Need for Workplace as a Fundamental Right

What is the issue?

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- In recent times Industrial accidents have been occurring at regular intervals.
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- ILO and India need to undertake policy actions to enhance workers' safety.
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What are the concerns with labour safety across the globe?

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- Industrial accidents is snuffing out human lives, there is not much public debate on the issue in the media or in academic circles.
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- Global media hardly report major industrial accidents occurring in both public and private sector establishments.
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- Only Profit-maximising employers pay attention to workers' safety which is only due to the investment made in workers, and to prevent potential production disruption.
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What is the status of labour safety in India?

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- Occupational safety and health (OSH) is a key concern in India, construction industry in India annually contributes 24.2 per cent of occupation fatalities, the highest in the country.
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- The labour ministry's data on fatal injuries reported per 100,000 mandays worked in the years 1991-2013 showed no sign of a dip, while that on non-fatal injuries showed a steep decline.

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- However, owing to the high incidence of non-reporting and underestimation, official data on injuries and accidents are neither valid nor reliable
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What is the issues with labour safety laws in India?

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- India has an institutional framework in place, comprising labour laws (such as the Factories Act, 1948, and the Building and Other Construction Workers Act, 1996)
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1. Regulatory institutions (directorates of factories and boilers),
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2. Advisory bodies (Directorate General, Factory Advice Service and Labour Institutes)
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3. Research institutes (National Institute of Occupational Health).
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- India has not ratified any of the three major general conventions relating to OSH (C155, C161, C185), and it has ratified only two (C115 and C174) of the nine conventions that ensure protection against specific risks.
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- Thus the policy orientation towards safety is far more worrying than the disasters themselves.
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What are the major challenges in ensuring labour safety?

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- The institutional coverage is narrow in that it does not cover the huge unorganised sector and the emerging service sectors with their own occupational hazards, like e-waste.
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- Even those covered under such institutional polices are not adequately monitored due to inadequate public sector enforcement resources.
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- Information, data bases, mapping and research on safety and occupational diseases need serious policy attention from the government.
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- The emergence of precarious employment has led to deprive workers from receiving legal protection, OSH training, and union coverage.
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What measures need to be taken?

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- While OSH need not displace its major concerns, it needs to be given high importance.
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- ILO has been not included labour rights as it could have monetary implications such has minimum wages and have adverse implications for poor and developing countries.
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- But safety is a larger issue in that it is not only about the human body and life but also the environment.
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- Hence it is imperative that ILO's centenary agenda should include safe work and living, and elevate it to the status of a fundamental right.
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- Apart from ILO's efforts, India also needs to formulate policies to make workplace safety as a fundamental right and ratify the conventions relating to occupational safety.
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Source: Business Standard

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