

New Labour Codes - Upgraded Safety for Hazardous Sector Workers

Mains: GS II - Governance

Why in News?

The new labour codes introduced by the government has a profound impact on the health and life of the workers, in the hazardous industries.

What are the new labour codes?

- **Need for the regulation** - Many workers in these industries operate in high-risk environments in industries such as mining, petroleum, metallurgy, chemical and heavy manufacturing play a vital role in India's economic growth.
- Recognizing the need for a stronger, future-ready safety architecture for the workforce.
- **New labour codes** - The Government has introduced the new Labour Codes consolidating 29 Central labour laws into 4 Labour Codes.
- Under The Occupational Safety, Health and Working Conditions Code, 2020 (OSH&WC), a more integrated, preventive safety system with risk assessment, free annual health check-ups, training, PPE, emergency planning, etc. have been provisioned.
- **Aim & objective** - These reforms strengthen safety protocols, mandate risk-mitigation practices, and enhance accountability while giving employers clearer, simpler, and more predictable regulatory pathways.
- Notably, the new framework aims to ensure safer worksites, stronger protections, and more dignified conditions for India's hazardous-sector workforce.

What are the key benefits to workers in hazardous processes?

- **Safety Standards** - The OSH&WC Code highlights national standards to be followed for use, handling, storage, and transport of hazardous substances.
- In order to further enhance the safety safeguards employers must conduct risk assessment, obtain approval, and maintain emergency response systems.
- **Health & Medical Protection** - Earlier, medical & health records were maintained manually and lacked portability and long-term traceability.
- Now, health records are mandatory and accessible to employees and inspectors, enabling transparency and long-term portability.
- Additionally, under the new Codes, pre-employment, periodic, and post-exposure medical examinations are mandatory, along with a free annual health check-up for all

workers, ensuring early detection of occupational diseases that reduces medical costs and supports a healthier, more productive workforce.



- **Protective & Welfare Measures** - Under the new provisions, employers must provide and maintain PPE (personal protective equipment) such as helmets, gloves, respirators, and goggles.
- Additionally, ensuring improved sanitation and hygiene standards is also required- by mandating canteens, rest shelters, washing facilities, first aid, ambulance rooms, and cooling areas in high-temperature workplaces.
- Employers need to adhere by the prescribed maximum working hours of 8 hours per day and 48 hours per week.
- **Training & Awareness** - Earlier, trainings were not compulsory and varied by sector. Now, mandatory training sessions on the safe handling, storage, transport, and disposal of hazardous materials have been introduced to assist workers.
- **Social Security** - To ensure efficient social security provisions, immediate compensation for occupational diseases or accidents is ensured under the Social Security Code, 2020 (SS) / ESIC.
- Besides, workers are also entitled to ESIC benefits (medical, occupational disease, injury, disability, dependents' benefits).
- Other benefits such as PF, gratuity, maternity, employment injury compensation and old-age protection (pension) are also provided, along with digital health and social security records that enhance transparency and portability.
- **Special Rights** - The Right is explicitly guaranteed under OSH&WC Code wherein

workers may refuse dangerous work that are likely to cause serious injury or death, with mandatory employer investigation and zero penalty for refusal by workers.

- Besides, pregnant women and adolescents also avail benefits of special rights, as they are strictly barred from engaging in hazardous processes. Safety supervision is also mandatory for women workers in permitted tasks.

What are the Comparative Breakdown of Previous Laws vs. New Labour Codes?

- **Legal Framework** - Earlier, fragmented laws with separate provisions under the Factories Act (hazardous process), Mines Act, Dock Workers Act, and Building & Other Construction Workers Act (BOCW Act), carried their own list of hazardous operations.
- There are now uniform definitions under OSH&WC Code, 2020 for all industries involving chemical, biological, physical hazards.
- Specific provisions lay down standards for use, handling, storage, transportation of hazardous substances.
- There is also a uniform national framework for safety, health, welfare, emergency response.
- **Identification of Hazardous Processes** - Previously, different lists and rules under multiple Acts led to weak enforcement.
- Now, a consolidated Schedule under OSH&WC Code lists all hazardous processes (asbestos, toxic chemicals, pesticides, radioactive materials, etc.).
- Additionally, employers must conduct risk assessments and provide prior intimation before initiating hazardous processes.
- **Emergency & Disaster Preparedness** - No unified emergency management system existed with dependency on factory inspectorates or National Disaster Management Authority (NDMA) guidelines.
- Now, with the Labour Codes in place, there needs to be a mandatory on-site emergency plan for every hazardous establishment, emergency response mechanisms and six-monthly mock drills.
- Besides, a formal linkage with the local Disaster Management Authority for external coordination is also required.
- **Inspection & Enforcement** - There were multiple inspectorates under different Acts and overlapping jurisdictions existed.
- Whereas now, a unified Inspector-cum-Facilitator system is in place with risk-based digital inspections, joint compliance audits, and stringent penalties for violations.

What lies ahead?

- The new Labour Codes mark an impactful shift towards safer, fairer and more accountable workplaces- especially for those in hazardous sectors.
- With stronger safety standards, universal social security, welfare facilities, and emergency response mechanisms, India is building a labour ecosystem where security is not a privilege, but a guarantee.
- As India moves towards a more productive, inclusive, future-ready economy, it aligns with the spirit of *Shramev Jayate*- honoring the contribution of every worker who keeps the nation moving.

Reference

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