CHAPTER 6

WELFARE AND TRADE UNION
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6.1 INTRODUCTION:

The importance of women welfare services hardly needs any emphasis. Welfare services are essential to protect the interest, well-being, health, safety, and security of women employees. Welfare should be understood as services, facilities, amenities made available to employees to enable them to perform their work in healthy and congenial surroundings. Protecting women in industries is essential from the point of view of safeguarding the "Future" of the race. Women are not just wage earners. They are also responsible for the reproduction and upbringing of the upcoming generation of workers. Working for eight or nine hours a day in industries and then on their return attending to their home duties, women are subject to over-exertion and fatigue. Provisions for welfare of women are essential for regulating hours of work, improving working conditions and providing certain facilities such as creche, transport etc.

The best way for women to secure better working conditions is through organisation. Unorganised women workers are always weak and are
at the mercy of employers regarding wages, hours of work etc.

Trade union is the result of the growth of modern industrial establishments involving the employment of a large number of workers in conditions which make them helpless in bargaining individually. Webb has defined "trade union as a continuous association of wage earners for the purpose of maintaining or improving the conditions of their working lives". From this, it follows that trade unions are organised to strengthen the power of workers to secure certain benefits from the employer.

It is found that no separate trade union organisation has grown up in our country among women workers. Women have remained as unorganised because of many reasons such as:

1) They look towards their employment as temporary and supplementary in nature.

2) They do not get time to get themselves involved in any type of activities other than the job.

3) There is high turnover due to change in marital status, long hours of work and odd industrial timings.

1. Dr. T. N. Bhageliwal, *Economics of Labour & Industrial Relations*, Published by Sanjay Bhawan, Hospital Road, Agra, 1987, P. 185.
4) Lack of uniformity and communication among women employees.

All these factors affect greatly the bargaining power of women employees. It has been observed that favourable working conditions are helpful to have a stable work force on the job. As mentioned in the earlier chapter favourable working conditions in the case of women particularly, includes mainly facilities like transport, creches, restrooms, working women's hostel, housing, canteen etc. These facilities are covered under the welfare aspect. The term 'Welfare' is very comprehensive and includes various types of activities undertaken for the benefit of the labouring community.

The concise Oxford Dictionary defines labour welfare as "efforts to make life worth living for workmen". The encyclopaedia of Social Sciences defines it as "the voluntary efforts of the employers to establish, within the existing industrial system, working and sometimes living and cultural conditions of the employees beyond what is required by law, the customs of the industry and the conditions of the market". In the Report II of the ILO Asian Regional Conference, it has been stated that workers' welfare may be understood to mean "such services facilities and amenities,
which may be established outside or in the vicinity of undertakings to enable the persons employed therein to perform their work in healthy and congenial surroundings and to provide them with amenities conductive to good health and high moral.\(^2\). The Labour Investigation Committee (1944-64) includes under labour welfare activities "anything done for the intellectual, physical, moral and economic betterment of the workers, whether by employers, by Government or by other agencies, over and above what is laid down by law or what is normally expected as a part of the contractual benefits for which the workers may have bargained."\(^3\)

The Report of the Committee on Labour Welfare (1969) includes under it "such services, facilities, and amenities as adequate. Canteens, rest and recreation facilities, sanitary and medical facilities, arrangement for travel to and from work and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities, including social security measures as contribute to improve the conditions under which workers are employed."\(^4\)


In general, activities undertaken for the improvement of worker's standard of life and for the promotion of their economic and social well-being are labelled as "Welfare Work".

6.2 WELFARE PROVISIONS:

Welfare Provisions can be classified into statutory welfare provisions and voluntary welfare provisions. These provisions are for the benefit of all employees, and some of them are specially beneficial to women employees. This will be clear from the following chart.
<table>
<thead>
<tr>
<th>Statutory</th>
<th>Voluntary</th>
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</thead>
<tbody>
<tr>
<td><strong>Common for all</strong></td>
<td>(a) Transport facilities</td>
</tr>
<tr>
<td>(a) Washing facilities (Section 42)</td>
<td>(b) Educational facilities</td>
</tr>
<tr>
<td>(b) Facilities for storing and dry clothing (Section 43)</td>
<td>(c) Medical facilities</td>
</tr>
<tr>
<td>(c) Sitting facilities for occasional rest for workers who are obliged</td>
<td>(d) Recreational facilities</td>
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<tr>
<td>to work standing (Section 44)</td>
<td>(e) Housing facilities</td>
</tr>
<tr>
<td>(d) First aid boxes or cupboards one for every 150 workers, and</td>
<td>(f) Subsidies facilities for food, coffee, tea etc.</td>
</tr>
<tr>
<td>ambulance facilities if there are more than 500 workers (Section 45)</td>
<td>(g) Low interest loans for housing and vehicles.</td>
</tr>
<tr>
<td>(e) Canteens if employing more than 250 workers (Section 46)</td>
<td>(h) Maternity clinics,</td>
</tr>
<tr>
<td>(f) Shelters, rest rooms, &amp; lunch rooms, if employing over 150 workers</td>
<td>(i) Schools, for workers children.</td>
</tr>
<tr>
<td>(Section 47)</td>
<td>(j) Women welfare officers.</td>
</tr>
<tr>
<td>(g) Welfare Officer, if employing 500 or more workers (Section 49)</td>
<td>(k) Working Women's hostel</td>
</tr>
</tbody>
</table>

Specially for women

(a) Special provision of recruitment & employment (Section 27, 66)
(b) Special provision for Health & Security (Section 87)
(c) Creches, if employing more than 30 women (Section 48)
(d) Separate toilet facilities (Section 19)
(e) Leave & other facilities tailored to women's needs.
(f) Maternity benefit (1961 Act).

Source - Factory Act, 1948.
From the above chart, it would be seen that facilities like canteen, housing, restroom, welfare officers, have the backing of statutory provisions and provision of these are related to the number of employees. Voluntary welfare provisions depend on the attitude of the employer or the management or follows from agreement between the trade union and the organisation. These facilities are available to all the employees, men as well as for women.

"Welfare work for women is essentially different from that for men because the women is quite a unique social entity, psychologically and physically. She is physically weaker than a man, hence unsuited for strenuous occupations. In addition, she is also subject to the disability of bearing children which requires rest for long periods before and after delivery. Then she has the burden of the growing child which is physically and emotionally dependent on her. Its care takes much of her time and its sickness often interferes with her work. She has also to function as housewife, preparing food, keeping things in order, providing company for her husband and extending hospitality to guests and relatives. If the husband or any other member of the family falls ill, she is invariably detained, being the only natural and available nurse". 5

5: Padmini Sengupta, Women Workers of INDIA ASIA PUBLISHING HOUSE - 1960, P.84.
There are certain welfare provisions specially enacted for the benefit of women employees and are essential to protect the interest of women. It has been observed that as a result of advancement, of education, science, technology, in recent years, there is a marked increase in the number of women employed in newer establishments like electronics, chemicals, pharmaceuticals, engineering, and it has been increasingly realised that women workers require welfare facilities for various social and psychological reasons. The objective of welfare work for women labourers have been:

1) To give them equal status, rights, opportunities of education and employment.
2) To pay attention to their special needs e.g. maternity aid and infant welfare.
3) To protect their health and efficiency.

Keeping in view these objectives, provisions have been made in labour laws in India to regulate the hours of work per week, prohibit night work for women, prohibit lifting of loads above a certain weight, provide special seating arrangements, rest-rooms etc., to protect health and to ensure the
the safety to women workers. The following are the main legislative measures in India for the Welfare of women workers.

i) Recruitment:

Except for the tea plantations in Assam there is no restriction in India regarding recruitment of women.

ii) Employment:

As pointed out earlier in the Chapter 5, the employment of women is legally prohibited between 7 p.m. to 6 a.m. in factories, mines and plantation under the Factories Act, 1948, Mines Act 1952 and Plantation Labour Act, 1951. The state government, in the case of factories, and central government, in that of mines, are empowered to relax this restriction and to permit employment between 5 a.m. and 10 p.m.

iii) Hours of work:

Under the factories act the daily hours of work for adult workers have been fixed at 9. Though the act permits men under certain circumstances,

to work for more than 9 hours on any day, it does not permit women to work beyond this limit.

The maximum permissible hours of work for men and women are 48 per week in factories and mines and 54 in plantations. The daily spread over of working hours has been limited to $10\frac{1}{2}$ hours in factories and 12 hours for surface work in mines. The acts provide that no adult worker, whether man or women employed in factories, plantations and in mines shall be allowed to work for more than 5 hours at a stretch, without a rest pause of at least half an hour.

iv) Health and Safety:

(1) Limit of maximum loads: To safeguard women against the dangers arising out of lifting of heavy weights both the Factories Act and Mines Act, authorise the appropriate Government to fix the maximum load that may be lifted by women. Rules framed by all the state governments have fixed the following maximum weight to be lifted by women employed in factories:

- Adult females: 65 lbs.
- Adolescent females: 55 lbs.
- Female children: 30 lbs.
(2) **Dangerous Operations:** Section 87 of the Factories Act empowers State Government to prohibit employment of women in dangerous operations which expose them to a serious risk of bodily injury, poisoning or disease. Thus women are not allowed to clean, lubricate or adjust heavy machinery while it is in motion. The Factories Act prohibits employment of women for pressing cotton in any part of the factory in which cotton opener is at work. Women, however, can be employed on the side of feed end, if the feed end is in one room and the delivery ends is in another and there is a partition wall.

(3) **Bathing and Washing facilities:** The acts regulating the employment of workers in mines, plantations and factories lay down that the employers shall provide separate urinals and latrines for the use of women. It is necessary for employers to provide separate washing and bathing facilities for women. (Section 42, factory act).

v) **Creches:**

In the case of mine employment, maintenance of
creche is obligatory even if a single woman is employed and in the case of factories and plantations it becomes obligatory when 30 and 50 or more women respectively are employed. Rules of the state governments also provide minimum number and duration of rest intervals for working mothers to feed their babies and also to be provided by the management at least a pint of milk every day for each child in the creche.

(vi) Leave and Other facilities:

The women workers are entitled to leave with wages, at the rate of one day for every 20 days worked. Similarly they are entitled to weekly day of rest for 24 hours.

(vii) Maternity benefit:

Maternity benefit in India is granted by acts of the State Governments and therefore there is no uniformity in provision. Maternity Benefit Act 1961, extends to the whole of India and applies to every establishment, factory, mine of plantation, including any such establishments belonging to Government.

The Maternity Benefits Act, 1961, the Employees State Insurance Act 1948, the Factories Act 1948, confer the following benefits on pregnant working
women who work in factories, mines and the establishments are as specified in the acts.

1. Six weeks before delivery or miscarriage and six weeks after, she is entitled to leave on the average daily wage she is earning.

2. She is entitled to medical bonus, if no prenatal confinement and post natal care is provided by the employer free of charge.

3. If she does not avail herself of leave of absence then her employer cannot require her to do work of an arduous nature which is likely to interfere with her pregnancy or otherwise adversely affect her health.

4. In the case of an illness arising from her pregnancy, delivery, miscarriage or premature birth of the child the maternity leave of six weeks can be extended by a maximum of one month.

5. On returning to work after the birth of a child the mother is allowed two breaks of 15 minutes duration each for nursing the child until she is 15 months' old.

6. In order to qualify for maternity benefit from the employer the women should have worked for
160 days or more in the year preceding the expected date of delivery, provision also exists in the acts for protection of women against dismissal by the employers to avoid liability of payment. A woman worker cannot be discharged during the period of maternity leave.

The maternity benefit act, 1961, was amended in April 1976, to cover women who do not full within the perview of the employees state insurance act, 1948.

6.3 IMPLEMENTATION OF THE WELFARE FACILITIES:

The above mentioned statutory provisions are specifically enacted to promote the welfare of women employees. Observations about the welfare facilities provided in various industries has been as follows:

(1) **Creche facility:**

It has been observed that 19 percent women respondents need the creche facility, out of that only 13.33 percent women employees are getting the creche facility, 5.67 percent women respondents need the facility but they do not get it because the number of women in the unit...
is found to be less than 30 (factory act, 5.48, provision of creche, if employing more than 30 women) They have expressed the view that the facility of creche should not be related to the number of women that in fact the creche facility should be available to all irrespective of the number; statutory provisions many times adversely affect the employment of women for e.g. If the number of a women in a unit is above 30, employer has to provide a creche facility, so deliberately they keep the number below 30, or they are reluctant to employ married women.

(2) **Separate toilets:**

It has been noticed that only 70 percent women are getting separate toilet facilities and 30 percent women are using common toilets.

(3) **Night shifts:**

It has been found in the survey that women are not working in the night shifts. Only 2 percent women work in the second shift (2 p.m. to 10 p.m.)

Regarding hours of work, maternity benefits, Health and safety, leave and other facilities
Its provision & its implementation comply with the statutory welfare facilities provided under the factories act, 1948.

From the above information it may be concluded that:

(a) Only facilities covered under the statutory provisions are provided by the employer.

(b) Statutory provisions have their own limitations and they do not cover all the women employees.

(c) Still certain units did not comply with the statutory provisions.

In spite of good intentions with which our country has adopted beneficial pieces of welfare legislation relating to industrial labour, in practice there is much to be desired. It is true that labour legislative measures are enacted for regulating the conditions of work, hours of work, ensuring provisions of welfare, protecting women from health hazards. It would be very essential to have effective implementation of welfare provisions, and the benefits should be made available to all women employees unconditionally.

Apart from the welfare facilities having the legal backing it has been observed that women employees need other facilities like transport.
housing working women's hostel, canteen, medical recreational, separate rest rooms, lunch rooms. These facilities are included in the voluntary welfare facilities.

6.4 WELFARE WORK BY WORKERS ORGANISATION:

Welfare work has been recognised as an integral part of the industrial administration. The provision of the welfare facilities for the employees is made available either by employer or by worker's themselves or by trade unions.

It has been observed that apart from the welfare facilities provided by the employer, almost all the units which were surveyed, had their own "worker's welfare organisation". Every employee pays monthly contribution and gets the facilities like, scholarships to children education facilities, legal aid to members, medical help, various recreational activities (music, dance, social get together).

In Nasik, "Maharashtra welfare organisation" is conducting it's welfare programmes through "Lalit Kala Bhavan". Welfare programmes are arranged not only for workers but also for their family members. A worker can become member by paying Rs. 1 per month.
and the dependents by paying Rs. 2 various welfare programme are organised such as, recreational activities, indoor and outdoor games, gymnasiums, community and social education, reading rooms, book bank, scholarships; medical help, creche facility, schools for children etc. special programmes are arranged for women as: sewing, handicraft, employment oriented training programme, demonstration in nutritious recipes etc.

Social Welfare organisations and trade unions are the other organisations which provide welfare facilities on similar lines.

All women respondents have become the members of the welfare organisation where they are employed, but only 3 out of 150 women respondents have become the members of 'Lalit Kala Bhavan'.

The main characteristics of a worker must be considered before welfare work is undertaken. Especially this applies to women who are still, reluctant to enjoy the benefits, may be because, they are much more tradition bound superstitious and ignorant than the men. Women workers will be benefited by these Welfare Programmes if they learn to understand, appreciate and assimilate them.
6.5 **TRADE UNION**:

It has been observed that women employees have not generally found themselves in a position, where they could bargain efficiently for the facilities like —

1. transport  
2. separate toilets  
3. creches  
4. maternity benefits  
5. separate rest rooms  
6. housing facilities  
7. working women’s hostel in industrial areas  
8. part time job  
9. take home job  
10. job by rotation  
11. reduction in hours of work  
12. training facilities.

A proper presentation of the demand of women employees in these matters is essential. For this, women employees should organise themselves or should take active participation in the existing unions. It has been noticed that very few women take active participation in the trade union activities and very few women are found to be the members of the trade union. This will be clear from the following table.
Table No. 6.1
Trade Union Membership of Women Employees

<table>
<thead>
<tr>
<th></th>
<th>Members of Trade Union</th>
<th>Non Members of Trade Union</th>
<th>Total No. of Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>18</td>
<td>132</td>
<td>150</td>
</tr>
<tr>
<td>Percentage to total</td>
<td>12</td>
<td>88</td>
<td>100</td>
</tr>
</tbody>
</table>

It is seen that only 12 percent women have become members of trade unions and 88 percent of them are not even members of trade unions. Respondents have said that they did not get the time for these activities nor were they interested in any type of activities other than the job. Some of them even said that they did not think of sticking to industrial job permanently.

It is very essential to organise women employees together to make them aware of their rights and privileges. Women employees, having the qualities of leadership, should take initiative to organise women employees together. Separate representation may be given to women employees in the existing trade unions, or separate women organisations could be formed that will run on line parallel to trade unions.
Of the respondents 16.67 percent have said that there should be a separate organised trade union for women because:

1. Number of women employed in industries is increasing.
2. Proper presentation of women's demand is essential.
3. Women employees need certain facilities which are not required by male employees.
4. Unorganised women employees may be exploited more by the employer.
5. Women employees can talk freely or express their demand boldly before women's organisation than the common trade unions.
6. All women employees should get the facilities irrespective of the number of women employed.

It has been found that no separate trade union organisation has grown up in our country among the women workers. The reasons observed are as women workers have to attend to their household duties & have little time to take active interest in any organisation of this kind. Indian tradition have made women always dependant upon men and therefore women workers did not think of even having a separate trade union or organisation.