CHAPTER I

INTRODUCTION

India has all along followed a proactive policy in matters concerning labour. India has evolved in response to specific needs of the situation to suit requirements of planned economic development and social justice and has a two-fold objective namely maintaining industrial peace and promoting the welfare of labour. The unorganised sector of the economy is primarily labour intensive but less rewarding to the workers in terms of proportionate to the efforts put in production. The characteristics of the unorganised labour are specific by the second commission on Labour (2002) as self employed persons involved in jobs, agriculture workers, migrant labours, causal and contract workers and home-based artisans. The nature of the employment relationship is the key determinant factor of unorganised labour.

The unorganised labour accounted for more than 96 percent of the total workforce according to census 2001. The Majority of women workers come under this category and is employed in the rural areas. Among the rural women workers, 87 percent are employed in agriculture as labourers and cultivators. In the urban areas, 80 percent of the women workers are employed in household industries, petty trades, domestic errands and in the
cottage industries. Though women constitute a significant part of workforce, they lag behind men and they are the abandoned section of the society. Moreover, it is an established fact women bear a disproportionately heavier burden of work than men as they have to contribute more time in the care economy that is the domestic work.

The circumstances and condition of women in any society is an index of the socio-economic and cultural triumph of that society. There have been some changes in the position of women in India over the years but these changes are not uniform. The position and status of women also significantly varies from urban to rural, educated to uneducated, employed to unemployed, 'free' and privileged class to unprivileged class and the upper economic grade to lower economic grade of women because the women doing different jobs. However the position of women in India is not distinctive when compared to the women in other developing countries, it still presents certain distinct features due to traditions, cultures, social and economic backwardness and long history of exploitation of women in various facets of Indian social life. The reasons for the low status and situation of women belonging to lower grade are one and the same in all the era irrespective of the changes that have take place in society.

**Feminist Explanations of Gendered Work:**

*Early feminist* analysis of women’s paid employment was located within the ‘production paradigm’. This paradigm has come under considerable attack since the 1980s as new theoretical paradigms have emerged, most notably those associated with post-structuralists and post modernist feminisms. These have shifted the focus
of much feminist analysis away from labour and production and towards culture, identity and consumption. There is a new concern with meaning as well as materiality (Brade lt, 1996) with words as well as things (Barett, 1992).

In the 1970s and 1980s – dubbed as the era of classic feminist accounts of gendered work (Adkins and Lury, 1996, Bradely, 1966) – the main debates amongst feminists centered around:

a) The relative importance of family and labour market structures in explaining women’s clearly unequal and disadvantaged position in the labour market

b) The relative significance of “capitalism” or patriarchy as the structural determinants of women’s oppression in both the family and the labour market and

c) Whether gender divisions in work were rooted in ideological (Barrett, 1980) or material (Cockburn, 1983) processes. Since the late 1980’s, shifts in feminist accounts of gendered work are most evident in new concerns with the cultural rather than the economic, analyses of discourses of sexuality rather than ideologies of gender, and the relationship between gender, sexuality, and embodiment in the experience of work within organisations rather than the labour market.

Early or classic feminist debates about gendered work have focused on the structural determinants of the sexual division of labour in employment. The term sexual division of labour was preferred by those who traced the specific nature of women’s position at work to the logic of capitalism, the term gender relations came to be preferred by those who focused more on patriarchy as an instrument of gender divisions in employment.
The debates of Classic feminists in the 1970’s and 1980’s disputed whether or not the dynamics of capitalism generated women’s lower wages and gender-segregated labour markets, or whether the patriarchal practices of male workers had also played a part in securing male privilege in the labour market at the expense of women.

Marxist – feminist production paradigm explanations of women’s employment relied on the idea that women (particularly married women) made up a labour reserve and that women were being drawn in to new, de-skilled occupations (braver man, 1974; Beechey, 1987). This kind of explanation did have the merit of pulling in to view the relationship between the family and production, as it was argued that married women made up this labour reserve because their role within the family makes them a cheap, flexible and disposable source of labour.

Gender Dimension of Unorganised Manufacturing Sector in India

Women engaged in unorganized activity in India constitute a large and significant section of the population. This basic fact has several dimensions.

- First, the unorganised sector is the primary source of employment for women. Existing data suggest that the majority of economically active women in India are engaged in the unorganised sector. Virtually all of the female non agricultural labor force is in the unorganised sector: for example, in India the unorganised sector accounts for over 95 percent of women workers outside agriculture. The unorganised sector accounts for nine out of every ten women working outside agriculture.
• Secondly, the unorganised sector is a larger source of employment for women than for men (UN 2000). In fact, the proportion of women workers in the unorganised sector exceeds that of men in most developing countries, not only in India.

• Third, women’s share of the total unorganised workforce outside of agriculture is higher than men’s share. However, there is persistence and expansion of the unorganised sector in India since the implementation of the new economic policy. The reasons may be the rate and pattern of growth, including the labor-intensity and sectoral composition of growth, economic restructuring or economic crisis, including privatization of public enterprises and cut-backs in public expenditures, and global integration of the economy, including the restructuring of global production characterized by outsourcing or subcontracting.

In today’s globalised world, various demand factors are also at work. An increasing share of unorganised work is subcontracted or outsourced from the formal sector; the low costs of subcontracted work contribute to profits in the formal sector. In their pursuit of global competitiveness, employers in a wide range of key export industries favor such kinds of employment relations associated, rightly or wrongly, with women, namely those with insecure contracts, low wages, and few benefits. Self-employed women are also affected by current trends. Given the rapid shifts in market demand, both domestically and globally, self-employed women find it difficult to retain their traditional market niche or negotiate access to emerging markets. There is also evidence to suggest that global integration and competition are associated with the erosion of both the employment
arrangements of workers and the competitiveness of micro businesses. These trends have put pressures on the efforts by home-based workers.

Women are concentrated in production related occupations in the unorganised manufacturing sector whereas men are predominantly in sales activities in the unorganised sector. In India, 48.2 percent female non-agricultural workers were engaged in unorganised manufacturing sector in 2004-05 (NCEUS, 2007). The vast majority of women in the unorganised manufacturing sector are home-based workers. The term “home-based workers” refers to three types of workers who carry out remunerative work within their homes – dependent subcontract workers, independent own account producers, and unpaid workers in family businesses – whereas the term “home workers” refers to the first category only. Despite the limitations to existing official statistics, available evidence suggests that home-based work is an important source of employment, especially for women, throughout the world; over 85 percent of home-based workers in most countries are women. Home workers are less likely to be organised and unionised and hence have less bargaining power vis-à-vis their employers. Some studies show that home workers receive relatively lower amount of wage and non-wage benefits as compared to workers based in industrial premises (Labour Bureau, 1996 - Nagaraj, V., p 125-132). However, home workers often do not have adequate work throughout the year. There is seasonality in the work with wide variations in the hours of work available per day and also the wages received per day. Despite working from their homes, many home-based workers are linked to the global economy through global subcontracting chains, also called global value chains. A key dimension of global integration of the economy is
a restructuring of production and distribution into global value chains. The exploitation of the home worker by local employers can be just a first step in the exploitation through the global value chain.

**Status of Women in India**

The position and status of women in any society is an index of the socio-economic and cultural achievement of that society. There have been some changes in the position of women in India over the years but these changes are not uniform. The position and status of women also significantly vary from urban to rural, educated to uneducated, employed to unemployed, 'free' and privileged class to unprivileged class and the upper economic strata to lower economic strata of women. It also varies among the women doing different jobs and the continuum goes on. Though the position of women in India is not unique when compared to the women in other developing countries, it still presents certain distinct features due to traditions, economic backwardness and long history of exploitation of women in various facets of Indian social life. The reasons for the low status and position of women belonging to lower strata are one and the same in all the ages irrespective of the changes that have occurred in society.

Women constitute 48 per cent of India's population but their share and participation in its development is nominal. Reforms, special legislations, debates and discussions in the legislature creation of a number of institutions supposed to cater to their needs and increase in the, budgetary allotments over the years have not altered the basic life-styles of large masses of women. Although women now, work in diverse fields and occupy positions of importance, official statistics themselves indicate that three
decades of 'development' has not been very kind to women workers in general. This is especially so in regard to the women working in the unorganised sector. In the unorganised sector, a significant percentage of women are engaged in construction industry. Although this industry offers difficult jobs, women are employed to undertake certain specified works. Wage differentiation, turn-over of equal work and the more submissive nature of women are important attractions for the employers to use women in this field. The industry, however, does not guarantee permanent work since it depends upon a number of factors such as volume and intensity of construction work, type of work, migration trends, contractors' choice, wage-rates and manipulations of employers. Despite the unpredictability, hundreds of thousands of women have contributed in the construction of buildings including skyscrapers, projects, dams, roads and other monuments of progress.

According to the final report of the National Commission for Enterprises in the Unorganised Sector (NCEUS) released in April 2009, workers in the unorganised (or informal) sector constitute more than 93 percent of the total workforce in India. The workers in the unorganised sector are those who do not have any job or income security or social security and are therefore extremely vulnerable to exogenous shocks. The problem of women workers in general and in the unorganised sector in particular deserves special emphasis and greater focus in view of their marginalised position within the class of workers. Even when women are not employed in the sense of contributing to the national output, a considerable share of their time is consumed by socially productive and reproductive labour. This is called the *double burden of work* that distinguishes
women from men. A number of national and International studies have documented the sex-typing of jobs and occupations by women. Sexual division of labour has implications for the wages earned, permanency in the job and the possibilities for upward mobility in the industry. The overall picture that emerges is one of greater disadvantage for women workers in general and those belonging to rural as well as scheduled Caste/Schedule Tribes in particular. This study deals with the problems of women in the unorganised sector of India. The policies and programmes of the government to address these problems are also discussed. Importantly, it includes a case study of women in the construction Industry of Madurai City of the Indian State of Tamil Nadu.

**Contemporary status of Women in India:**

According India’s constitution, women are legal citizens of the country and have equal rights with men (Indian Parliament). Because of lack of acceptance from the male dominant society, Indian women suffer immensely. Women are responsible for baring children, yet they are malnourished and in poor health. Women are also overworked in the field and complete the all domestic work. Most Indian women are uneducated. Although the country’s constitution says women have equal status to men, women are powerless and are ill treated inside and outside the home.

India is a country where the male is greatly revered. Therefore women, especially the young girls, get very little respect and standing in most societies in the country. The women of the household are required to prepare the meal for the men, who eat most of the food. Only after the males finish eating, can the females eat. Typically the leftover food is meager, considering the families are poor and have little to begin with. This
creates a major problem of malnutrition, especially for pregnant or nursing women. Very few women seek medical care while being pregnant because it is thought of as a temporary condition. This is one main reason why India’s maternal and infant mortality rates are so high. Starting from birth, girls do not receive as much care and commitment from their parents and society as a boy would. For example a new baby girl would only be breast fed for a short period of time, barely supplying her with the nutrients she needs. This is so that the mother can get pregnant as soon as possible in hopes of a son the next time (Coonrod).

Even though the constitution guarantees free primary schooling to everyone up to 14 years of age (Indian Parliament), very few females attend school. Only about 39 percent of all women in India actually attend primary schools. There are several reasons why families choose not to educate their daughters. One reason is that parents get nothing in return for educating their daughters. Another reason is that all the females in a household have the responsibility of the household work. Even though education does not financially burden the family, it costs them the time she spends at school when she could be carrying out work at home. In addition, even if a woman is educated, especially in the poorer segments, there is no hope for a job. Most jobs women perform are agricultural or domestic which do not require a formal education. Another reason girls are not educated is because families are required to supply a chaste daughter to the family of her future husband. With over two-thirds of teachers in India being men and students predominately male, putting daughters in school, where males surround them all day could pose a
possible threat to their virginity (Coonrod). Probably this notion might change in future with education serving as a tool of modernisation.

Because women are not educated and cannot hold prestigious positions, they take on the most physically difficult and undesirable jobs. A typical day for a woman in an agricultural position lasts from 4am to 8pm with only an hour break in the middle. Compared to a man’s day, which is from 5am to 10am and then from 3pm to 5pm. Most women are overworked with no maternity leave or special breaks for those who are pregnant. Plus women do the majority of the manual labor that uses a lot of energy compared to the men who do mostly machine operating. Even though women work twice as many hours as men, the men say that “women eat food and do nothing.” This is mainly because the work the women perform does not require a lot of skill and are smaller tasks.

**Status of Working Women in India:**

India has a long past civilization and in every stage of its history, women constitute half of its population, but their position in society is not the same in all the ages of history. Their position has been variously estimated and diametrically opposite views are current regarding their place in different stages of Indian civilization (Parmar, 1973). Several factors including foreign invasions for centuries together, social movements, various geographic regions, different economic occupations, political stability and instability and religious affinity of the family to which woman belongs have always greatly influenced her status in the family as well as in the community (Gaur, 1980). While women represent 50 per cent of the adult population and one third of labour force, they perform nearly two - third of all working hours and receive only one-tenth of the
world income. This is indeed a strange phenomenon. Human Development Report for the year 2000 on the amount of time that women and men spend on market and no market activities by considering 31 countries reveals that women work longer hours than men in nearly every country. Women carry out on an average 53 percent of total burden of work in developing countries and 51 percent of that in industrial countries. Now, women are performing in all the occupations and professions, which were occupied by men earlier. Hence, the women are engaged as successful professionals as Medical Practitioners, Nurses, Teachers, Lawyers, Bankers, Lecturers, Librarians, Information Technologists, Engineers, and the like. But, the women are not like men.

**Social forces to improve the status of working woman in India**

The working woman in India continues to face stiff challenges and social resistance even in the 21st century. There is a gender bias against women in many industries, and the percentage of women making to the top of the corporate ladder is still abysmally low. A recent survey conducted by World Economic Forum (WEF), choosing 60 of the 100 best employers in India as a sample, revealed that women employees held only 10 percent of the senior management positions in two-thirds of the surveyed companies. None of the companies had women chief executive officers (CEOs) and almost 40 percent of the respondents had only 10 percent women work force. Furthermore, women’s employment is not necessarily synonymous with women’s empowerment in India, and a large number of women do not get to exercise a control over their own income. With sexual harassment safe and secure working environment
for women continue to remain a challenge in most parts of the country. The following four social forces are critical to elevate the status of the working woman in India:

❖ **Individual force or Self-Help**

The key to transforming the social status of a working woman lies in their own hands primarily. Women need to be more assertive and aware of their own rights at home as well as at work. There are many social self-help women’s groups and other women’s organizations that are ready to assist women in upgrading their skills, connecting them with job and entrepreneurial opportunities, and addressing their grievances, whether at the workplace or at home. Women’s cooperative movements such as Amul Dairy Cooperative in Gujarat and Shri Mahila Griha Udyog “Lijjat Papad” in Maharashtra are two shining examples of self-help women groups transforming the lives of women in India. Unless women decide to resist against her exploitation, whether at economic, social or sexual level, the goal of women’s empowerment cannot be achieved.

❖ **Organizational force or Employer’s Responsibility:**

The business organizations must develop a clear policy of gender inclusiveness and become equal opportunity employers. Implementation of the policy must be monitored closely, and the data of the women’s participation in the organization must be reviewed regularly. This will ensure that the top management remains informed about any gender disparities within the organization, and works consistently to close the gaps. The employers must follow best practices in terms of providing maternity leave and benefits to working mothers. Re-training of women employees and other such measures
must be taken to ensure that they remain at par with the male workforce within the organization. Tata Consultancy Services (TCS) is a classic case in this regard. TCS in recent years has launched a “Diversity and Women’s Network” (DAWN) initiative that encourages women employees to stick to their jobs despite pressure from marriage, family, and maternity demands, and attain sustainable careers for the long term.

❖ **Governmental force:**

The government in India has its task cut out clearly in terms of policy initiatives as well as implementation of the women’s employment, entrepreneurship and financial empowerment programs at the grassroots level. For instance, the government of India has taken an enterprising step to enhance the safety of working women that has earned it accolades across the world. The government has introduced its first single sex train in Delhi, or a “Ladies Special” that exclusively caters to women commuters. This is a pilot program under which eight new commuter trains are being introduced exclusively for women passengers in 4 of India’s biggest cities. This action of the government creates safer conditions for women’s employment, and encourages women to work outside their homes. It is a step in the right direction, and symbolizes the government’s increased consciousness about improving women’s participation in the economy.

❖ **Societal force:**

The society and the family are two crucial factors of influence that can raise the status of the Working Women in India. The husband and other family members need to be supportive of the woman’s work outside the home. They need to share the household responsibilities in order for woman to be able to utilize her skills outside the home. India
is a traditionally patriarchal and male-dominated society. Therefore, without the positive and liberal mindset of the average Indian male to encourage the working women, a real elevation of the working women’s status in the society is going to remain a distant dream.

Overall, a conducive and safe social environment and a proactive support from the family, corporate, government and other social networks can help to transform the Indian Working Women’s status for the better. But above all, the assertiveness and initiative of the working women themselves for their own rights can do more for their empowerment than all other forces combined.

**Nature and State Intervention of Women’s Employment:**

The process of liberalization, globalization and privatization has prompted women’s participation in the labour market. Traditionally their occupational status has always been associated with the home and family. But over the years, the pressure of population and economic compulsions, educational and social changes have necessitated a change in women’s status and their role, which was hitherto that of a housewife. Women participation in remunerative work in the formal and non-formal labour market has increased significantly. They have become increasingly involved in micro, small and medium sized enterprises. Women’s share in the labourforce continues to rise and almost everywhere more women are working outside the household. There is no job, which they cannot aspire. There is no political office they cannot achieve. There is an increasing number of women engaged in white collar jobs year after year.
Economic liberalization or reforms lead to the growth in service industries such as data processing, tourism, telecommunications and finance where women are preferred as secretaries, receptionists, hostesses and stenographers. Women workers are preferred in such type of employments and jobs as they are considered as a major source of flexible labour. At present the young women from upper and middle class families are joining the workforce in increasing numbers adding a new dimension to their age-old roles as wife and mother. Those who work in unorganised sector also suffer from many problems. In this context it is felt to have a study about unorganized workers.

It has been recognition that full and active involvement of women in the development process can be promoted through increasing productive employment. Female participation in economic activities also reduces population growth and poverty, and enhances child survival and development. While it is necessary to ensure that greater productive employment is generated in the growth process itself, it is recognized that direct state intervention in the labour market for women in particular is important for the following reasons:

- The growth process alone provides employment if the growth rates of GDP are low and the patterns of growth are not labour intensive. Hence is a need for state intervention in order to provide supplementary employment to the poor. There is also no conclusive evidence on the question of government interventions in the labour markets harming efficiency (Freeman, 1992)
- The economic environment in certain respects affects the female poor more than the male poor, because women and girls are over represented in certain activities
that are made harder and more costly in time and energy by the lack of basic facilities and infrastructure, and because access to seasonal migration as a means of getting around local of opportunities is more constrained for women or entails greater hardship

- In general, gender discrimination arises due to factors operating within the household, in the labour market, and in the allocation of production assets, including some of the publicly supplied inputs. Although some of the reasons for gender differentials are embodied in cultural institutions that may be resistant to policy intervention and to economic growth of the likely order, their negative effects in terms of equity, demographic transition, and human resource development and utilization are modifiable through specific programmes for women and through filling those gaps in infrastructure that help women’s work. The interventions may help in reducing the bases within household or in the market.

- NGOs, self-help groups and community-based organisations (CBOs) can help women to find supplementary employment. However, the problem is too large for the NGOs to handle and the government intervention is absolutely necessary at least in the short and medium runs.

- Government programmes can also reduce discrimination in wage payments to women. For example, the statistical discrimination which occurs when, among labourers with the same productivity, women are aid less can be eliminated from
agricultural labour markets through public employment programmes (Foaster and Rosenzweg, 1992)

- Regarding reservation for women in employment programmes, despite all the legal provisions regarding equal opportunities on equal remuneration for men and women, the status of women, particularly in rural India, is very low due to various factors embodied in the socio-cultural environment (Nayyar, 1996) has been taking several steps to improve women’s economic and social status. Employment schemes like the Integrated Rural Development Programme (IRDP) and Jawahar Rozgar Yojana (JRY) include reservation for women.

**Women in Informal Sector: An Overview**

Many of the studies on women deal with the social, economic, political, religious and educational aspects of the working women in formal sector (Organized sector). But only a few studies were undertaken to study those aspects of the women working in unorganized sector. Further, women workers are subject to other kinds of subjugation and exploitation. Women workers doing informal work include all those women who work and who do not have any legal or social protection. These would include at least (Gothoskar, 2003)

1. Agricultural workers
2. Forest workers
3. Fish workers
4. Rag-pickers
5. Construction workers
6. Home-based workers

7. Domestic workers or helps

8. Street vendors or sellers

9. Casual or temporary workers

The 51st round survey of NSSO has revealed that the number of women regular employees in urban areas is 10 times those in rural areas. Also the regular women work force in urban areas has increased by 15 per cent over the period from 1977 to 1995 (NSSO, 2002). It clearly indicates the rapid process of urbanization that led to such an increase in the number of urban work force. There is no exaggeration in saying that the backbone of Indian work force is the unorganized sector.

According to 1991 census, the total women work force was 87.77 million. Their share in the organized sector was only 4.2 percent while the rest of 95.8 per cent were in the unorganized sector where there are no legislative safe guards even to claim either minimum or equal wages along with their male counterparts. Thus the unorganized sector in India is the women’s sector (Sathyasundaram, 1996).

It has been estimated that out of total women workers, 96% are engaged in informal sectors. The women being less qualified and with abject poverty had to starve for days together to find out job of their expectation for their own survival and their dependents. They could not enter into formal sector as it was regulated and denies entry at random. It is the informal sector which is unorganized, unregulated though unprotected but is easy for one’s access. The major chunk of migrated population once utilized as builders and sustainers of the city and has contributed their hard toil, have
been under-estimated and thrown to informal sectors for earning their livelihood (OSCARD, 2007). However, based on the various studies done on its coverage and the parameters taken for collecting data on the sector, some characteristics can said to be typical of this sector: Informal sector enterprises usually employ fewer than ten workers, mostly immediate family members. The informal sector is heterogeneous: major activities are retail trade, transport, repair and maintenance, construction, personal and domestic services, and manufacturing. Entry and exit are easier than in the formal sector. (Source: Redefining of Unorganized Sector in India, Report of the Expert Group on Informal Sector, May 2006).

The following table shows the area-wise and sex-wise distribution of estimated number of workers in Millions in 2006. In terms of numbers and statistics, the informal economy is large in India, accounting for 370 million workers in 1999-2002 and constituting nearly 93% of the total workforce and 83% of the non-agricultural workforce. Women account for 32% of the workforce in the informal economy, including agriculture and 20% of the non-agricultural workforce. 118 million women workers are engaged in the unorganized sector in India, constituting 97% of the total workers in India.

According to the National Accounts Statistics, the workers in the unorganized sector contribute over 62% to the NDP. The sector also contributes over 50% of the total household savings thus dispelling the myth that poor do not save. A substantial 39.3 percent (Rs. 46 thousand crores) is the contribution of the informal sector to India’s total exports (NHRC, 2006). Notwithstanding the attempts of the government to provide social security in the form of pensions and other benefits, the problems of minuscule coverage
and paltry amounts of benefits were often noticed. Among the major categories of unorganized workers, the construction workers are dispersed and have mobility and to a larger extent unorganized. Bar benders, Mistries, Carpenters, Bandhanis, Sanitary Workers, Plumbers, Drivers, etc. Modernization and industrialization have paved a good way to the construction industry. Small towns and cities become more urbanized and, the construction sector too has got a boost irrespective of occasional slumps in the economy or in construction works, the sector is going through a faster growth.

**The construction industry in India:**

The construction industry has an annual turnover of Rs 2,10,000 crores. It contributes substantially to India’s GDP and its capital formation. The Government is the largest principal employer of construction workers as it undertakes the maximum construction work. It is responsible for building the nation’s infrastructure and for maintaining it. It also sets many of the industry’s norms. Consider the kind of outlay on construction projects. For example, the Union Budget of 2003-04 specified a major thrust towards infrastructure, principally to roads, railways, airports and seaports. Some 48 new road projects were to be initiated at an estimated cost of Rs 40,000 crore, plus another Rs 2600 crore for highway development; rail projects were estimated to cost Rs 8,000 crore; two airports were to be modernized and two seaports developed at a cost of Rs 11,000 crore; and two international level convention centres were to be set up costing Rs 1000 crore. This alone involved an outlay of Rs 62,600 crore. It is true that a large chunk of this money was to be raised with the involvement of private players, nevertheless the government’s stake is enormous. Although government is the largest
principal employer in the construction industry, only some of its construction work has been done by public agencies, such as the Central Public Works Department (CPWD) and public sector firms, such as the National Building and Construction Company (NBCC). Most construction activity in the post-Independence years has been undertaken by government bodies through private construction companies. The Second National Commission for Labour estimates that some 200 construction companies comprise the top rung of the industry, followed by 90,000 middle-level firms who fall into the category of class A. contractors. At the bottom are some 6 lakh small firms/contractors/sub contractors (Heitzman, James and Robert L. Worden, eds., 1996).

**Impact of Globalisation:**

The sector is witnessing rapid changes in the post-liberalisation phase of the economy. The private sector is being urged to play a leading role in infrastructure development as the country’s limited infrastructure is being seen as a hurdle to rapid economic growth. Private sector and foreign investment are being encouraged. Several major projects are already being executed by the private sector through the Build, Own and Operate route or the Build, Operate and Transfer method. Joint ventures with partners of multi-country origin are being encouraged. Researchers point out that these changes have happened because of the pressure of the WTO.

The study ‘Relocating Space for Women Workers in the Construction Industry’ by Ashok Raj and Rakesh Kapoor notes under the prevailing WTO regime, the essential requirement of global tendering has facilitated the entry of many MNCs in the Indian construction scene in a big way. The presence of some of these companies is increasingly
visible in many infrastructure development projects being undertaken under the
government funding as well as under bilateral/multilateral assistance arrangements.
Major foreign companies which have already arrived are: Bechtal (USA), Hundai
(Japan), Mitsui (Japan), Obayshi (Japan), Savdesa (Sweden) and Traffel House (UK).
Many world leaders in construction have already arrived staking claim on projects for
building of petrochemical plants, refineries, factories, roads, bridges and metro rail
projects. Highly technology smart and equipped with huge paraphernalia of latest
machinery and construction methods, the entry of these companies is going to have far
reaching implications for the domestic construction industry as well as the labour. For the
industry, the main trends are easily discernible. First is a rapid and complete privatisation
of the construction sector. Although government would remain the major client and
probably the major credit provider, the role of public sector companies and government
departments in construction projects would become extremely marginal. However, far
more significant would be the rapid transformation of the technological base of the
industry. This transformation is being propelled by two mutually reinforcing factors. First
is the immediacy of the need of the domestic industry to become technically competitive
to come at par with the foreign stakeholders in the construction market. The second factor
is the growing interest of the foreign manufacturers of construction machinery and
accessories for whom India is a potential huge market to sell their hardware and technical
expertise.

**Booming sector and declining wages:**
Traditionally, construction has been a highly profitable, labour intensive industry and the profits of which have come largely from the total exploitation of the workforce. Strangely even the minimum wage is rarely paid in this sector. No labour laws operate in construction, not even on the large sites. An efficient system of contracting and sub-contracting ensures that the principal employer evades all responsibility for the workers employed. Practically all employment in the construction industry is of a casual, temporary nature. Work security is unknown. In recent years, the construction sector has witnessed a remarkable boom. According to the CIDC, Gross Capital Formation (GCF) in the industry has been growing rapidly. Between 1986-87 and 1993-94 it increased over two and a half times. In 1980, for example, GCF was Rs 13649 crore. By 1990-91 this had risen to Rs 58363 crores. By 1993-94 GCF had shot up to Rs 79373 crores.

It is a singular irony that while the capital formed in the industry has escalated phenomenally, wages in the industry have actually been falling. According to estimates of the Indian Labour Journal, per capita daily earnings of those covered under the Payment of Wages Act, 1936 in the construction industry reflected the following trend:

<table>
<thead>
<tr>
<th>Year</th>
<th>Per capita daily earnings</th>
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<tbody>
<tr>
<td>1989</td>
<td>59.52%</td>
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<tr>
<td>1990</td>
<td>58.32%</td>
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<tr>
<td>1991</td>
<td>53.41%</td>
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<td>1992</td>
<td>39.97%</td>
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<td>1993</td>
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<td>1994</td>
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Recruitment patterns

Workers are employed through the agency of the labour contractor who is known variously as the mistry, mukadam or jamadar. This contractor is the link between the principal employer and the worker but he represents by and large the interests of the contractors. There are four methods of recruitment of labour:

- Direct recruitment of workers by the contractor
- Recruitment of workers from rural areas by labour contractors
- Recruitment of workers from city slums by labour contractors
- Recruitment of workers from the market place (naka, chowk) by principal employers or mistrys

On large sites contractors either recruit labour themselves or arrange for labour contractors to bring groups of workers from distant rural areas. Even when regular work is available on large sites for long stretches of time, workers are kept as temporary and not given any of the facilities due to permanent workers. Even in large government undertakings huge numbers of workers are kept temporary for years together. Many have managed to get their jobs regularized after years of struggle on the streets and petitions.
through the courts. It is significant that no paper work exists when it comes to employment of workers. While extremely detailed contracts are signed between the principal employer (or owner of the worksite) and the various contractors who undertake a project for them, spelling out the specifications of the work to be done and the materials to be employed, it is strange that there is never any reference to the number and types of workers to be employed for executing the work. Workers are treated as invisible throughout the process of tenders and contracts. Naturally then no minimum standards are set down for the employment of labour and the conditions in which they must work. Yet, it is a fairly simple job to estimate the types of labourers and the skills required at different stages of the construction process and to ensure that basic facilities exist for housing the required number of workers as well as their families.

**The Gender Factor:**

Work on construction sites is invariably divided along gender lines. The types of work that men do are labelled as skilled work and fetch higher wages than the work that women are allowed to do. Women are restricted to head loading and beldari jobs that involve fetching and carrying of materials and this type of work is labeled as unskilled work. Naturally unskilled work is paid less than skilled work. This division of labour seems to be prevalent everywhere in the country.

Even where men are hired to do beldari jobs, they are, by custom, paid a higher wage than women. The Equal Remuneration Act is flouted everywhere. On some jobs, men and women are treated as a couple and wages are paid to the man, not the woman. NMPS leader Geetha points out that is inherently unfair to label the woman construction
workers job work as unskilled. Assisting a mason and anticipating his exact requirement so that work can progress smoothly requires a high degree of skill, as does climbing scaffoldings and balancing loads of bricks. However these are not considered skilled activities. (The Tamil Nadu Construction Workers Union in A Space within a Struggle., edited by Ilina Sen, Kali for Women, 1990). In Tamil Nadu women and children on worksites are called chithals, literally meaning small people required for assistance. Male workers on the other hand are periyal or big people. On large construction sites, periyals act as watchmen over the other labourers. They often have the responsibility for curing operations at night that require watering freshly laid cement at intervals (Kaveri Joseph and Prasad, 1993).

The Legal Status of the Workforce

A National Campaign Committee for Central Legislation on Construction Labour (NCC-CL) was formed. Justice V.R. Krishna Iyer lent his stature to the campaign by assuming its Chairmanship. A core group comprising activists, lawyers, trade unionists and labour experts was formed. The membership of the NCC-CL comprised various independent unions as well as concerned individuals as it also received the support, from time to time, of the central trade unions affiliated to different political parties. R. Geetha, a veteran trade unionist from Chennai, was the moving force behind the campaign. The NCC-CL drafted a model bill and an accompanying scheme called the Construction Workers Regulation of Employment and Conditions of Service Act and a similarly named Scheme. These drew their inspiration from Maharashtra’s Mathadi Labour Act, that regulated work in the ports and docks as well as some major markets where labourers
head-loaded goods. Various committees of the Union Labour Ministry had previously recommended that a law be drafted specifically for construction workers but no action had been taken on these recommendations.

The NCC-CL’s model bill and scheme were presented at a workshop in Bangalore in July 1986 and discussed the issues threadbare. Construction workers themselves participated in the process to ensure that the law was functional and comprehensive. The Bill and Scheme envisaged the setting up of tripartite boards at the centre and state capitals, comprising the representatives of employers, employees and government. The boards would register workers and employers and regulate employment, allocating workers from its pool of registered workers to particular sites, as required by employers. The board would receive wages from the employers and pay the workers. The board would also ensure that social security provisions such as contributory provident fund and gratuity, group insurance, medical facilities and maternity benefits are paid. Employers were expected to make contributions to ESIS, provident fund etc, provide some funds for the running of the boards and pay a levy - 2 percent of the cost of construction. This levy or cess was critical to the scheme, ensuring its financial viability. Armed with the model bill and scheme, the NCC-CL stepped up its campaign. Justice Krishna Iyer invited a group of pro-labour MPs to discuss the proposal and also presented the model legislation to the Labour Minister. Copies were sent to the chief ministers of the states. Some 40,000 signatures of construction workers of different states were collected on a petition and a rally of various unions was held in New Delhi in November 1986. A delegation formally presented the petition and the model legislation to the Lok Sabha Petitions Committee.
Meanwhile the Labour Ministry had set up a Tripartite Working Group, comprising representatives of builders, employees and the government to recommend a law for construction labour. There was serious disagreement among the builders and union representatives and within the unions themselves, with the builders agreeing only to some statutory welfare and safety arrangements rather than regulation of employment and registration of workers. In the face of such disagreement, the working group could not produce a final report.

In December 1988 the Labour Minister in the Rajya Sabha introduced as draft legislation for the sector. The NCC-CL critiqued it because it did not provide for regulation of employment and recommended boards that were merely advisory. There was provision for registering employers but not workers and the focus was on health and safety, with some provisions on wages and accident compensation. Another problem was that the bill was restricted to sites where 50 or more workers were employed. That very month, the Petitions Committee called the NCC-CL to give evidence and it presented an eloquent critique of the proposed legislation. The Petitions Committee recommended that the bill pending in the Rajya Sabha be withdrawn and a more comprehensive law be introduced.

In theory, by the 1980s, some 25 laws governed the status of workers in the construction industry ranging from the Inter-State Migrant Workers. Act to the Maternity Benefit Act, 1961 and the Equal Remuneration Act, 1976. In practice, however, not a single law was ever enforced. Usually, it is trade unions that push for enforcement of labour laws and report violations to labour officials. But unions are rare in this
unorganized sector industry. Activists who tried to organize construction workers realized that unionization is extremely difficult because of the shifting, impermanent nature of the work. The construction industry is practically the only industry where the workplace changes from day to day and so does the workforce. Activists puzzled over the problem realized that the absence of a stable employer-employee relationship was the real reason for the failure of implementation of existing laws. These laws were designed for more conventional industries. They felt that the only way to crack this nut was to introduce some method of regulation of employment itself. One of the few strong, independent unions in the construction sector, the Tamil Nadu Construction Workers Union (TMKTS), organized a national seminar in Delhi in November 1985 to discuss the situation of the workers and the lack of legal protection. The seminar concluded that the existing laws were inappropriate to the peculiar nature of the industry and therefore simply inapplicable. Plans were made to draft special legislation suited to the needs of the industry and its workforce (Sudha Narayanan 2007, paper in Journal of Economic & Political Weekly).

The Tamil Nadu Experience

In Tamil Nadu the TMKTS had been organizing construction workers on a sustained basis since 1979 and was involved in drafting a model bill for construction workers of the state in 1981. Two decades of sustained agitation, processions, picketing, even striking work, have yielded gradual results, including two state level Acts to benefit workers and welfare measures such as payment of immediate accident compensation of Rs 20,000 from the Chief Minister’s Relief Fund for fatal accidents. In 1983 a committee
was set up to fix minimum wages for construction workers. In October 1983 the government also passed the Tamil Nadu Building and Construction Workers. (Conditions of Employment and Miscellaneous Provisions) Bill, but the unions considered it an inadequate and flawed law and organized mass protests against it. In 1982 the Tamil Nadu Manual Workers Act was passed by the state legislature and promised some relief for construction workers among other sections of labour. However, the Act was not notified and remained inoperative for several years. It envisaged a welfare fund but there was no provision for levy from employers that would form the corpus for the fund. In the early 1990s mass agitation finally led to an amendment, imposition of a levy from builders, and application of the Act to the three cities of Madras, Madurai and Coimbatore. Boards were set up here and a Scheme announced to register workers, start a welfare fund and provide crèches, provident fund, group insurance and pension. Eventually, the Act became applicable to the entire state in 1976. When the two central Acts were passed, Tamil Nadu sought and received exemption on the grounds that it already had more beneficial legislation in place. The quantum of benefits possible through appropriate legislation is evident from the Tamil Nadu experience. Here, workers who register with the State Welfare Board by paying a fee of Rs 25 are entitled to group personal accident insurance, financial assistance of Rs 2000 for the delivery of a child or for miscarriage, assistance for children’s education and marriage and assistance to the family on the worker’s death. Until October 31, 2000, for instance, the contribution collected by the State Welfare Board was over Rs 25 crore. As many as 2,63,262 workers had registered with the Board of Insurance benefits were paid for 58 workers who died in
accidents or were injured over Rs 55 lakhs was distributed as accident benefit. However, there are shortcomings. By the middle of 2004, the Board had collected over Rs 70 crore as levy but it has not been paying the promised pension of Rs 200 per month as no Government order has been issued for this purpose. (Kiran Bhatt, 2006 paper in Economic and Political Weekly).

**Status of Women Construction Workers in the Unorganised Sector:**

The construction industry is employing over 2 million people that are more than 1 in 14 of the total Indian workforce (CITB, 2003). The role of the women in employment is changing radically in most societies and in Britain women constitute just over half of the total workforce. However women currently make up around 10% of the indian construction workforce (NAWIC, 2009) compared to 50% of the total workforce. This means that there are fewer women in the construction sector. Court and Moralee (1995) noted that the under-representation of women in construction only became an issue in the 1980s. In 1988, less than 7% of the full time construction industry workforce in india was women. The Equal Opportunities Commission (EOC, 1995) stated in its annual publication that ‘women continue to be significantly underrepresented in the primary sector (agriculture and energy and water), in most manufacturing, in transport and communications and, in particular, in the construction industry. Since then, there have been number of studies carried out by various researchers on the under-representation within the construction industry (Gale,1994; Fielden et al,2000). The studies in these areas have been invaluable in pinpointing the factors militating against the participation of more women in the construction work place, and in particular, the recruitment into the
construction sector (Agapiou, 2002). Increasing the number of women in construction in the industry is seen as a good thing based on the assumption that ‘more’ will mean better (Greed, 2000).

However Greed (2006) argues that more (women) does not necessarily mean better. What is important is to question whether an increase in the number of women entering the construction professions will result in changes in the culture of the construction industry (Greed, 2006). The issue regarding lack of women in construction has been made more prominent, attracting government and industry wide attention, due to the skills and labour shortages facing the industry. The Indian government and the industry, therefore, examine the ways to encourage women into traditionally male dominated jobs through various initiatives. Though researchers have focused on how to improve the participation of women in the construction workplace, the objectives seem to be aimed rather towards solving the labour resources crisis and skill shortages than improving equal opportunities for women (Agapiou, 2002). In contrast, certain benefactors are mainly focusing on the equal opportunities of women. These bodies provide immense support to attract more women into construction by means of providing training to women, educating the women with the knowledge of construction career opportunities and providing mentoring. Thus it is important to understand the impossibility of building a modern nation on the basis of both exclusion and inequality. Despite the number of initiatives which have been introduced to solve the skill shortages and to improve the equal opportunities for women, the industry has failed to make significant progress in recruiting more women.
Women are also playing an important role in construction work. In case of women construction workers, the problems at work site the problems are more, as they have to look after husband, elders and children. Further, there are temporary in which they are living, which shows the lack of social security and privacy. Majority of the women construction workers are illiterates and they have no know about the work.

The definition of Unorganised sector worker, according to the bill (the unorganised Sector workes’ Social Security Bill, 2005 (USWSSB) means a person who works for wages or income directly or through any agency or contractor, or who works on his own or her own account or is self-employed; in any place of work including his or her home, field or any public place; and who is not availing of benefits under the ESIC Act and the P.F. Act, individual insurance and pension schemes of LIC, private insurance companies, or other benefits as decided by the Authority from time to time. This definition needs further clarification because many workers for example contract workers in hazardous occupations, who might avail ESI benefits, may not get any other benefits like PF or insurance. But, the bill puts a blanket ban on the entry of workers under the purview of then bill who avail either of these benefits.

India has a long past civilization and in every stage of its history, women constitute half of its population, but their position in society is not the same in all the ages of history. Their position has been variously estimated and diametrically opposite views are current regarding their place in different stages of Indian civilization (Parmar, 1973). Several factors including foreign invasions for centuries together, social movements, various geographic regions, different economic occupations, political stability and
instability and religious affinity of the family to which woman belongs have always greatly influenced her status in the family as well as in the community (Gaur, 1980).

The construction industry has several features that distinguish it from most other industries so far as the status and welfare of the workers is concerned. The majority of construction sites are of a temporary nature, since most structures require little attention of construction workers once construction is completed. This factor, making for mobility of labour in the construction industry, raises special problems on sites, where temporary arrangements must suffice for the provision of welfare amenities. The construction workers fall in the category of unorganized sector. Though this predicament is not exclusive to them, however, highly disorganized and fragmented state hamper their bargaining power and fight against injustice. Neither their job nor their work at a particular site is permanent or of a perennial nature. Mobility of certain construction workplaces may also affect the provision of welfare facility. Some work-places such as house construction sites are stationary, while others such as those for the laying of pipelines and construction of road ways, canals, railways, and water mains, move as the work progresses, so that the site conditions are even more temporary (Anand, 1986).

Sometimes the nature of construction industry results in many sites being not only far away from workers’ homes, but also from the normal social and health amenities associated with community line (Subramanian, et al, 1982).

In such cases, in addition to temporary housing, a whole range of social amenities are to be arranged, which might require careful planning and expenditure. It means that the presence or absence of social amenities in the immediate neighborhood would have
considerable bearing on welfare requirements at the site itself. There is need to provide adequate installations of such mechanism should be provided in order to exhaust dust in the construction site.

Protective clothing, in particular coats and gloves, should also be supplied to them in order to prevent spoliation of their apparel with cement dust, which might ‘cake’ should the clothing become moist, as during a shower, and also to protect their skin from allergic reactions. Construction labourers work under very hazardous and inhospitable conditions. There is no scheme like ESI coverage for them. In the extreme cases like death, nobody owns the responsibility.

Apart from these, there are more creational facilities, no availability of drinking water, toilets, canteens etc. In big cities, like Delhi, they face another big problem of commuting from one place to the other. They have to commute on their own. Traveling from the place of living to the work site and then back to the living place consume much of their time, money and energy. The commutation is not even smooth. Therefore they have much of leisure to spend with family, and less of money and energy to cater the needs of family members.

Migration from different states to other states in India has now become so rampant that its impact is felt in every aspect of life. Migration has become a way of life to many, who are unskilled and semi skilled and for those who find it difficult to get better jobs within their native places and locality. These migrant workers are spread across the length and breadth of the country.
Construction labourers are labourers who are migrated from different regions and states leaving their native villages in search of daily job. These people in general are nomadic in their life and usually do not return to their place of birth or native places. They travel from one area of work to the other area along with their families and live in a place, which is either provided by the owner of the construction company or somewhere nearby, building temporary shelters. Great majority of these construction workers are deprived of general health facilities, education, permanent housing, pure drinking water, and such other essential amenities.

The government has given the right to get registered to these workers. The process of getting registered is not easy and workers friendly. However, once registered, they are entitled to a number of benefits like, pension after the age of 60, concession loans for house, group insurance, financial aid for dependents, children’s education etc. Still there is long way to go.

While women represent 50 per cent of the adult population and one third of labour force, they perform nearly two - third of all working hours and receives only one-tenth of the world income. Human Development Report for the year 2000 on the amount of time that women and men spend on market and nonmarket activities by considering 31 countries reveals that women work longer hours than men in nearly every country. Women carry out on an average 53 percent of total burden of work in developing countries and 51 per cent of that in industrial countries.

**Women and Construction work:**
The primary safety and health hazards for the construction worker are: falls, being struck by/against (falling object, machinery), caught in/between (trench cave-ins, between vehicle and object), electrocution, musculoskeletal disorders (lifting, awkward postures, repetitive motion, hand-tool vibration, flying/falling objects), and exposure to a variety of chronic health hazards (noise, silica, asbestos, manmade fibers, lead and other metals, solvents, hazardous wastes, heat, and extreme cold). While these health and safety issues affect both men and women, women working in construction have additional safety and health concerns, and some safety and health hazards have a greater impact on female construction workers. Inadequate physical protection, a possibly hostile work environment, and their status as a small fraction of the construction workforce are factors that add to women's concerns. The construction industry as a whole is facing a nationwide crisis with respect to the availability of trained labor. With the demand for labor outstripping supply, construction employers need to expand their recruitment efforts to previously untapped labor sources, including women.

Workplace culture:

The construction industry has been overwhelmingly male dominated for years, and on many jobsites women construction workers are not welcome. Sex discrimination and anti-women attitudes are still widely prevalent on worksites, despite the fact that sex discrimination is illegal. Several studies have shown that female construction workers suffer from gender and sexual harassment, a factor associated with low job satisfaction as
well as psychological and physiological health symptoms and workplace injuries. NIOSH found that, in a one year period, 41% of female construction workers suffered from gender harassment. In the CWIT study, 88% of the respondents reported sexual harassment. Isolation—working as the only female on a job site or being ostracized by co-workers—evokes both fear of assault and mental stress. Many tradeswomen report that they are reluctant to report workplace safety and health problems lest they be tagged as complainers or whiners, straining further their workplace relationships and jeopardizing their employment situation.

**Problems of Women Workers**

It is a recognized fact that there is still no society in the world in which women workers enjoy the same opportunities as men. The Women in unorganised sector are facing so many problems. According to the 2001 census about 96 percent of women workers in India are in the unorganised sector due to the compulsion and employer’s preference for female employee. Their ignorance, illiteracy and poverty have added fuel their woes all the more. Women are considered the human resource of choice for the unorganised sector because they lack education and training and are amendable to accept lower wages for equal work due to gender casting. On the basis of Government reports the major problems faced by women are:

1. Women are required to work under very poor working and living conditions
2. Women workers are paid lower and marginal wages
3. They have to work for long hours even forced to work in late night without protection
4. They suffer from Job in security and under employment.
5. They are deprived of adequate social security, safety and welfare provisions
6. They are not adequately protected by any government labour legislations
7. They have to face sexual harassment at the workplace.
8. There is no job security

The various problems faced by the workers and identified for the purpose of the study were categorized as problems relating to:

1. Working Conditions
2. Living Conditions
3. Time of Work
4. Remuneration
5. Security
6. Harassment
7. Protection of Rights

The unorganized sector has been more vulnerable and most ignored sector in India. It holds an important place in the India economy. Hence the unorganized women workers’ development should be viewed as an issue in social development. In order to get empowerment the government and the social workers may contribute significant role in making workers capable, self-reliant and well organized. It is worthwhile to create the awakening among unorganized women so that they can come up by taking care of themselves. Thus, there is no exaggeration in saying that the backbone of Indian workforce is the unorganized sector. Yet there is a tendency to ignore this mass of
workforce as these millions who belong to unorganized sector are politically powerless and economically weak. In view of these facts, there is an urgent need to give top priority to the issues and problems of the workers in the unorganized sector.

Labour is a service performed by workers for wages as distinguished from rendered entrepreneurs for profits. It is also meant as an economic group comprising those who do manual labour or work for wages. Labour as a policy in India, has evolved in response to specific needs of the situation to suit requirements of planned economic development and social justice and has objectives of maintaining industrial peace promoting the welfare of labour reforms. The Government of India is committed to the task of carrying forward the process of labour reforms which is an integral part of the Government’s economic policy. In order to meet certain immediate needs, the government initiated steps to carry out amendments in some important labour laws to make them relevant to the changing needs of the contemporary society. Accordingly amendments were carried on in the Trade Unions act, 1926; Industrial Disputes Act, 1947; Payment of wages Act, 1936; Factories Act, 1948; employees Provident Act, 1965 and child Labour Act, 1986.

India has all along followed a proactive policy in the matter of labour policy which India has evolved in response to specific needs of the situation to suit requirements of planned economic development and Social justice and has a two-fold objective namely maintaining industrial peace and promoting the welfare of labour. Workers who have not been able to organize themselves in pursuit of their common interest due to certain constraints like causal nature of employment, ignorance, exploitation and illiteracy are termed a unorganized sector. According to the Central Statistical Organization, “The
unorganized sector includes all those unincorporated enterprises, the household industries which are not regulated by any legislation and which do not maintain annual accounts or balance sheet.’ The unorganized sector of the economy is primarily labour-intensive but less rewarding to the workers in compensation to their efforts put in production. The characteristics of the unorganized labour are specified by the Second Commission on Labour (2002) as self – employed persons involved in jobs, agriculture workers and home-based artisans. The nature of the employment relationship is the key determinant factor of unorganized labour.

The various types of labourers under unorganized sector included,

Handloom and Silk Weaving (HHSW),

Tree Climbers (TREE),

Loading and unloading porters of Public sector vehicles (LULT),

Scavengers (STVE)

Tailors (TAIL)

Auto and Taxi drivers (AUTO)

**Working conditions:**

The various causes pertaining to working conditions include less hygienic conditions, old machines, more than the specified hours of work, low wages, insecurity, obsolete technology and no latest technology. In order to highlight the most dominant cause affecting working conditions in the study area of Madurai City.

**Living Conditions:**
The various causes pertaining to living conditions include poor living environments, low income, more dependants, family without harmony and indebtedness. In order to highlight the most dominant cause affecting living conditions of women construction labourers in Madurai City.

**Time of work:**

The various causes pertaining to Time of work include, more hours of work, no over time payment and shift in work. In order to highlight the most dominant cause affecting time of work between women construction labourers in Madurai City.

**Remuneration:**

The various causes pertaining to Remuneration include moderate remuneration, low bonus, and income disparity, break in getting wages, non-application of laws. In order to highlight the most dominant cause affecting Remuneration of women construction labourers in Madurai City.

**Insecurity**

The various causes pertaining to Insecurity include no legislatures for women labourers’ security, no job security, anxiety at familial front and Insecurity at financial point. In order to highlight the most dominant cause affecting insecurity of women construction labourers in Madurai City.

**Harassment:**

The various causes pertaining to harassment includes sexual harassment, financial harassment, Harassment by family members, Harassment at Community wise. From the
study, the researcher highlights the problems of harassment on women construction labourers’ lives.

**Protection of rights:**

The various causes pertaining to protection of rights include Protection at wage level, protection at work spot facility level, job protection and health protection. In order to highlight the most dominant cause affecting protection of rights of women construction labourers in Madurai City.

**Legislative Security**

There are many legislations enacted for the welfare of the workers of the unorganised sector. All the central labour laws are applicable to women workers in the unorganised sector. The historic universal declaration of Human Rights, hailed as the international Magana Carta Mankind is a Bill of rights which oppose discrimination between the sexes: The Indian Constitution has given due recognition to unorganised women’s work. All these things proved to be failure due to the complex situation of the unorganized sector. The enforcement machinery proves to be ineffective.

The Maternity Benefit Act of 1961 protects the dignity of motherhood by providing the benefit of leave with full wages. The Equal Remuneration Act of 1976 provides the payment of equal remuneration to men and women workers for their same harassment of working women amounts to be the violation of rights of gender equality. Detailed norms and regulations for the prevention of sexual harassment of women workers at workplace are given under article 141 of the constitution of India.
Occupational health hazards in construction work:

Physical hazards includes falls from height; trench carrying in; being struck by falling objects; machinery and vehicle hazards; electrocution; musculo skeletal disorders (MSDs) from manual handling of heavy loads, awkward postures, repetitive movements; hand arm vibration, whole body vibration; noise; extreme heat and extreme cold.

Chemical hazards arise from working in dusty trades and using a variety of materials and substances that contain harmful chemicals. For example: silica from cement, plaster, stone, ceramics and marble; asbestos fibres and exposure to dust from asbestos containing materials such as asbestos cement or fibre boards or insulation materials; wood dust; manmade fibres such as rock wool; exposure to lead, cadmium and other metals in welding operations; exposure to solvents, pesticides, formaldehyde and other chemical products used in varnishes, paints, fillers, timber treatments and wood finishes; hazardous waste;

Biological hazards are due to lack of welfare facilities, protective clothing and equipment, lack of sanitary and washing facilities; lack of canteen and rest/ shelter facilities; lack of storage for work and street clothes; lack of HIV AIDS prevention programmes, or prevention of malaria and dengue. Insect bites, snake bites, tetanus, etc., Lack of ante natal care and help for childbirth. Lack of clean drinking water, leading to parasitic diseases, diarrhoea, dysentery, cholera and etc.

Psycho social hazards emerge from poverty and hunger; informal employment; exploitative labour practices; low wages, long hours and insufficient rest breaks;
inadequate training and equipment; bullying; fear of accidents; lack of trade union representation and opportunity to exercise basic rights; inability to refuse dangerous work without fear of victimisation, stress.

**Women and Hazards**

These health and safety issues affect both men and women, but women working in the building and timber trades have additional safety and health concerns, and some safety and health hazards have a greater impact on women workers.

- Specific health problems that particularly affect women either because of the kind of jobs they do or because of physiological differences are:

  - Musculo skeletal disorders from repetitive work, heavy work or awkward postures.
  - Respiratory problems from dusty jobs; dust laden environment such as stone breaking.
  - Skin problems, twice as many women as men suffer from dermatitis.
  - Problems with reproductive health, infertility, spontaneous abortions (miscarriages), damage to the foetus, malformations.
  - Chemical exposures that affect particular organs, for example solvents
  - Specific cancers, for example breast, cervical, ovarian.
  - Discrimination, bullying and sexual harassment and sexual violence are also serious problems encountered by women at work. Inadequate physical protection, a possibly hostile work environment, and their status as a small fraction of the construction add to women's woes.

According to the USA OSHA Advisory Committee on Safety and Health in a recent study on women in construction “The prevalence of a hostile workplace, restricted
access to sanitary toilets, protective clothing and equipment in the wrong sizes, and poor food on the job training these were significant issues that adversely impacted women’s ability to perform their jobs safely”. Many of these problems can be changed through engineering, behavioural, or administrative intervention. Employers have the duty to provide equal safety and health protection for all workers, regardless of gender. In developing countries basic needs have to be addressed. Adequate provision must be made regarding access to clean, safe water, shelter, child care, medical care and help during pregnancy and child birth. Many women from rural areas migrate to the big towns and cities in search of unskilled day labouring work on construction sites, stone breaking, mixing cement and plaster, digging trenches, digging out clay or carrying bricks and materials to the plasterers, bricklayers or other tradesmen. These families of rural – urban migrants, men women and children, live in rough environments on the roadsides, on any space which offer some shelter such as under bridges or flyovers or on the building sites themselves. These are unauthorised settlements without even basic amenities, where families live in conditions of great vulnerability. Brick kilns, quarries and rural roads construction are other sectors where many women work, often accompanied by their children, who are either playing or working alongside their families on these sites. Serious health problems of diarrhoea, malaria, malnutrition, coughs and fever affect them, as well as the effects of exposure to dusty and smoky environments. The threat of accidents is always present. It is the woman’s task to find and fetch water for cooking, drinking, bathing and for washing a few utensils and clothes that the family has. It can be a humiliating experience trying to find and fetch water and fuel. Trade unions, and
society as a whole, need to address these basic needs and, in particular, to support women with advice on women’s health and problems, to help with ante natal care and birth, and to advise women about rights, possibilities of benefits and the importance of registration of the new baby. In practical terms, trade unions can provide training sessions for organisers to work with women on these important areas, they can organise health camps and outreach work. Unions can help with provision of water, safe places to find some shelter, provision of tarpaulins and bedding to construct shelters and help women to organise low cost child care arrangements among themselves. Unions of course advise, inform and train on employment rights and on the very important area of health, safety and welfare at work. This is done at the union premises, at pick up points for day labourers and through site visits. Recognising the relationship between health hazards at work and the development of disease in both men and women workers can be quite challenging.

Many occupational diseases and disorders are due to months or years of exposure to unhealthy environments before the symptoms become a really a serious problem. Deafness, long term pain from lifting, respiratory diseases or occupational cancers are examples to mention a few. By that time, the person may not be able to work and the condition may never be recognized as being occupational. Most health problems are multifactorial in origin, and women have multiple exposures to health hazards. Non occupational risk factors may also play an important role in aggravating some occupational conditions. For example lifting and carrying at home means no rest from workplace loads. Using detergents and chemical products at home can make skin
allergies worse. Cooking and living in a smoky or dusty or damp environment can aggravate respiratory troubles. Recognising and understanding women's occupational health hazards has been made more difficult and enigmatic because of the idea that women's jobs are “light” and 'safe'. The hazards in women's jobs are not obvious when we look at compensated work accidents and injuries. Men have about ten times more compensated industrial accidents per worker than women. Everyone understands that breaking a leg at work is an occupational problem but an allergy, inflammation or cancer that develops more slowly is not so easy to relate and comprehend in the working conditions. The labour force is still very much divided by sex, so women and men do very different work and are exposed to different risks. Women's jobs often have a lot of repetition, monotony, static effort and multi tasking which can lead to serious health problems. Design of workstations, equipment, task demands and work organization are calculated for the average male body and may cause problems for women. Many benefits such as social security, sick leave, maternity leave, child care, medical care and access to education are not available to women in the building and timber trades, particularly in developing countries. Women and men are not distributed at random over the labour force, but are segregated into specific industrial sectors and jobs within these sectors. It is well known that there is also vertical segregation in the job market. It is much more common for men to be in positions of higher prestige and authority. Women may work for years in our sectors and have no access to vocational training or skills certification and may never be recognized and employed as skilled or semi skilled workers. Women
permanently carry out the cheap, unskilled and heavy labour of carrying materials to the skilled tradesmen.

The occupational health problems of women have been largely invisible. Nevertheless, many reports from the World Health Organisation and the International Labour Organisation point to some of the problems and give recommendations for their prevention. Some of these reports are highlighted on this website (http://pdfcast.org/pdf/health-hazards-in-construction-work). Several studies from the World Bank also conclude that women are at risk of occupational injuries and ill health. For example a study conducted in 1996 about women in India found that 'Indian women encounter health hazards in virtually all their occupations. ' Another World Bank report in 1995 described Indonesia's weak enforcement of labour laws as resulting in less than desirable conditions for working women violations of labour contracts, exposure to dangerous substances, high noise levels, physically exhausting and repetitious tasks, and vulnerability to sexual harassment were all identified. In the informal sector, long working hours and unhealthy working conditions were noted. Poor sanitation, inadequate water supply and rubbish disposal, heavy indoor air pollution and overcrowding create serious health risks to the poor. Indoor air pollution contributes to acute respiratory diseases, chronic lung disease, cancer and adverse pregnancy outcomes, while crowding increases respiratory infections and frequency of personal violence.

**Musculoskeletal disorders:**

Handling heavy loads is the most commonly resultant musculoskeletal condition. Although women in many countries do carry heavy loads, women's working conditions
also include other, less visible stressors: highly repetitive work and prolonged standing, for example. In many jobs assigned to women the work cycle is under ten seconds long and the same movements are repeated many thousands of times in a day. These movements can individually make trivial demands on the human body, but the enormous degree of repetition can cause serious injuries. Repetitive strain injuries are most common in the wood processing and furniture sectors where fast paced, repetitive work is required, without sufficient breaks to prevent fatigue. Often there is piece work, or productivity pay, which speeds up productivity demands. Typical symptoms are pain and tingling in the neck, shoulders, arms, wrists and hands. Women working in construction in South Asia suffer long term pain from manual handling of heavy loads without sufficient rest pauses. In particular, back, neck and shoulder problems are faced by women. Lifting and carrying heavy loads may also result in difficult pregnancies. Stone breaking is one of the worst and lowest paid jobs in the quarrying and construction sector.

Women are smaller on average than men and are proportioned differently. Tools and equipment are not always available in the right dimensions for women, and women may develop ways to do specific tasks which are different from those of the average man. They may find ways to change lifting tasks into pushing and pulling tasks, but where there is little control over task demands or design of the work station and equipment this can cause problems.

**Respiratory problems**

From working in dusty trades, asbestos, crystalline silica, cement and wood dust can all cause serious lung diseases, including cancers.
Skin allergies and diseases

Handling abrasive materials like stone, bricks and timber, as well as skin diseases caused by exposure to chemical substances such as solvents or pesticides all cause skin problems.

Accidents and injuries

Women are also exposed to risks of accidents, falls, being hit by falling or flying objects, crush injuries, back injuries, burns, electrocutions and machinery hazards are the main problems. The propensity to suffer occupational accident or injury is affected not only by the inherent risks of the work itself, but by the individual's ability to control or avoid those risks; an ability which is reduced by factors like lack of sleep, lack of proper nutrition, fatigue, stress or exhaustion. Long working hours and heavy manual labour take a heavy toll on their health.

Stress and heart disease:

Studies link several workplace factors (degree of job control, level of demand) to effects on the cardiovascular system and found that jobs assigned to women are characterised by a low level of decision making and more likely to be stressful. The double workday is another source of stress. Coronary artery disease is the most common cause of death among women, and more women than men report hypertension. Heart disease is still thought of as a man's problem and it is indeed a paradox.

Reproductive health problems:
The female reproductive system is not necessarily more vulnerable to toxic agents, but the effects of these agents may be different from those observed on males for a number of reasons: Women possess their germ cells from birth, and these may be more susceptible to some toxic substances than the cells of the rest of the body; Reproductive health in the female involves a complex hormonal balance which can be easily disrupted by exposure to toxic substances with possible damage to the woman herself and to the offspring; The foetus is usually more vulnerable to those environmental and occupational agents which can penetrate through the placental barrier.

Women have the task of collecting water, on top of their work tasks. They may typically be carrying 20 to 25 kg loads over 2 – 5 kilometres once or twice each day on rough ground and in very high temperatures. Many are pregnant or breast feeding. Long working hours, anaemia, malnutrition and frequent childbearing exacerbate the occupational health problems in many countries. Indian women, for example, typically work until late in their pregnancies, with no special provisions for rest or food. Water in South Asia and many African nations has to be carried to long distances over difficult terrain and this kind of strenuous physical effort is linked to increased rates of miscarriage. In developing countries, where unhealthy industries and environmental contaminants have often been exported from the industrialised world, these new health risks are added to the traditional reproductive risks of women. In fact infection-related infertility and infant mortality are aggravated by exposure to chemical and physical pollutants. Low birth weight and prematurity, widespread problems in undernourished populations can be exacerbated by heavy and stressful work and long working hours.
which are typical among women in the newly industrialised countries. The types of negative reproductive outcomes include effects on the menstrual, ovulation and hormonal patterns, with consequences for the fertility of couples and fertility of women; and effects on the pregnancy outcome, such as the increased risk of miscarriage, premature birth, low birth weight, and congenital defects and disease in the offspring.

**Effects of Occupational hazards on reproductive function and fertility of women**

The menstrual cycle can be disrupted by strenuous physical work, and several studies have shown the effects of physically demanding and stressful work both in developing and industrialized countries. Chemical agents present in unhealthy work environments are also known to affect the reproductive system; this has been reported among women involved in the application of pesticides. **Solvents**, such as benzene, styrene and formaldehyde have also been associated with menstrual and ovarian function disturbances and reduction of fertility. Researchers in the Finnish Institute of Occupational Health, for example, showed that women exposed to solvents (almost always within the 'acceptable occupational exposure levels') often had to wait much longer in order to conceive than those not exposed.

**Effects of workplace exposure on the pregnancy and offspring of women workers**

Work exposure of the mother during pregnancy can cause a range of negative effects on the offspring, ranging from early foetal death and miscarriage, premature birth, birth defects, low birth weight, and childhood cancer. In recent years, evidence has accumulated linking miscarriage to environmental and occupational factors. Many solvents are among the toxic substances routinely used at work and at home. They
penetrate rapidly by inhalation or through the skin into the body, and they can also pass through the placenta to the foetus, and many solvents can cause spurious effects.

**Heavy workload and postural factors**

The first large study on the negative impact of workload on pregnancy was conducted in Montreal and was based on data from over 30,000 women. Conditions which appeared to contribute most to spontaneous abortion and low birth weight were long working hours (more than 40 hours/week), physical effort and lifting heavy objects. This last factor has been confirmed by other more recent studies, which have also identified frequent bending and chronic abdominal pressure as potentially constituting a risk, of late abortions in particular. Physical labour of the mother has long been known to be a risk factor not only for spontaneous abortion (miscarriage) but also for low birth weight and premature birth of the baby. Posture, working with machinery, physical exertion, mental stress, and lack of rest breaks are all risk factors.

**Sexual Harassment in Construction Industry:**

While sexual harassment has been a pervasive problem for women throughout history, only in the past three decades have feminist litigators won definition of sexual harassment as a form of sex discrimination and have women come forward in droves to demand remedies and institutional change. In India, sexual harassment in employment, housing (harassment by a landlord or building manager), or academia is illegal. Women around the world are beginning to tell their sufferings and expose the pervasiveness of sexual harassment in their societies. A 1992 International Labour Organization survey of 23 countries has revealed what women already know: that sexual harassment is a major
problem for women all over the world. Sexual harassment affects women's mental and physical health as well as their social and economic status. The level of tolerance for sexual harassment varies from culture to culture.

**Sexual Harassment**

Any of the following unwanted behavior may constitute sexual harassment:

- leering
- wolf whistles
- discussion of one's partner's sexual inadequacies
- sexual innuendo
- comments about women's bodies
- 'accidentally' brushing sexual parts of the body
- lewd & threatening letters
- tales of sexual exploitation
- graphic descriptions of pornography
- pressure for dates
- sexually explicit gestures
- unwelcome touching and hugging
- sexual sneak attacks
- sabotaging women's work
- sexist and insulting graffiti
- demanding
- inappropriate invitations
• sexist jokes and cartoons
• hostile put-downs of women
• exaggerated, mocking 'courtesy'
• public humiliation
• obscene phone calls
• displaying pornography in the workplace
• insisting that workers wear revealing clothes
• inappropriate gifts
• sexual assault
• soliciting sexual services
• stalking
• leaning over, invading a person's space
• indecent exposure

**Sexual Harassment and Workplace Issues**

Sexual harassment is a form of sex discrimination when it would not have occurred but for the person's gender. It is covered under [Title VII of the 1964 Civil Rights Act](https://www.justice.gov/crt/titles-7). Some of the most recognized forms of sexual harassment are:

• Direct sexual advances or propositions, including higher-ranked employees asking for sexual favors.
• Intimidating or excluding women employees to jeopardize their employment status.
• Creating a hostile work atmosphere for women by using sexist jokes, remarks, or pinning up sexually explicit or pornographic photos.

Sexual harassment is not mutual and is unwelcome. It is rude, demeaning behavior and is usually about the abuse of power. In fact, sexual harassment psychologically hurts the women involved and the work atmosphere. According to the National Council for Research on Women, women are 9 times more likely than men to quit their jobs, 5 times more likely to transfer, and 3 times more likely to lose jobs because of harassment (The Webb Report, June 1994). There may be serious economic and psychological consequences as a result of sexual harassment. A woman's job status may be jeopardized and she may lose wages if she is fired or takes extended leave to avoid the harasser. The 1994 Merit Systems Protection Board Study of sexual harassment noted that women in the traditionally male-dominated occupations such as construction, policing and the military are more likely to be harassed. Additionally, other studies have found that harassment is more commonly found in female-dominated workplaces where majority of women earn low wages and the management is predominantly male (Frank E. Saal, 1996). A victim of sexual harassment may file legal claim even if she has tolerated the behavior for fear of retaliation or losing her job. The law remains unclear whether a woman "who is not herself the object of sexual harassment might still have a hostile environment claim." (Anja Angelica Chan, JD 1994). Offensive and demeaning behaviour does not have to be tangibly detrimental (ex. wage loss, passed promotion) to the job to be considered sexual harassment.

Preventing Sexual Harassment in the Workplace
**Employer Liability**

Employers are undoubtedly responsible for the conduct of supervisors and managers. Employers also have a responsibility to protect their employees from harassment by non-employees (e.g., customers, vendors, suppliers, etc). Managers are liable for sexual harassment between co-workers if they knew or should have known about it and took no steps to stop it. The existence of a company grievance procedure alone does not automatically insulate employers from liability. Employers should also take responsibility to take action against sexual harassment once they are aware it is occurring.

An effective sexual harassment policy stresses the illegality of sexual harassment and delineates a clear and appropriate complaint process while ensuring the confidentiality for the victim. Additionally, such a policy encourages witnesses or victims to report the behaviour immediately and mentions that retaliation against persons reporting harassment is illegal and will not be tolerated. Once finalized, an organization's sexual harassment policy should be distributed to all employees and a copy posted in an accessible and prominent location. Employers should also consider scheduling seminars or workshops on sexual harassment to promote company-wide knowledge of the policy. Many states have drafted state prevention model policies for employer use. Other employer resources concerning may be obtained from federal employment discrimination enforcement agencies such as the Equal Employment Opportunity Commission (EEOC).

**Benefits of Sexual Harassment Policies**
Ignoring problems of sexual harassment can cost the average company up to $6.7 million a year in low productivity, low morale, and employee turnover and absenteeism, not including litigation or other legal costs. Following clear and proactive formal policies against sexual harassment in the workplace is one way to prevent lawsuits and drops in productivity and efficiency. ("Sexual Harassment in the Fortune 500, Working Woman in United States, Dec. 19, 1988).

Legal Remedies

If one decides to file a complaint with an outside agency, it is advisable to consult an attorney, although she is not required to retain a counsel in order to file. Attorney referrals can be obtained by contacting local (e.g. women's centers, rape crisis centers) or national women's organizations, one’s union (if member), specialized employee interest groups, law schools, legal aid community services, state Fair Employment Practice (FEP) agencies, or state Equal Employment Opportunity Commission (EEOC) offices. In addition, one’s friends and professional contacts may know suitable attorneys.

Overview of Legal Options:

Remedies under Civil Law

- **Filing one’s claim with the EEOC** (under Title VII of the 1964 Civil Rights Act)

  One must file a claim with the EEOC within 180 days of the last incident of harassment to begin the process for obtaining relief under Title VII. An EEOC claim can be filed in a manner to protect the victim's identity. Title VII covers all public and private employers in the United States, as well as U.S Citizens working for a U.S. company based in a foreign country. Complaints can be filed through EEOC district
offices which are located across the United States. The Civil Rights Act covers only companies with 15 or more employees. State fair employment agencies (FEP) laws may be more generous and may get extended to smaller companies.

The EEOC conducts its own investigation of the company or organization. Through the investigation, the EEOC determines whether or not harassment occurred, whether harassment is provable in court, and whether other employees have suffered from sexual harassment as well. Upon finishing the investigation, the EEOC makes a determination. If the EEOC finds in the favor of the victim (agrees that one is harassed), it can pursue (settle) the case for the person (happens in less than 1% of cases filed) or issue a 'right-to-sue' letter so that one’s lawyer can file a lawsuit independently. If the investigation finds that the person is not harassed, then she can appeal the EEOC's finding.

The EEOC investigation can be lengthy and may prolong for a year. If a person does not want her attorney can skip the EEOC investigation; but one must at least file a claim with the agency before she can obtain the right to sue letter that allows her to enter court.

Few sexual harassment cases get to federal court, and those that do can take years. Victims who win sexual harassment cases in federal court can receive the following remedies: attorneys fees; reinstatement of promotion; compensatory and punitive damages; pay for lost wages and benefits; injunctive relief (changes in workplace policy and practice to prevent future harassment). The amount of damages awarded depends on the size of the company.
• **Filing your claim under state Fair Employment Practice (FEP) statutes:** States statutes are modelled after Title VII. Most states have a Fair Employment Practice agency located in the state capital that is responsible for enforcing state statutes banning sex discrimination. Most states also have an investigative process which varies. Be aware that some states have weak FEP laws that provide for little or no remedy at all. Time limits for filing claims with FEP agencies range from 6 months to one year. Most FEP agencies do not protect the victim's identity.

• **Filing a common law tort suit:** This allows victims to receive money for compensatory damages (personal injury, lost wages, or health care expenses), or money from punitive damages (money awarded to victim in order to punish company). Assault and battery or wrongful discharge cases can also file this suit. Confidentiality is not guaranteed, nor is the woman protected from company retaliation. The EEOC and state fair employment practice agencies will first attempt to settle one’s case out of court.

• **Dual filing:** Filing one’s case with more than one agency (both EEOC and state or local agency) is also an option. They sometimes work together or share information on cases. But the EEOC has a huge backlog and will often refer cases to local agencies or local FEP automatically.

• **Criminal Remedies:** If the harassment crosses over into the criminal realm (e.g., sexual assault and rape), one should report the incident(s) to the police.
Construction women workers in Tamilnadu:

1. Tamil Nadu Construction Workers Welfare Board

Unorganised sector is about 93% component of the total Labour force. Government is very much committed to uplift their life status of those workers. Government in the year 1982, enacted the Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982 a comprehensive legislation for the workers in the Unorganised Sector, to regulate the employment of manual workers employed in certain employments in this State. The Government established the Tamil Nadu Construction Workers Welfare Board for the Welfare of Construction Workers engaged in construction industry in the year 1994. The workers engaged in 38 categories of work in the construction industry may register with this Board to avail the scheme benefits. There is no Registration and Renewal Fee from 01.09.2006. The number of workers Registered from 1995 to 31.03.2010 is 19,88,882. From 01.01.2009 to 31.03.2010, a sum of Rs.73,41,09,394/- has been received as contribution.

National Health Insurance Scheme

The National Health Insurance Scheme (RSBY) launched by the Government of India to the unorganized sector workers and their families belonging to the Below Poverty Line (BPL) categories is being implemented by the Government of Tamil Nadu in Kancheepuram and Tirunelveli districts on a pilot basis. The scheme provides coverage for meeting pre and post hospitalization and surgical expenses upto Rs.30,000/- per family. Coverage under the scheme would be provided for BPL workers and their families (upto a unit of five). The BPL beneficiary under the scheme will have to
contribute Rs.30/- as registration fee. 75% of the premium will be borne by the Government of India and 25% of the premium will be borne by the Government of Tamil Nadu. An amount of Rs.2,93,23,983/- has been sanctioned by the Government of Tamil Nadu to the State Nodal Agency i.e., Tamil Nadu Construction Workers Welfare Board towards the State Share of Premium for 75% of the total premium for the two pilot districts of Kancheepuram and Tirunelveli. The RSBY scheme was inaugurated on 08.09.2008 in Kancheepuram district and 59,668 and 90,701 smart cards were issued to the BPL beneficiaries in Kancheepuram and Tirunelveli districts respectively as on 30.09.2009.

**Employment of women**

Men and women are not found equally distributed across the various types of work/employment available in the country and there is a male-female wage disparity. Even though the share of women workers in organized sector is continuously increasing from 13.8 percent in 1989-90 to 18.1 percent in 2001-2002, their share is lower when compared to men’s (Table 1). The rest are working in the unorganised sector for abysmally low wages.

In the informal sector, women constitute 90 percent of the total workers. Moreover unskilled workers constitute 90 percent of rural and 70 percent of urban women workers. In India, though there has been a slight increase in the female work participation rate from 19.7 percent in 1981 to 25.7 percent in 2001, this is still much lower than the male work participation rate in both urban and rural areas (Table 2). The percentage share of unorganised construction workers to total construction workers was 92.1 percent in 1999-
2000. Moreover the share of construction industry in Gross Domestic Product was 5.1 percent in 2001-2002. *Hence there is a need to study socio economic conditions of women workers in construction work.*

**Building and Other Construction Workers (RECS) Act, 1996**

i. The present state of the implementation of the provisions of Building and Other Construction Workers (RECS) Act, 1996 in the North East states does not seem to be all that encouraging. According to the Act, agencies like Labour Commissioners and Provident Fund Commissioners even at the state levels have significant roles to play in the its execution, yet one notices that these offices do not show much interest in these activities. Despite all the precautionary measures taken in the forms of annual or periodic returns, commencement /completion reports on works, application for license and inspection reports which are regularly submitted to labour offices, these do not undergo proper scrutiny and evaluation. These state level agencies too lack an effective mechanism to ensure the compliance of the Employee Provident Fund laws in respect of construction workers.

ii. In a similar way, the contract document prepared as per the labour laws are normally not implemented in letter and spirit by the contractor. We have found that the labour and wages bills of the worksite and their periodic reports submitted to the concerned labour offices often do not correspond with each other. Their license secured under the CLR & A Act are also inconsistent with the above documents. Further, majority of the contractors do not submit fortnightly labour
reports. In fact, the total wage cost based on the labour reports is much less than the specified amount in the contract. In fact, we hardly heard of any inspector visiting worksites in this region. These prevalent malpractices form gross violation of the minimum wage and equal remuneration acts for workers.

iii. Adding to the woes of workers, one finds that there was in most of the cases no provision of workmen’s compensation insurance and making PF contribution. The provisions of facilities at the worksite for the workers are not up to the prescribed standards prescribed in the Act. They have not taken steps to form labour camps on an excuse that there is no sufficient space for such camps near the worksites in the region. There is no chart showing hours of work, nor is any provision of holidays for them. Even on-site facilities, such as; crèche, canteen, toilets, and urinals are non-existent in almost all cases.

iv. The state level labour agency itself does not utilize the given powers it enjoys under the Act. It can take action against the contractor and enforce the terms of contract. More often than not the inspection report of the labour wing and those of state level offices are not acted upon. In this sense, they themselves lack will power to execute the labour laws. In some cases, as we heard, recommendations of the state level agency to persecute offenders in some cases did not meet favourable responses from the higher authorities.

v. Equally important is the factor of estimated costs of different components in construction projects. It has been found, in the present study that the provisions of labour laws and those of the contract do not correspond with each other.
According to a number of the contractors, it is difficult to meet the obligations of labour wages and social security within the allocated margin by principal employer for overheads and profits.

vi. Keeping in mind workers’ opinion, one’s can say that while finalizing the contract, the principal employer should give due consideration to the cost of labour wages and social security. They should consider Labour Wages and Social Security as an integral component of the project.

vii. We feel that the central labour agency should shoulder maximum responsibility to monitor the implementation of labour provisions in states of the North-East. It can alone ensure the benefits of labour laws actually to reach the construction workers.

**Conclusion Remarks:**

An attempt has been made in this chapter to understand that the working women in unorganised sector form a major chunk of the construction sector today. Workers engaged in the unorganized sector though contributing a major share to the national development are insecure and backward socially, educationally, politically, and in other aspects. Women are playing a dominant role in certain aspects in the informal sector such as agriculture, construction, etc. The first chapter has dealt with the nature of work of the women in the informal sectors, some feministic approaches for women and work, gender dimension of unorganised manufacturing sector in India, work place culture, status of women construction labourers in unorganised sector, major problems of women construction workers faced in the social, economic and familial fronts, health and