

**Army Institute of Management & Technology
Greater NOIDA**

**Guest Session on “Social Security Code and the Occupational Safety, Health
and Working Conditions Code”**

14 January 2023

Mr. Navneet Damani, General manager Employee Relations at ITC Kolkata addressed the HR specialization students on the topic “Social Security Code and the Occupational Safety, Health and Working Conditions Code” on 14 January 2023.

Mr. Damani explained what labor codes are, their benefits and issues, the rules we need to follow etc.

As he explained there were two committees set up to look over the labor reforms, first was in the 1960's THE NATIONAL COMMISSION OF LABOR. Then in 2000's the second committee was set up. The commission identified core issues such as multiplicity of laws, dates and not in tune with current times and issues with implementation. These issues were addressed later in 2015.

He then moved ahead in discussion with the main topic of Occupational Safety health and working conditions code. This code covers Acts such as the factories act, plantations act, motor transport act etc. overall it covers 13 Acts. He explained the details that are covered under The Factories Act, 1948. This Act talks about the even the minute details that are covered in it and not much has changed but in order to add new or amend the rules to keep up with modern times it has to be approved by the parliament.

The objective of an Act is the most important part as it lets us know how we are supposed to interpret the intent of it. It should be interpreted in such a manner that it is in favor of the worker in terms of safety, health or working conditions. This Act is about safety, health and welfare of a worker. To ensure that these rules are implemented in an organization there should be a mandatory welfare officer, a safety officer. The state is supposed to ensure the objective of the ACT is fulfilled. Employers are supposed to maintain reports, records etc. in order to maintain the objective of the ACT being fulfilled.

This act also talks about the appropriate government for ensuring the implementation of this act. He talks about the 3 main factors that play an important role which are:

Employer
Employee

Government

In this part he distinguishes the factors that fall into these categories. It also mentions each and every aspect's role in implementation of the Act. He further discusses contract labors and how they fall under this act. He adds the implementation of this act on different fields of organizations, industries etc. There are some specific provisions that are mandatory by the employer that are :

Annual Health checkups

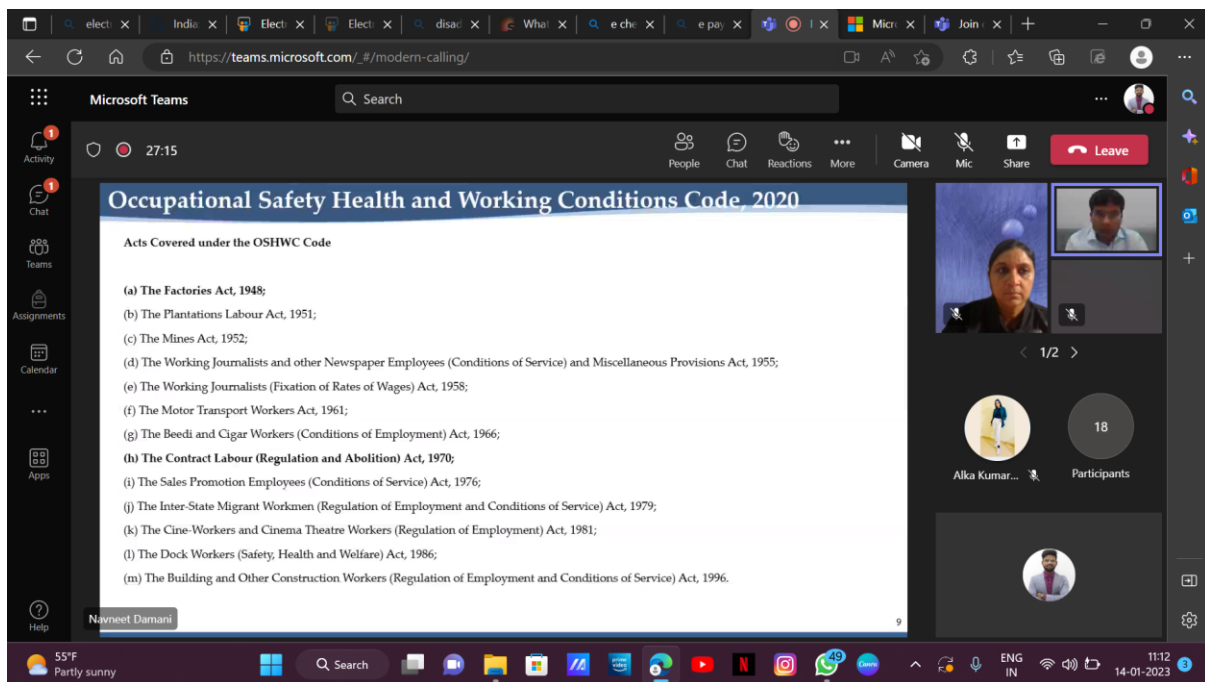
Appointment letter

Disposal of hazardous substance and e-waste

He talks about the contract labor engagement next. This act covers the intent of the contract labor act. The process is very cumbersome as it involves getting multiple licenses and frequently. The changes to be implemented in order to resolve these issues. The principle employer is supposed to get mandatory registration, have welfare facilities, and take care of the vicarious liabilities.

This act talks about the roles and responsibilities of the employer and contractor for the welfare of labours and for the protection of their rights. It allows the employer to get the basic needs such as Gratuity, welfare facilities, uniform etc. He also distinguished as to who is not a contract labour and does not fall into this code. The last thing we discussed was how to engage contract labour and how we can decide as to who we need as per the nature of work.

The session came to an end with questions from the students followed by a vote of thanks delivered by Mr. Deepanshu Goley, MBA Batch 2021-23.



The screenshot shows a Microsoft Teams meeting interface. The main content is a slide titled "Occupational Safety Health and Working Conditions Code, 2020". The slide lists the following acts covered under the OSHWC Code:

- (a) The Factories Act, 1948;
- (b) The Plantations Labour Act, 1951;
- (c) The Mines Act, 1952;
- (d) The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955;
- (e) The Working Journalists (Fixation of Rates of Wages) Act, 1958;
- (f) The Motor Transport Workers Act, 1961;
- (g) The Beedi and Cigar Workers (Conditions of Employment) Act, 1966;
- (h) The Contract Labour (Regulation and Abolition) Act, 1970;
- (i) The Sales Promotion Employees (Conditions of Service) Act, 1976;
- (j) The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979;
- (k) The Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981;
- (l) The Dock Workers (Safety, Health and Welfare) Act, 1986;
- (m) The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.

The meeting interface includes a search bar, a list of participants (Alka Kumar... and Participants), and a "Leave" button. The bottom of the screen shows the Windows taskbar with the date 14-01-2023 and time 11:12.

Occupational Safety Health and Working Conditions Code, 2020

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