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**WOMEN WORKERS  
AND THE  
TRADE UNIONS**

**By**

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# WOMEN WORKERS AND THE TRADE UNIONS

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THE total employment of women workers in the organised sector during the last 3 years according to the National Employment Service constituted by the Union Labour Ministry was as follows:

March 1970 :	18.90 lakhs
March 1971 :	19.24 lakhs, recording an increase by 1.8 per cent
Dec. 1971 :	17.83 lakhs
March 1972 :	17.94 lakhs, recording an increase of 0.6 per cent
June 1972 :	18.16 lakhs, recording an increase of 0.4 per cent

From the statistics given above it is clear that though the number of women workers in the industries has gone down, there are still a considerable sections of women workers employed in the industries. It is a fact that a small percentage of these women are organised in trade unions with the result the movement of the working class remained weak as a whole.

## **Organisational Strength of Women Workers and Their Representation in the Trade Unions**

Since the development of the working class movement, to a certain extent, depends upon the participation of women workers, the trade unions must focus attention on their special problems, to organise them with special efforts with the help of women cadres who will give time for this activity. The working class women respond to the trade unions during general strikes and other agitations on common issues. But this participation in the struggles etc., is not reflected in the Trade Union Organisation and on the Managing Committees. The membership from the women workers will be low. Unless the issue is burning, and

tempo is high, women do not become active, that is the experience of the Trade Unions. A woman worker has to fulfil the responsibilities at home over and above in the factory. Therefore, unless she is made class-conscious enough to come out of these household drudgery, there will be always difficulty to rouse and bring them in the movement. It is a very strenuous task and needs patience. The experience shows that once they decide to join the struggle, they stick to the last, taking lead in the struggles, sometimes, overcoming all the difficulties in their ways.

Our Trade Unions have neglected the task of organising the women workers. They have not done much except passing some resolutions on the conditions of the working class women. In most of the States, those resolutions also remained on the paper.

The representation of women workers in the unions is either nominal or absent. It is found that though the women workers constitute a majority or near majority in some industries, the percentage of the women workers on these committees is negligible. The excuses given are their inability to carry on the union activities due to their household duties, or their inability to understand the problems because of their ignorance or lack of class consciousness. There might be some truth in these arguments. But, in the end, the trade unions cannot disown the responsibility for this lag. They should take immediate steps to remedy this so that women workers also participate in struggles on equal footing. Conscious efforts are to be made by the unions to educate them politically, encourage and promote them by giving them more responsibilities and opportunities at all levels.

### **The Main Issues Facing Women Workers**

There are certain issues which are important enough for the working class women on which they can be roused and brought into struggles provided the Trade Union movement takes up these issues and organise them in the unions.

#### **Unequal Wages**

In major industries, like plantations, cashew, mines, tobacco, bidi, etc., the wages of the women workers are lower than men, the difference being from Re. 0.25 to Re. 1.00 or some times even more,

## Present Wages of Men and Women Workers in Some Industries

<u>Industry</u>	<u>Men</u>	<u>Women</u>
Tea plantations in Kerala	3.49	3.00
Tea plantations in Assam	2.93	2.75
Tobacco curing in Andhra Pradesh	2.25	1.72
Bidi Industry	2.78	1.48
Cigarette industry	5.59	4.01
Coir industry—Factory wages	4.46	3.10

From the above figures, the differences in wages are clearly seen between men and women workers. Though the Government of India has ratified the I. L. O. Convention concerning "Equal remuneration for men and women workers for work of equal value" (No. 100 of 1951) in 1958, in most of the industries it has not been implemented. In fact, the Central Government expressed its inability to halt the trend of unemployment among women and non-discrimination in the wages between men and women. In reply to a memorandum on unemployment among women to the Central Committee on Employment? the Labour Department of the Central Government on 4th November 1971, stated "There is no law, under which either retrenchment of women workers can be prohibited or under which certain employment can be reserved for this . . . . In the matter of wages, it is observed "principles for equal wages are laid down". The reply however did not say what steps the Government had taken against violation of the convention by any management or concern.

Unfortunately, the women workers in those industries are not yet conscious enough to demand and fight on this important issue. The trade union movement has also not taken up this issue in right earnest and made the women workers conscious to struggle for implementation of this convention.

The employers purposefully use women workers as source of cheap labour. Whenever their wages are brought at par with men workers, the women workers are thrown out of jobs. After the Muzumdar award for W. Bengal mining industry in 1954, equalising wages for men and women workers, a large number of woman workers lost their jobs. In cotton textile industry also the same trend has been observed. Thus the question, in essence, is linked up with women as cheap labour.

The report on Survey of Labour conditions in coal mining industry (1967) has stated as to why the decline of women workers started in coal mines. On page 10, the report states the following: "To a certain extent the tendency on the part of employers to reduce women labour force may be due to the fact that they had to incur additional expenditure in the shape of maternity benefits and maintenance of creche etc. The labour Appellate Tribunal's Award equalising wages of men and women may also be a contributory factor". The study group for coal mines 1968, also stated the above reasons. But the Survey report on the conditions of coal mines frankly admitted the fact that the Mazundar Award as modified by the Labour Appellate Tribunal in 1954 was one of the main reasons for retrenchment among women workers in coal mines". The decline started after the Muzumdar Award and the result can be seen from the figures given earlier.

The management of coal mines openly threatened after the Award on the plea that, "Generally the payment of equal wage for men and women workers has resulted in reduction in the number of women workers employed . . . and *this trend will continue.*" The Wage Board on coal openly stated that "In all probabilities in certain sectors of industry the real reason may be that with maternity leave and other benefits and creche which has to be provided for the children, when she is at work, the women workers prove to the employer more burdensome than a male worker."

Secondly, the existing wages of women workers in some industries like cashew, coir and bidi are appallingly low. We have already seen how average earnings in tobacco and bidi industry the wages of women workers are just starvation wages. With the thousands of women workers thrown in the streets under various excuses, the trade union movement should have come forward in support of these women workers and launch a movement against this attack exposing the game of the management. They should have made this issue as a common demand of the whole trade union movement. Due to failure on the part of the unions, women workers remained aloof and passive onlookers at the organisation. The reflection of this was seen in the low membership of women workers.

## Maternity Benefits

The Maternity Benefit Act (1961) extends to whole of India and applies to every establishment where more than 50 women are employed, except those factories or establishments where Employees' State Insurance Act (1948) is applicable. The minimum period for which any women can be entitled to maternity benefit is 12 weeks. For this purpose the average daily wage of a woman worker is calculated, and she must work in the factory for 160 days in a year immediately preceding the date of her expected delivery.

### NO. OF COMPLAINTS RECEIVED AND PROSECUTIONS LAUNCHED IN FACTORIES, PLANTATIONS AND MINES

	Complaints received				Prosecutions launched			
	1966	1967	1968	1966	1967	1967	1968	1969
Factories	160	150	176	135	10	3	3	17
Plantations	534	218	174	190	—	—	—	—
Mines	75	45	35	1	12	4	3	1

### MATERNITY BENEFIT PAID UNDER MATERNITY BENEFIT ACT IN FACTORIES, 1961-1970

(From Indian Labour Statistics 1972)

Year	Average No. of women Employed	No. of Women paid M.B.
1961	309,904	11,489
1965	286,111	5,931
1968	405,330	5,211
1969	295,269	5,631
1970 (P)	173,413	3,746

From the above tables one can notice that while a large number of women are employed, a very small percentage of women get cash benefit. The majority of women workers are deprived of the benefit by one or other method by the employers.

The average amount of maternity benefit paid to women is very small, from Rs. 46 to 117. The amount of maternity benefit is fixed on the basis of the daily wage of a woman worker. The daily wages of most sections of women workers employed are verly low, from Rs. 1.50 to Rs. 2.00 only or even less than Rs. 1 /-. The cash benefit the average women received is Rs. 1/- or a little more. This meagre amount of cash is simply a cruel joke played on her since the prices of the necessities of life and medicines have doubled even according to official statistics, during the last 10 years, while the actual rise is much more.

Moreover, there are hundreds of small factories where less than 50 women work. These women who number thousands are left out of the purview of the Maternity Benefit Act. The unscrupulous employers manipulate the registers by various methods in such a way as to deprive women workers from rightful claims. Threats are being used to intimidate the women workers claiming benefits. For fear of losing jobs, which are difficulty to get, they are prepared to forgo the cash benefit.

Secondly, from the second table, it can be seen that though a large number of complaints made, a few prosecutions are launched against the defaulters. Plantations and factories in Kerala reported the highest number of complaints (114) in 1967, but not a single prosecution was launched. Tamilnadu reported 77 complaints in 1968, Assam 155, in 1968, but not a single prosecution was launched according to the reports published in the Indian Labour Journal 1971. The enforcement machinery of the Government is invariably subservient to the managements.

Despite all these, sections of women employed in factoriest mines and plantations have been able to force the managements to pay maternity benefit due to organised strength of the Unions.

Therefore trade unions should demand 1) the abolition of the discrepancy of cash benefit in various States; 2) Increase in

the quantum of maternity benefit to woman worker; 3) 16 weeks maternity leave instead of 12 weeks; 4) strict observance of the Maternity Benefit Act in the interest of workers; 5) stringent punishment to the employers for violation of the provisions of the Act; 6) no claim to maternity benefit to be rejected without approval of union of a woman workers, choice; 7) application of the Maternity Benefit Act irrespective of the size of establishment.

### **The Provision for 'Creche'**

Factory Act 1948 lays down that in every factory where more than 50 women workers are employed "there shall be provided and maintained a suitable room or rooms (creche) for the use of children, under the age of six years, of such women". There are certain provisions with regard to maintenance of creches such as the rooms should be "properly lighted" and 'ventilated'. A trained nurse and an ayah should be in charge of the creche. The rules provide at least half a pint of milk every day to small children and in addition, wholesome refreshment to children above two years. The provision of toys, towels, beds, etc. also has been made.

The actual conditions existing at present in the factories, plantations or mines are totally different from the provisions in the Factory Act. Very few factories or plantations provide creches in accordance with the rules. All the reports show that the conditions in the existing creches everywhere are very bad. Women workers are reluctant to keep their children in the creches since no trained nurses are employed. Generally, an old woman is employed to look after the children. Milk is provided to the children in few creches. The trade unions everywhere have complained with regard to the maintenance of the creches.

The existence of creches in the factories is nominal except in some organised industries. The large sections of women workers on plantations are deprived of this facility. In the industries, like tobacco, bidi etc., where women constitute 80 per cent of the employed, the provision of creche is insignificant.

The question of provision creche is very important for the women workers. The managements are under obligation to

provide creches according to the rules mentioned above. The managements complain that women are not making proper use of existing creche, and therefore, they have been kept closed.

All these arguments have no basis whatsoever since women workers who have babies cannot keep them at home and they need a creche which has a competent, trained nurse to look after their babies.

### **Conservancy**

According to the Factory Act 1948, separate conservancy services for men and women with regard to latrines, urinals, bathing and washing facilities, etc., with proper screening arrangements is an obligation on the part of the managements, wherever more than 50 women are employed. The reports on the service conditions in factories, plantations and mines show that these provisions are mostly not implemented. There are no arrangements of conservancy for women workers in plantations.

### **Existing Legislation Relating to Women Workers**

Protective laws made for women workers are mostly adopted from the International Labour Code. The following legislations are in existence at present:

- 1) Maternity Benefit Act 1961
- 2) Employees' State Insurance Act, 1951
- 3) Plantation Maternity Benefit Act
- 4) Mines Maternity Benefit Act 1941
- 5) Factories Act, 1948

These are generally the laws which apparently protect the women workers. As was stated earlier, there are several loopholes in the acts and few women workers get the actual benefit. The vast sections remain outside the purview of these acts. The managements taking advantage of the loopholes systematically deprive the majority of women workers of the benefits. There is no effective enforcement machinery to launch prosecutions or punish infringement of the laws with the result that the women workers continue to suffer. The present legislations, though they are not enough to protect the women workers, if implemented properly, would benefit the women workers to some extent. Our

trade unions must raise their voice for implementation of the present legislations and demand some basic changes so that women workers will get actual benefit and be protected from the attacks of the management.

These enactments were introduced only after several struggles conducted by the workers. However, while introducing them, the Government provided ways and means for the employers to evade them with the result that these measures give little relief to the women workers but enable the Govt. to claim that it is concerned with the welfare of women workers. Secondly, workers have to struggle even to get these provisions implemented and wherever the Trade Union movement is weak or has not taken up these questions as issues of the movement, the employers continue to evade them.

Therefore, trade union movement while fighting for implementation of the existing legislation will also have to fight for improving upon it so that women workers really get some benefit.

### **Attitude of the Central and State Governments towards Women Workers**

The Central and State Governments are responsible for the execution of the legislations which they have passed in the name of protecting women workers in every industry. The Government of India has ratified some conventions of ILO but have failed to implement them. The Convention concerning Equal Remuneration for men and women workers for work of equal value was ratified in 1958 but in most of the industries this has not come into practice. The Convention No. 111, concerning discrimination in respect of employment and occupation (1958) was ratified by the Central Government in 1960. Wherever Trade Union movement has been able to secure higher wages of workers the employers give preference to men workers. But wherever the question of retrenchment comes, women are first victims.

The attitude of the Central Government with regard to the unemployment among women also is callous. In fact, their policies are responsible for the unemployment of women workers. The memorandum to the Central Committee on Employment mentioned earlier demanded, "immediate ban on retrenchment of women, more opportunities for women by reserving some departments, etc".

The retrenchment of women workers in the industries also is due to 'the statutory obligations imposed upon the employers, like restrictions on night work, restriction regarding lifting of weight, maternity benefit and obligations regarding maintenance

of creches, etc." as stated. The report of the Committee on Economic and Social Status of Women Workers in India (1951) has corroborated this point of view. Even the moderate amendments suggested by various committees in the factories Act so as to enable women workers to continue in the employment were not accepted.

The employers are bent upon reducing the employment of the women unless they are allowed to utilise women workers as cheap labour. Under the bourgeois-landlord rule, the attitude towards women workers, their employment, their working conditions and the social discrimination like unequal wages etc., will continue, so long as the present social system based on exploitation exists.

To counteract these attacks of the management on the working women there is a great need of organising them in the unions on their special problems. Special organising committees to study their problems to agitate and propagate on them in co-operation with the unions are necessary. It will be very useful if some sort of women's wings of the unions in various industries are set up. In the absence of such committees to organise them, the trade union movement will always remain weak and the strength of these women workers will be of no avail.

From the available reports from foreign countries like Japan, such women's wings of the unions are formed to fight their own demands with the co-operation of the unions. It would be useful if information is collected on such methods.

It is reported that a sub-committee of women activists in the cashew industry in Kerala also has been formed, specially to go into the issues of women workers and organise them in co-operation of the unions.

In any case, the problem of working women in the trade unions is a serious problem and it should be taken up by the CITU. Their special problems mentioned above, should be studied properly, efforts to organise them should be made by our unions; proper representation should be given to women workers on leading bodies of the unions. The second conference of the CITU in Ernakulam should go into these questions seriously so that centralised guidance can be given to the trade unions on this vital question and immediate steps are taken to co-ordinate the activities of women workers on an all-India scale.

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