India
Labour statistics

- World second largest labour force 516.3 million (Population 1.21 billion as on 2011)
- 93% in unorganised sector
- Agriculture 17.5%, Industry 20% Services 60.3%
- Unemployment rate 10.7% - more underemployment
India & International labour standards

• India ratified 43 conventions so far
• Of the eight core conventions, India yet to ratify C.87 (FOA, RO) C.98 (RO & CB), C.138 (Min. age), C.182 (Child labour) conventions.
• Indian Labour Ministry officials informed that they are in the process of identifying C.132 first and then C.182
Reasons for non-ratification

- Can ratify the Conventions only when implementation of the provisions is fully achieved in Indian law and in practice;
- Ratification would involve the granting of union rights to government employees. This will affect their impartiality and political neutrality;
- Government employees in the country have fair working conditions and fair wages. They have alternative dispute redressal mechanisms such as the JCM and CAT;
- The guarantees of the two Conventions are by and large available to workers in India. National laws and constitutional provisions would suffice;
Constitutional provisions

• Article 19 (1) (c) – Freedom of Association;

• **Related Rights:**

• Article 19 (1) (a) – Freedom of Speech and Expression;

• Article 19 (1) (b) – Freedom of Assembly;

• Article 19 (1) (d) – Freedom of Movement
Government Employees

• Central [or State] Civil Service (Conduct) Rules & Central Civil Service (Recognition of Association) rules
  – Deny the right to set up unions
  – No collective bargaining rights
  – Prohibition or right to strike
  – Membership in service associations restricted to distinct category of employees
  – No adequate grievance addressal mechanism
Informalisation of workforce

• Increasing Casualisation, contracting and outsourcing of work in the organised sector
• Poor implementation of labour laws
• Entry of MNCs in public utilities like Water, Electricity
• Difficulties in registering trade unions
• No law for recognition of unions for Collective bargaining
Strategies

• Stronger Advocacy and political influence by the trade unions for ratification & application of ILO C. 87 & 98

• Trade Union education and awareness

• Promote use of ILO Supervisory mechanisms to protect rights

• Developing Unity among the unions and national centres
Actions / Activities

• National Trade Union Centres under one umbrella on 10 point agenda
  – No contractualisation of jobs of permanent nature
  – Assured Pension
  – Stoppage of disinvestment in Public Sector Undertakings
  – Ratification of ILO Conventions 87 & 98
  – Strict enforcement of Labour Laws

• Movements at the grass root, branch, district, State level held from 2011. One day national strike held on Feb 21, 2012 and two days strike on Feb 21 & 22, 2013 to press these points. Core Group of Ministers appointed to look at the demands.
• PSI affiliates met with the Labour Minister, Members of Parliaments and lobbied for legal rights for government employees.
• Joined the ILO National campaign for ratification of ILO Core conventions at National & Regional level.
• Prepared a model Conduct Rules and negotiating for changes in the Rules.
• Awareness and Momentum for campaign build through workplace activities.
• Monitoring the IFI projects to ensure CLS within the projects.
• Filing of court cases to ensure application of labour laws in projects.
• Raising the need for ratification of ILO C.151 for ensuring rights of public employees.