 3-4 days," he added.

Source : The Hindu

ODISHA ANNOUNCES MATERNITY, PATERNITY LEAVES FOR PARENTS WHO OPT FOR SURROGACY

In a landmark move, Odisha government recently announced new provisions granting maternity and paternity leave to employees who become parents through surrogacy. Under the new policy, female state government employees will receive 180 days of maternity leave, while male employees will be entitled to 15 days of paternity leave. This policy mirrors similar provisions already implemented by the central government. As outlined in the official notification, female state employees who become mothers through surrogacy, referred to as "commissioning mothers," are eligible for 180 days of maternity leave, provided they have fewer than two surviving children.

Similarly, if the surrogate mother is a state employee, she will also be entitled to the same maternity leave under identical conditions.

Male state employees, or "commissioning fathers," who have a child via surrogacy, will be eligible for 15 days of paternity leave. This leave must be taken within six months of the child's birth and applies only if the employee has fewer than two surviving children.

The state's decision aligns with the central government's surrogacy leave provisions, which were formalised in a notification dated June 18, 2024. The new policy has been widely praised as a progressive step toward recognising the diverse ways families are formed, particularly through surrogacy. A spokesperson for the state's employee welfare department said, "The inclusion of surrogacy in maternity and paternity leave policies reflects a growing understanding of the diverse pathways to parenthood. This move ensures that all parents, regardless of the method of childbirth, are supported during the crucial early months of their child's life".

This policy is expected to provide significant relief to state government employees becoming parents through surrogacy.

Source : India Today

SIX PAID PERIOD LEAVES PER YEAR: KARNATAKA GOVT'S PLAN TO IMPROVE WOMEN'S WORK-LIFE BALANCE

Karnataka government is planning to propose paid menstrual leave for women in both private and public sectors with an aim to improve work-life balance for women. The government is looking to propose six days of paid menstrual leave a year for women to address the physical and emotional challenges they face during menstruation.

An 18-member committee has been formed to draft a bill titled 'The Right of Women to Menstrual Leave and Free Access to Menstrual Health Products,' aimed at improving the work-life balance for women. "We are reviewing the proposal and have scheduled a meeting with the committee members. This initiative aims to support the female workforce, as women face significant physical and emotional fluctuations throughout their lives. The leave will be flexible, allowing women to choose when they need time off," Labour Minister Santosh Lad said.

These 3 States Already Have Paid Period Leave Plan

If passed, Karnataka will be the fourth state to offer menstrual leave after Bihar, Kerala, and Odisha. The state has established an 18-member committee to draft the bill, focusing on the well-being of working women.

Bihar introduced its policy in 1992, allowing women two days of paid menstrual leave every month. In 2023, Kerala extended menstrual leave to female students in all universities and institutions, along with up to 60 days of maternity leave for female students over 18.

The Odisha government in August introduced a one-day menstrual leave policy for women workers in both the state government and the private sector. During the district-level Independence Day celebration in Cuttack, new Odisha CM Pravati Parida said women workers would be allowed to take the leave on either the first or second day of their menstrual cycle. The one-day menstrual leave policy will be effective immediately.

“It’s not just about being progressive. Women face many challenges, especially after marriage or when they have children. There are many factors to consider,” TOI quoted Lad as saying. This is not the first time period leave has been proposed. In December 2023, former Union Women and Child Development Minister Smriti Irani opposed a similar plan in Parliament, stating that menstruation is a natural process and should not be treated as a disability requiring special leave. In July 2024, the Supreme Court handed the decision on menstrual leave policies to the Centre and state govts, encouraging them to consider the matter for female students and working women.

Currently, several countries provide paid menstrual leave. On February 16, 2023, Spain became the first European country to adopt legislation to provide menstrual leaves. Indonesia, Japan, South Korea and Taiwan are a few other nations providing paid leaves.

Source : Times Now

GOVERNMENT INCREASES PF WITHDRAWAL LIMIT TO ₹1 LAKH, LIKELY TO HIKE SALARY CEILING: REPORT

Union Labour Minister Mansukh Mandaviya said that subscribers of the Employees' Provident Fund Organisation (EPFO), the government-run retirement savings manager, can now withdraw up to ₹1 lakh at once from their accounts for personal financial needs, an increase from the previous limit of ₹50,000, according to report by Hindustan Times. The labor ministry has implemented various changes to the EPFO's operations, including a new digital framework and updated guidelines to enhance flexibility and responsiveness, minimizing inconveniences for subscribers, according to the minister. Additionally, new employees who have not yet completed six months in their current job are now eligible to withdraw funds, a change from the previous restriction. “People often turn to their EPFO savings to meet expenses such as weddings and medical treatment etc. We have enhanced the withdrawal limit to ₹1 lakh at a time,” Mandaviya said on the occasion of the government’s 100 days in office. The new withdrawal limit was increased because the previous cap had become outdated due to changing consumption expenditures. Provident funds provide retirement income to more than 10 million employees in the organized sector and frequently represent the primary source of lifetime savings for many workers. The EPFO's savings interest rate, set at 8.25% for FY24, is a key benchmark closely monitored by the salaried middle class. In another significant shift, the government has allowed organizations that are not part of the EPFO to transition to the State-run retirement fund manager. Certain businesses can operate their own private retirement schemes due to an exemption, primarily because their funds were established before the EPFO was created in 1954.

There are 17 such companies with a total workforce of 100,000 and a corpus of ₹1000 crore. If they want to switch to EPFO instead of their own fund, they will be allowed. The government's PF savings give better and stable returns," the minister said. An official stated that companies like Aditya Birla Ltd have contacted the government requesting this arrangement, leading the government to adjust its policy.

Further Plans

The minister announced that the government is developing plans to raise the income threshold for mandatory provident fund contributions from ₹15,000 for salaried employees. Additionally, the income threshold for Employees' State Insurance, currently set at ₹21,000, will also be increased. Mandaviya stated that employees earning over ₹15,000 will have the flexibility to choose the portion of their income they wish to allocate for retirement benefits and pension. Under the Employees' Provident Funds and Miscellaneous Provisions Act of 1952, companies with 20 or more employees are required to contribute to provident funds. This includes a mandatory deduction of at least 12% of an employee's salary, with the employer also contributing an additional 12%.

Source : Live Mint

MAJORITY OF EPFO'S IT ISSUES EXPECTED TO BE RESOLVED THIS YEAR

In an effort to provide relief to Employees' Provident Fund Organisation (EPFO) subscribers and restore confidence in the retirement fund body, the central government is actively addressing its technical issues, with expectations that more than half of these problems will be resolved within this year.

Union Minister of Labour and Employment Mansukh Mandaviya recently told the reporters that the government recognises the outdated nature of the EPFO's information technology (IT) infrastructure and emphasised the need for its enhancement. "It is true that the EPFO's IT system is old, which is why we want to introduce EPFO 3.0. About 25 per cent of the issues have already been resolved in the last couple of months, and we expect to address around 30 per cent more in the coming months," the minister said. In July, the Employees' Provident Fund Officers' Association (EPFOA) in a letter requested the Labour Minister's intervention to enhance EPFO's IT infrastructure, citing daily system deficiencies. The association highlighted a decline in the application's performance, resulting in frequent slowdowns, involuntary user logouts, and complete system failures. It flagged the urgent need for a comprehensive overhaul of the EPFO application software, a necessity that was evident for quite some time. Despite this critical requirement, the implementation of such an overhaul has been repeatedly delayed for reasons that remain unclear, the body noted, while adding that they have been raising this issue over the past 30 months. According to Mandaviya, while briefing on the work done by the Modi 3.0 government in its first 100 days, strengthening the EPFO system has been a priority since the conclusion of the elections.

This is because the system not only serves millions of workers across the country but also acts as a platform for the government to track job creation. Labour Secretary Sumita Dawra, in a recent interview with Outlook Business, noted that the EPFO also functions as a feedback mechanism for employment-related schemes and policies. Due to this, it will be helpful in tracking the progress of the employment-linked incentive (ELI) schemes announced in the Union Budget 2024-25. The ministry is about to send a cabinet note in the coming weeks to seek approval for these schemes. Before addressing the technical concerns of the EPFO system, the minister also announced an increase in the withdrawal limit for subscribers. They can now withdraw up to Rs 1 lakh at once, up from the previous limit of Rs 50,000. This adjustment is made as the older cap had become outdated in light of changing consumption expenditures.

Source : Outlook Business

TRAPPED BY THE CLOCK: SHOULD INDIAN EMPLOYEES HAVE THE RIGHT TO DISCONNECT AFTER OFFICE HOURS?

Imagine this: It's 11 PM, and you're about to go to bed when your phone rings. It's your boss, urgently asking for a report that needs to be ready by the morning. Reluctantly, you drag yourself out of bed, switch on your laptop, and get to work. Sounds familiar? Well, many of us have been there.

Whether you're in the IT sector, healthcare or emergency services, the media industry, or working for MNCs in India, it has almost become almost normal to work beyond the office hours.

But here's something interesting—if you were in Australia, this scenario might just play out differently. Once your office hours are over, you can legally ignore those late-night work calls and texts. This is all thanks to the new Right to Disconnect law designed to curb work-related emails and calls creeping into personal time.

Decoded: Australia's Right to Disconnect Law

The Right to Disconnect law is a regulation that empowers employees to ignore work-related communications—be it emails, text messages, or phone calls—outside of their official work hours. The law was introduced to combat the increasing intrusion of work into personal lives, a problem that has intensified since the Covid-19 pandemic and blurred the boundaries between work and home. In Australia, this law applies to all employees. By enacting this law, Australia joins about two dozen other countries, mainly in Europe and Latin America, that have similar regulations. France was one of the pioneers in implementing its right to disconnect in 2017.

India's Right to Disconnect Bill: A status update

This raises the question: Can a similar law be implemented in India? Surprisingly, a bill named Right to Disconnect was also introduced in India. The bill aimed to provide employees with the right to not respond to work-related calls and emails after working hours, thereby maintaining a boundary between personal and professional life. The bill, introduced by MP Supriya Sule, however, has yet to gain significant legislative traction.

The great Indian debate about long working hours

Well, the big question is: Why hasn't this bill made any progress so far? Well, the reason is quite blatant: Overworking has become deeply ingrained in many sectors across India. Be it in the healthcare industry, emergency services, journalism, or IT, employees often work overtime and even on their off-days. The idea that work should take precedence has been deeply embedded in the Indian work culture. Here are some recent developments that reflect the continuous push towards longer work hours.

Narayan Murthy's 70-hour work week proposal: Last year, the Infosys co-founder Narayan Murthy suggested that Indian youth should be prepared to work up to 70 hours a week to accelerate the country's growth. This sparked heated debates among both young professionals and seasoned veterans. While some supported the idea, others raised concerns about the long-term effects on health and work-life balance.

Nilesh Shah's 12-hour workday proposal: Reiterating Naryan Murthy's views, Kotak Mahindra Asset Management Company's Managing Director, Nilesh Shah, suggested that for India to grow more rapidly, a generation of people needs to embrace a 12-hour workday culture.

Recommendations of The Economic Survey: In July, the Economic Survey presented by the finance ministry emphasized longer overtime working hours with reduced wages. It also underscored the need to increase the 'monetizable time' of Indian workers while downplaying the reduction in overtime wages. The Economic Survey, citing a 2023 article by Delhi-based think tank named Prosperiti Insights, argues that relaxing work hour restrictions could boost workers' earnings.

The article highlights that under the Factories Act, the key law governing working hours and conditions in India, workers are limited to 48 hours per week and a maximum of 10.5 hours per day, including rest periods. While workers could potentially earn more by working 60 hours a week, Section 65 of the Act restricts overtime to 75 hours per quarter, limiting their earnings. The survey suggests that these laws should be made more flexible to allow additional overtime, similar to practices in other countries.

Attempts at Amending the Factories Act: These recommendations came at a time when the government has been making moves to increase the permissible work hours by relaxing provisions of the Factories Act. In fact, last year, both Tamil Nadu and Karnataka proposed the amendment of the Factories Act to allow up to 12-hour work shifts. However, Tamil Nadu was forced to withdraw the legislation following protests from labour unions. Also, a draft bill by the Congress government in Karnataka proposed increasing the work hours for those in the IT sector to 14 hours a day. The proposal elicited strong reactions, as the Shops and Establishment Act, which governs working hours in the IT sector, states that workers cannot be made to work more than nine hours a day and 48 hours a week.

Given these examples, implementing a law similar to Australia's Right to Disconnect in India seems challenging.

How Overworking Affects Productivity

Estimates suggest that the average salary for a fresher in India ranges between Rs. 3 lakh to Rs. 5 lakh per annum, with an average growth rate of around 15 per cent a year. These employees typically work 8 to 9 hours a day. If working hours are increased, will salaries rise accordingly? In many cases, employees who work overtime do not receive extra remuneration. Thus, it's likely that extending working hours without fair compensation could lead to further dissatisfaction. Moreover, the impact on mental and physical health could be significant. According to the World Health Organization, around 15 percent of working adults suffer from anxiety, depression, and other mental health disorders, affecting their daily lives. These factors can negatively impact productivity as well, if working hours are further increased. Here is a look at how long working hours can affect output.

Decreased Efficiency: Working beyond your capacity decreases efficiency. Tasks that usually take a short time might start taking longer, and mistakes become more common, requiring additional time to correct.

Burnout: Overworking can lead to burnout—a state of emotional, physical, and mental exhaustion caused by prolonged stress. Burnout significantly reduces motivation and engagement, making it hard to complete even simple tasks.

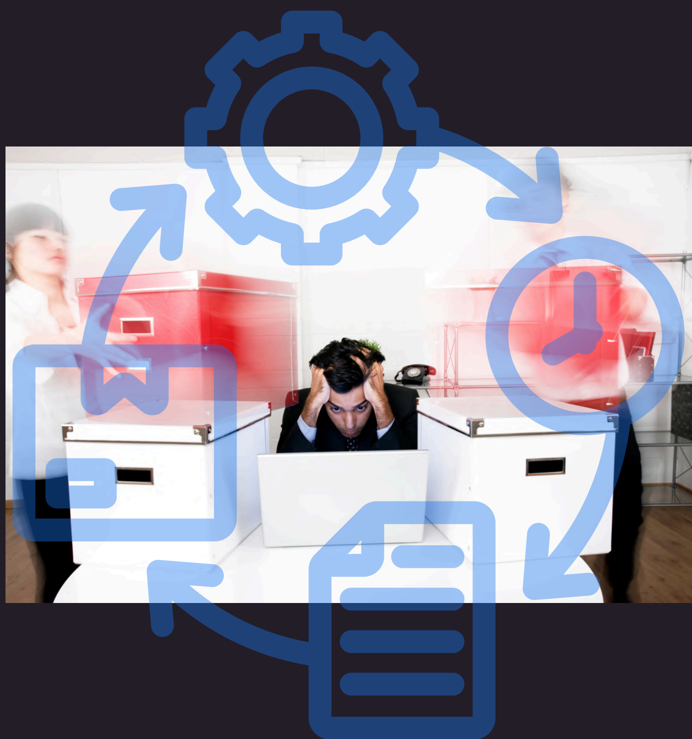
Reduced Creativity: Creativity flourishes when the mind is relaxed and has time to wander. Overworking stifles creativity because the brain is too focused on just getting through tasks rather than thinking innovatively.

Work-Life Imbalance: Overworking disrupts the balance between work and personal life, leading to dissatisfaction and resentment, which can spill over into work, further reducing overall productivity.

Increasing work hours: A fine act of balancing between growth and well-being

As the debate continues over whether Indian employees should have the right to disconnect after office hours, the implications of extending work hours must be carefully weighed. On one hand, increased work hours could significantly boost the country's growth and provide greater earning opportunities for workers and on the other, it may lead to decreased productivity and contribute to employee burnout. The balance between economic benefits and the well-being of workers is crucial. As our government considers these factors, it must ensure that any change in work hour policies do not come at the expense of employee health and productivity.

Source : Times Of India



BLANKET EXEMPTION FOR 24X7 OPERATIONS UNDER KN S&E ACT-2024

The Government of Karnataka has issued a notification allowing all shops and commercial establishments employing ten or more persons to operate 24/7 for three years, starting from the publication date in the Official Gazette. This decision is made under the Karnataka Shops and Commercial Establishment Act, 1961:

This is in continuation of the three-year blanket exemption granted in 2021, which expired in January 2024. The same terms have been extended again from September 2024 to September 2027.

The IT / ITES / BT industries have already been exempted from the said provision under Karnataka Act No. 11 of 2001 dated 05.04.2001

Key conditions of this notification include:

- Employers must appoint additional staff to ensure that every employee can take one day off per week on a rotational basis, with employee details displayed prominently.
- Daily records of employees on leave must also be exhibited.
- Wages, including overtime, must be credited to employees' savings bank accounts as per the Payments of Wages Act, 1963.
- Employees cannot work more than eight hours a day or forty-eight hours a week, with a maximum of ten hours in a day and fifty hours over three months, including overtime.
- Employers are prohibited from allowing employees to work on holidays or after normal hours without proper overtime documentation, with penalties for violations.
- Women employees are generally not permitted to work past 8:00 PM unless they provide written consent and adequate safety measures are in place.
- Transport must be arranged for women working shifts, and this information should be displayed at the establishment's entrance.
- Basic amenities such as restrooms, washrooms, and safety lockers must be provided for employees.
- An internal complaints committee must be established to address sexual harassment issues, in compliance with the Sexual Harassment of Women at Workplace Act, 2013.
- These terms are in addition to existing provisions under the Karnataka Shops and Establishments Act and the Workmen's Compensation Act.
- Violations of these conditions or statutory provisions will result in penal action against the employer / manager as outlined in the relevant law

Source : Govt.Notification

INDIA ANNOUNCES MINIMUM WAGE HIKE FOR WORKERS STARTING OCTOBER 1

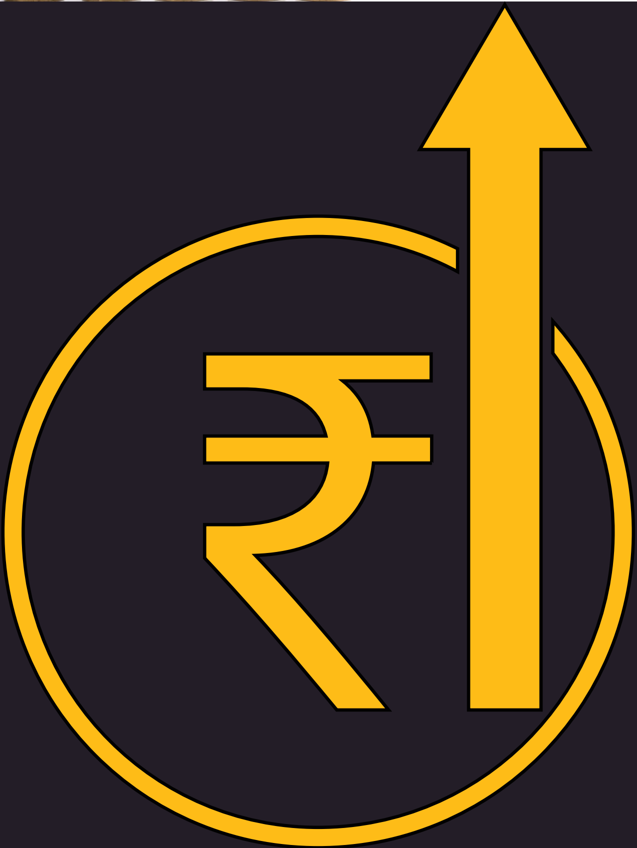
In a notable development aimed at supporting informal sector workers, India is making a marginal increase in minimum wage rates, effective October 1, 2024. This adjustment, which revises the Variable Dearness Allowance (VDA), comes in response to the escalating cost of living and the need for financial relief among workers in sectors such as construction, mining, and agriculture. The last adjustment to minimum wage rates occurred in April 2024, and this upcoming revision seeks to provide further assistance to those engaged in various unorganised jobs, including building construction, loading and unloading, housekeeping, and agriculture within central sphere establishments, the Ministry of Labour & Employment informed in a statement.

Minimum wage rates will vary based on skill levels—unskilled, semi-skilled, skilled, and highly skilled—and geographical areas classified as A, B, and C. For instance, in area "A," the new daily wages will be:

- Unskilled workers: ₹783 per day (₹20,358 per month)
- Semi-skilled workers: ₹868 per day (₹22,568 per month)
- Skilled workers and clerical positions (without arms): ₹954 per day (₹24,804 per month)
- Highly skilled workers and security personnel (with arms): ₹1,035 per day (₹26,910 per month)

The Central Government revises the VDA biannually, on April 1 and October 1, using the six-month average increase in the Consumer Price Index for industrial workers as a basis for calculation.

Source : CNBC TV



NEW UPDATE

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