

Repercussion on Labour Laws after COVID-19

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Abstract: *A pandemic disease called as corona virus has become a global disease affecting lives of many people both internally and externally. In such difficult times it is the prime obligation of the government to look after the nation. This research paper focuses on the consequences of amendments made under various labour laws. COVID-19 is being used as a shield by the government to meet up the losses suffered by an economy. Workers are laid off, their salaries are being deducted thus forcing them to leave their workplace and go back to their villages. Their conditions has been worsened, they need financial support so as to survive their living.*

Keywords: Labour laws, COVID-19, Corporate, Legislation

1. Introduction

There has been a peculiar stage in the growth of labour laws in India. The primitive rules were extensively meant for basic protection to labour. Later, the concept of 'Provincial Autonomy' emerged, which laid stress on workers standard of living, rights of trade union, rights related to strike and lockouts etc. However, little later government facilitate the role of mediator which led to the formulation of laws pertaining to employment of women worker and children laws concerning working hours in industries and factories. Thereafter, various acts were formulated for protection of labour such as – Factories Act, 1922; Mines Act 1922; Workmen Compensation Act 1924; Trade Union Act 1926; Trade Dispute Act 1929 (Mitchell, R. , Mahy, P. & Gahan, P.)(1)

Sakpal, R. (2015) (2)opined that advancement and progress in labour market is imperative for both economic development and labour development. Under Indian Constitution Article- 246 labour is considered as a subject matter in the Concurrent List. Yaser, S. (2016)(3) examined that there are 3 types of Labour laws in India:-

- 1) Conservative Legislation
- 2) Social Security Legislation
- 3) Regulative Legislation

The study conducted by Jha, S. (2014)(4) emphasized that labour laws are meant to stimulate labour productivity which include flexibility to allow workers to adapt changes in technology and market conditions.

Today, the pandemic disease known as Covid-19 was listed on 31st Jan, 2020 from Washington. The virus originated from the family of Coronaviridae. The virus was supposed to be found in rats, horses, hens and various other animals and birds. The symptoms for corona virus are mild fever, cough, sneezing etc. Corona virus was described to originate as a common cold. The symptoms that could identify corona virus disease include mild fever, cold, sneezing and coughing (Hook, L. , Pyre, K. , Jebbink, M. & Berkhout, B., 2004)(5). Another research explored by Shereen, M. , Khan, S. , Kazmi, A. & Bashir, N. (2020)(6) opined Covid – 19 as highly infectious and poisonous disease which for the very first time appeared in Wuhan, one of the city in China and it affected the entire world. At present number of states in India which require sanction from government to come into

action. In India labour day is celebrated to safeguard the interest of workers but at present due to pandemic, the workforce is struggling and their right has to be protected at any cost. One of the study in US showed that over 33 million labour has lost their jobs since last 7 weeks. Many of the workers are leaving their working place and are going back to their villages for mere survival.

Objective of the Study

The objective or purpose of the study is to examine the crucial changes made in labour laws due to pandemic and fallouts of such amendments.

2. Methodology

The study rests on the Secondary method of collecting data. To yield clarity over the laws pertaining to labour various articles are being studied. Later, struggle between life and livelihood in an economy is also being considered.

Changing Face Of Indian Workers Due To COVID-19

The virus popularly known as Coronavirus has shown the real conditions of Indian worker. Undoubtedly the scenario is much better than it was during 1947. Now, most of the workers are literate, they own a cell phone which was considered as luxurious since past 60 years. Despite of all such improvements, the conditions of labour is still miserable. It is so because the ruling class still exploits the worker for their own greed. As a result, both state and corporate do not grant rights to the workers. For instance, majority of labour class still strive for minimum wage or social safety, paid leave etc. COVID-19 has come up with an excuse as every state is diluting labour laws just to favour business. Recently UP has suspended 38 laws on labour like Workmen Compensation Act, Industrial Dispute Act, Bonded Labour Act and many more in an attempt to attract investments.

India is characterized by 2 types of workers that is organised workers and unorganised workers. The organised class of workers work in large enterprises but still their rights has been diluted by central and state government. The workers are deprived of civilised existence. Even the unorganised sector bears such pathetic conditions thus forcing them to live in slum areas.

The virus SARS COV- 2 has spread rapidly in India. Still today, there is no appropriate vaccine to cure disease. The lockdown situation has forced businessman to shut their offices and lay off workforce. This has disturbed the social safety of workers. Unfortunately the workers cannot stock up the essentials of life to withstand days of lockdown. No doubt, lockdown can be sustained by middle and rich sections of the society but it is next to impossible for the poor people unless, the necessary arrangements are made by the state and central government of India.

Struggle between life and livelihood

The organisation needs an end to lockdown so that they can start up their operations and earn profits or at least minimise the losses. They now realized that labour would die because of hunger without income. They are the same corporate who did not earlier bother for labour class and showed ruthless behaviour towards employees in normal times. The Indian government is using COVID-19 as a buffer or armor to further trim the right of workers. It is transparent that corporate pleading for lift of lockdown in sake of livelihood are actually not worried about how many poor people will die because of hunger but are actually concerned with profits. It is clear that India could not cope up with Covoid-19 because of miserable and pathetic conditions of the workers or labour class.

Ray, S. (2020) addresses that states like UP, Gujarat, MP has made imperative exemptions and changes to labour laws. To revive the economic conditions of the country, government provides flexible conditions to organizations to hire and fire workforce. The corona virus has put the country in economic crisis. To outweigh the economic deficit, various state laws on labour has been amended. Employees of public sector undertaking are forced to donate part of their salary to PM National Relief Fund.

Imperative variations in labour laws

During COVID-19, various modifications have been made in legal provisions related with workers. For instance, Family Medical Leave Act, Emergency Act has allowed labour to extend their leaves under expansion Act to care for a child having virus symptoms or to take care of their small kids due to closure of schools. Employees who are under full employment are permitted to paid sick leave for 80 hours. Such relaxation has been allowed to present employees working in premises and not to future job applicants.

3. Conclusion

To culminate the above study, the outbreak of corona virus has forced the government to amend labour laws which ultimately has proven much loss to poor sections of the society. Once the country is free from such disease, government will take measures to end reduction in salary or provide necessary assistance to workers of India. Thus for the revival of an economy, labour class has to suffer due to cut in wages or salary, temporary layoff, working from home with no extra incentives etc. The government should understand that workers are not just commodity which can be bought and sold rather they are the assets of our nation.

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