

**ILO prescribed standards for domestic workers**

1068. SHRI TIRUCHI SIVA: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether there is any mechanism for regulating working conditions for domestic workers in the country, if so, the details thereof;
- (b) whether the International Labour Organisation (ILO) has prescribed any standard for regulating working conditions for domestic workers: and
- (c) whether the current regulations comply with the ILO prescribed standards, if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI SANTOSH KUMAR GANGWAR): (a) A draft National Policy on domestic workers is under consideration of the Ministry of Labour and Employment. Salient features of the proposed draft National Policy on Domestic Workers.

- (i) Inclusion of Domestic Workers in the existing legislations
  - (ii) Domestic workers will have the right to register as unorganized workers. Such registration will facilitate their access to rights and benefits
  - (iii) Right to form their own associations/unions
  - (iv) Right to minimum wages, access to social security
  - (v) Right to enhance their skills
  - (vi) Protection of Domestic Workers from abuse and exploitation
  - (vii) Domestic Workers to have access to courts, tribunals for grievance redressal
  - (viii) Establishment of a mechanism for regulation of private placement agencies.
- Minimum Wages for Domestic Workers have been notified in several states and domestic work has been included as Scheduled Employment in several States.
  - The domestic work is recognized as 'work' and domestic workers as 'workers' as they are included under the Unorganized Workers Social Security Act 2008.

- Domestic Workers have also been included as a specific category of workers (with home as the workplace) in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013).
- In several States, trade unions are organizing domestic workers and unions have been registered exclusively for domestic workers.
- Domestic Workers Sector Skills Council has been established under Ministry of Skills Development to enable professionalization of domestic workers and enable their career progression.

(b) ILO has a specific convention concerning decent work for domestic workers, *i.e.* C189 Domestic Workers Convention, 2011 (No. 189). The convention was adopted after a dual discussion at the 10th International Labour Conference session on 16 June, 2011 and entered into force on 05 September, 2013.

- The Convention was adopted with the wide support of 185 countries. India also supported the adoption of the convention.

The convention C189 is supported by a Recommendation 201-Domestic Workers Recommendation, 2011 (No. 201), which was also adopted on the same day. India has not ratified the Convention yet.

The Ministry of Labour and Employment constituted a Task Force on Domestic Workers in 2009 (prior to the adoption of the C189) and the Task Force submitted a draft National Policy in 2011 for consideration. The Draft Policy has been amended and updated in 2017 taking into consideration the provision of convention C-189 and is presently under discussion.

The draft National Policy recognizes:

- Domestic work as a legitimate labour market activity undertaken in an employment relationship.
- Domestic Workers are 'Workers' and fundamental principles enshrined in the Constitution *i.e.* right to livelihood and rights at work explicitly is equally applicable to them, along with affirmation of their worker status, rights and entitlements.

- Domestic workers to receive treatment that is not less favorable than what other workers generally benefit under other labour laws and legislations.

#### **Welfare schemes for unorganised workers**

1069. SHRI SYED NASIR HUSSAIN: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether several welfare schemes have been formulated and implemented for the unorganised workers particularly for rural and agricultural labourers;
- (b) if so, the details thereof along with the monitoring mechanism of the schemes particularly in case of accidents;
- (c) the details of funds allocated and utilised under the schemes during each of the last three years and the current year, State/UT-wise and scheme-wise;
- (d) the number of agricultural labourers benefited by these schemes during the said period State/UT-wise; and
- (e) the steps taken by Government exclusively for the welfare of agricultural labourers in the country?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI SANTOSH KUMAR GANGWAR): (a) to (e) With the enactment of the Unorganised Workers' Social Security Act, 2008 (UWSS Act) Government of India has created a framework for providing social security benefits to the workers in the unorganised sector. The UWSS Act provides for constitution of National Social Security Board at the national level, the functions of which *inter alia* include-

- to recommend to the Central Government suitable schemes for different sections of unorganised workers;
- to monitor the implementation of schemes; and
- to advise the Central Government on matters arising out of the administration of the Act.

The National Social Security Board has been reviewing expenditure under various