Legislative Reforms

Why in news?

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The Labour Ministry has released the year end review of the performance of the ministry.

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What are the legislative reforms introduced by the government?

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- The Government of India is following the approach of 'Reform to Transform' through far-reaching structural reforms.
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- Employment Generation is the first priority for the Government.
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- After going through a decade of jobless growth, the Centre is working on a comprehensive strategy to bring employment to the core of development strategy, promoting industrial activity through Make in India, enhancing employability through Skill India and encouraging innovation and entrepreneurship through Start up India.
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Reforms:

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1. The Payment of Bonus (Amendment) Act, 2015 envisages enhancement of eligibility limit under section 2(13) from Rs.10,000/- per month to Rs.21,000/- per month and Calculation Ceiling under section 12 from Rs. 3500 to Rs.7000 or the minimum wage for the scheduled employment, as fixed by the appropriate Government, whichever is higher.\n\n
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   - The Payment of Bonus (Amendment) Act, 2015 also mandates previous publication of draft subordinate legislations, framed under the enabling

provisions under the said Act, in the Official Gazette for inviting objections and suggestions before their final notification.
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2. The Maternity Benefit (Amendment) Bill, 2016 passed by RajyaSabha on 11th August, 2016 which inter-alia include increasing maternity benefit to woman covered under the Maternity Benefit Act, 1961 from 12 weeks to 26 weeks up to two surviving children allowing the mother to take care of the child during his/her most formative stage providing maternity benefit of 12 weeks to Commissioning mother (in case of surrogate child) and Adopting mother (in case of adoption), \n
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    - Facilitate "work from home" to a mother with mutual consent of the employee and the employer,
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    - Making mandatory in respect of establishment having fifty or more employees, to have the facility of crèche either individually or as a shared common facility within such distance as may be prescribed by rules & also to allow four visits to the crèche by the woman daily, including the interval for rest allowed to her and every establishment to intimate in writing and electronically to every woman at the time of her initial appointment about the benefits available under the Act.
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3. The Employees' Compensation (Amendment) Bill, 2016 was passed in LokSabha on 9th August, 2016 to modify the provisions of Employees' Compensation Act, 1923 to rationalize the penalties and strengthen the rights of the worker under the Act.
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4. The Child Labour (Prohibition and Regulation) Amendment Bill, 2016, passed by the Parliament on 26th July,2016. \n
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    - This Amendment Bill clearly stipulates total and complete prohibition on employment of children below 14 years and proposed more stringent punishments for violations.
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    - Amendment bill seeks to ensure the Right of Children to schooling and learning.
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    - However, children are allowed to help in their family enterprises only in non-hazardous occupations and that too only after school hours or during vacations.

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- Amendment also prohibits Adolescents in the age group of 14-18 years of their employment in hazardous occupations and permits their engagement in only certain occupations to be specified in due course.
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5. Cabinet in its meeting held on 29th June,2016 considered the Model Shops and Establishment (Regulation of Employment and Conditions of Service) Bill,2016. \n
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- The Model Bill is a suggestive piece of legislation and has been finalized keeping in view the spirit of cooperative federalism.
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- This gives liberty to States for fine tuning the Model bill to suit their requirement.
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- This Model Bill applies to shops and establishments employing ten or more workers except manufacturing units.
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- This Model bill gives freedom to operate 365 days in a year and opening/closing time of establishment, women to be permitted during night shift, if the provision of shelter, rest room, ladies toilets, adequate protection of their dignity and transportation etc., exists.
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