

Workers connect...

Is it enough to ask for 8 hours this May Day

The Past

On 1 May 1886, trade unionists, political activists and large number of workers came together to make the city of Chicago the centre of the growing national movement for an eight-hour workday. Between 25 April and 4 May, workers across the city attended several meetings and marched through the streets more than a dozen times. On 1 May, an estimated 35,000 workers walked off their jobs. Tens of thousands more, both skilled and unskilled, joined them on 3 and 4 May. Protestors marched from workplace to workplace urging fellow workers to join the strike. Police clashed with strikers at several areas. At the McCormick reaper plant, a long-simmering strike erupted into violence on 3 May and the police fired at the strikers, killing at least two. This triggered a protest at the Haymarket Square where once again the police fired on striking workers, killing several people. The police claimed that 'someone' hurled a bomb at the police which prompted them to fire upon the protestors. The identity of this 'bomber' was never revealed. The 8 organisers of the Haymarket protest were convicted, with 7 of them sentenced to death, despite no credible evidence against them. Legal appeals failed. 4 of the convicted organisers were hanged soon after and 1 committed suicide. Thousands attended their funeral. In 1893, seven years later, three of the imprisoned defendants were granted absolute pardon, citing the lack of evidence against them and the unfairness of the trial.

Inspired by this movement for a shorter workday, socialists and trade unionists around the world began celebrating 1 May as the International Workers' Day. The 1904 Sixth Conference of the Socialist International called on "all Social Democratic Party organisations and trade unions of all countries to demonstrate energetically on the First of May for the legal establishment of the 8-hour day, for the class demands of the proletariat, and for universal peace."

From after the World War I till well into the 1970s and 1980s, trade unions across the world have been able to win significant rights for its members on working hours, working conditions and wages.

The Present

The struggle for an 8 hour workday is now over a century and a half years old and yet not over. It is more relevant today than it was ever before. What a worker produced in a year in the 1890s is what she produces in a month or maybe even in a day today. Technological advancement, reorganisation of work through factory system, large scale production for mass consumption and ware have been the main drivers of this huge productivity increase. With increasing mechanisation, every minute now counts.

Situation 1: Even if a worker works for only 8 hours, the employers ensure that every second in that 8 hours is made productive. Workers are not able to take tea breaks, they are not able to take toilet breaks, they are not able to talk to their fellow workers. Thus the struggle for an 8 hour day is far more complicated today than it used to be. The struggle for an eight hour day today also means a struggle for rest breaks within that 8 hours, reduction of work intensity in that 8 hours, non-discrimination between regular and irregular workers within that 8 hours and in many areas of work a guarantee of 8 hours work for 6 days a week.

Situation 2: A large number of workers especially in the service sector today across the world are on contracts where employers are not required to provide a fixed minimum number of working hours and hence have no guaranteed monthly income or social security. The workers have to be on call every day of the week at all hours to take the work that they are offered. As a result workers are forced to work in more than one job like those on the zero-hour contract.

Situation 3: Today a large number of workers

A conversation with a woman beedi worker from Uttar Pradesh

Why do you work as beedi worker?

I can work from home. I don't need to step out. I can work when I get time after attending to my household chores.

How many hours do you roll beedis in a day? Do you take a day off?

10 hours, sometimes more. No we don't take days off. We roll beedis every day.

Why do you work for 10 hours or more when it is upon you to decide how long you work?

We cannot roll a 1000 beedis even if we work 10 hours in a day. The wage is set for a 1000 beedis. So to earn the minimum wage we have to finish a 1000 beedis. We can't finish this in a day.



across the world are also not bound by fixed working hours. They have flexi-hours of work. They are made to believe by their employers that they have the right to choose their hours of work and work as and when they want to.

The two conversations from two ends of the spectrum of work shows very clearly that there is not much scope for choice given the unachievable targets that are set to earn a minimum wage. Thus flexibility of work time is only an illusion created by the employers – in reality, workers end up working much longer than 8 hours a day to earn a minimum wage.

How do employers succeed in fooling so many people so many times and across so many countries?

Here we shall only consider the three situations that we mentioned above. There are many more ways in which we are fooled everyday by our employers.

Situation 1: In which workers constantly work harder and produce more every cycle

As a worker, we are told by our employers that if we work harder we can rise in the organisation. We shall earn incentives. We shall be promoted. We can even become the CEO of the company

A conversation with an OLA driver in Delhi

Why do you work as an Ola driver?

I work when I want to. I don't have to report to anybody. I make more money than I could have earned as a driver anywhere.

How many hours do you work in a day? Do you take a day off?

I work 12-14 hours in a day. I take a day off when I want to. Maybe once in 15 days or 20 days or when there is a marriage in the family or a medical emergency.

Why do you work for 14 hours or more when it is upon you to decide how long you work?

If we don't work for 14-16 hours we are not able to reach the targets which ensures our incentives. We break even after we have worked for about 7-8 hours in a day. When we work beyond this, we are able to make money for ourselves.



if we just work hard enough. Somehow we like to believe this and we do. Our popular movies also feed this illusion to us. We believe that a worker in a factory, if he works hard enough can inherit the factory from the benevolent employer and get his lovely daughter too. The crucial fact that we forget is that the worker was as dashing as Shah Rukh Khan or Rajnikant who the beautiful daughter of the employer fell in love with!

This incentive model also tells us that we can out-do our co-workers and be paid more than them. It makes us compete against each other. It makes us push each other to work harder. We no longer need supervisors to push us to work harder. We do it ourselves. This not just increases productivity but also makes every worker suspicious of the others. Thus the notion of a collective identity as a worker is destroyed. Thus each one tries to survive in this rat race by trying to overtake the other and we all get fooled into working more and more.

The philosophy that those who work hard, succeed is something that people have started believing. People ignore that there are some born with privileges and they are the ones who are always ahead of others. There is a political demand from the privileged minority to get rid

of reservation in government employments. This too stems from this understanding that merit should be the basis for eligibility in all employments. We have wilfully forgotten that it is only a small minority of upper caste, male citizens of our country who have had the privilege to make choices and privilege of access to education, to employment for over a hundred years. It continues to be this small minority who now opposes reservation and talks about merit. Merit cannot be determined as an absolute faculty. It is determined as a factor of privileges enjoyed over several generations. It is therefore important to understand that equality in access to everything can only be ensured if we ensure reservation in education, in employments and in access to almost everything.

Situation 2: In which workers accept shorter working hours and end up in multiple jobs

Workers, in most cases women workers, initially accepted shorter and flexible hours of work because they thought this will give them time to spend at home. Women were exhausted with the double burden of an 8 hour workday and attending to household chores including a bulk of the care work. In the late 1980s and the 1990s when governments across the world started dismantling the social infrastructure of public schooling, public healthcare, old age benefits, it became more and more difficult for women to work an 8 hour shift. With patriarchy still in place, she was once again burdened with dealing with infants with no crèche facility, with a child back from school with no day care facility available or too expensive to afford, with aging parents with no social security, with caring for ailing members of family as care got privatised. This forced the need for flexi-timing.

Employers reached a win-win situation. Some employers benefited from the privatisation of education, healthcare, pension by being in that business and some benefited from the fact that now they had access to a pool of workers who need work but are burdened by their family responsibilities and hence will accept any terms of work. This today has got us to the Zero hour contracts. Thus we need to look at the requirement of workers for flexibility from the glass of disappearing public education, public care services, public healthcare and other social infrastructure and the acceptance of the fact that it is the woman's job to do care

work.

Situation 3: In which workers accept flexi work schedules as opposed to an 8 hour workday.

This happens when workers have very little choice in terms of access to employment. Both in the case of the Ola driver and the beedi worker, access to other employments is very limited. Thus, even though they are made to live in this illusion that they chose this work because they had flexibility, they soon realise they are caught in a vicious cycle of meeting targets and hence putting in much longer hours of work. As there is lack of access to alternate employments, workers are not able to shift to other work. The shift for a beedi worker is not possible as she is not allowed to go out of her home and seek employment while the shift for an Ola driver is not possible as he has already invested in the car and is stuck with it.

These situations are very different. The employment relations are different. The nature of work and workers are different. But one common string links them: it is the philosophy of individual progress. All these workers are isolated but they all believe they will survive through hard work. This keeps them going but keeps them away from collective struggles and action to change their condition of work and life. Transforming individual identity of working people, which capital promotes for its own advantage, into the collective will of the working class is what the trade unions have always struggled with and will continue to do so.

Policy News

Centre drops plan to bar outsiders from leading trade unions

24 April 2018: Amid protests by unions against the Code on Industrial Relations Bill 2015 which is aimed at combining three acts—the Industrial Disputes Act, 1947; Trade Unions Act, 1926; and Industrial Employment (Standing Orders) Act, 1946 the Labour Ministry has dropped the proposal to restrict outsiders from becoming office-bearers in trade unions. The Ministry had earlier recommended that only people engaged or employed in an industry can become office-bearers of a trade union in the organised sector and only two outsiders could be office-bearers of a trade union in the unorganised sector. Under the present law, one-third of the office-

bearers, upto five workers, in a trade union can be outsiders in the organised sector and half the office-bearers can be outsiders in a union of unorganised sector workers. The Ministry has also rolled back a proposed provision of disqualifying a person as an office-bearer if the individual is an office-bearer in 10 other trade unions.

Labour Ministry proposes draft Code on Occupational Health and Safety

2 April 2018: Ministry of Labour has proposed a preliminary draft Code on Occupational Safety, Health and Working Conditions, 2018. The Code amalgamates 13 labour laws relating to safety and health standards, working conditions, welfare provisions, provisions for leave and hours of work.

The Ministry has sought comments and suggestions from public on the code, the last date for submitting comment and suggestions is 10 June 2018.

Maharashtra Government's amendments to the Apprentices Act, 1961 gets President's assent

21 April 2018: Amid strong opposition from trade unions, the Maharashtra Government has got President's assent for the amendments it proposed in the Apprentices Act, 1961 which would raise the cap on employment of apprentices in a factory from the existing 10% to 25% of the total workforce. The amendment will also allow apprentices to work part-time for four hours while undertaking another skill training program.

Legal News

Supreme Court directs government to provide pension benefits to employees of Regional Rural Banks

27 April 2018: The Supreme Court has ordered that the Government of India provide pension benefits to the employees of Regional Rural Banks. The Apex Court has also ordered that pensionary dues of retired employees be paid within the next three months.

The judgement will benefit around 80,000 workers employed by 56 regional rural banks across the country.

Jammu & Kashmir High Court upholds Central Industrial Tribunal's order regularising

Jammu & Kashmir Bank Ltd. staff

22 April 2018: The Jammu & Kashmir High Court upheld the order of Central Industrial Tribunal regarding regularisation of temporary staff employed by Jammu & Kashmir Bank Ltd since year 2000.

The High Court rejected the argument of Jammu & Kashmir Bank Ltd that the central industrial tribunal had no jurisdiction to decide on regularisation of its temporary workers.

The temporary workers had raised a dispute under the Industrial Disputes Act, 1947 at the Industrial Tribunal after their plea for regularisation was rejected by the bank management. At the Tribunal bank management had argued that these workers were not workmen and hence not covered by the ID Act.

Kerala High Court clears notification of Minimum Wages for Nurses

4 April 2018: Presiding over the matter of notification of minimum wages for private hospital nurses and nursing support staff, Justice P.B. Sureshkumar has ordered the government to go ahead with the publication of notification which would raise the salary of nurses employed in private hospitals to Rs.20000 per month, bringing it at par with their peers employed in government hospitals.

The management of more than 400 private hospitals had come together to file a case against the Minimum Wage Notification issued by the Kerala Government which would lead to a 150% hike in the wages of nurses and nursing support staff employed at private hospitals, calling it arbitrary and illegal.

The court had earlier restrained the government from issuing the final notification, following which nurses and nursing staff across Kerala had gone on an indefinite strike.

Supreme Court orders state governments to make interim payment of Rs.127 crores due to tea garden workers

5 April 2018: The Supreme Court has directed the Central Government to proceed against defaulting tea companies by calling the statutory authorities to issue notices to the companies, for recovery and payment of wages to the workmen, who lost their source

of income due to closure of tea estates in the states of Assam, West Bengal, Kerala & Tamil Nadu.

A writ petition was filed by the International Union of Food & Agricultural Workers. Explaining the plight of the workers, the petition said that 240 workers died of starvation between March 2002 and February 2003.

Centre had set up a committee on plantation labour in 2003 which had found out that 4819 registered plantations had not paid dues to their workers. The dues of the workmen amounted to Rs. 249 crores in Assam, Rs. 27 crores in Kerala, Rs. 70 crores in Tamil Nadu and Rs. 30 crores in West Bengal.

In response to the contempt petition filed by the IUF together with the affiliated Estates' Staff Union of South India (ESUSI) and other unions, the Supreme Court of India ordered the governments of Assam, West Bengal, Tamil Nadu and Kerala to make interim payment of wage and benefit arrears to the tea workers within 60 days.

Collective Bargaining

Hospital kneels to nurses' demand of better wages and patient-nurse ratio

19 April 2018: Nurses at the Delhi based Maharaja Agrasen Hospital ended their 9 day long strike after the hospital management agreed to accept the charter of demands raised by the United Nurses Association.

The Collective Bargaining Agreement will ensure:

- More than 20% pay increase
- Payments for additional night work and other allowances
- Compliance with the nurse to patient ratio
- Documented salary slip
- No victimisation of union leaders and striking members

The agreement will directly benefit over 370 member nurses of the United Nurses Association.

Telugu cine industry workers sign wage agreement

26 April 2018: The Telugu Film Employees

Federation comprising 24 unions of cine industry workers of Telugu film industry signed an agreement with Telugu Film Chamber of Commerce which would yield an effective pay hike of 30 to 32% for the next two years. New pay scales will be effective from 1 May 2018 to 30 April 2020.

AIIMS resident doctors strike against harassment of co-worker

28 April 2018: The Residents Doctors Association of All India Institute of Medical Sciences went on an indefinite strike demanding suspension of a faculty member who harassed and slapped a resident doctor in front of patients and hospital staff while the resident doctor was on duty.

The resident doctor was earlier ridiculed by the faculty for filing RTI queries seeking administrative information about the department.

Discrimination

Uttarakhand: Women health workers asked to take pregnancy tests to get contract renewed

10 April 2018: The Chief Medical Officer of the Pithoragarh district of Uttarakhand issued an order that all contractual women health workers employed under the National Health Mission (NHM) must undertake pregnancy tests and submit the reports with the office to get their annual contract renewed.

The move is aimed at denying maternity leave benefits as ensured under the Maternity Benefit Act, 2017 to pregnant women by not renewing their work contract. Uttarakhand's health schemes are dependent on the workforce of around 1400 contract women workers who have been demanding fair wages and regularisation of contract.

150 contract NHM workers have gone on strike demanding that the order be revoked.

Migrant workers being welcomed in Kerala

The Economic Survey of the Kerala State Planning Board, published in January, points out that the decadal growth rate of Kerala's population as per the 2011 Census was 4.9%, the lowest among States. Shortage of local labour and heavy migration of skilled and semi-skilled labourers, mainly to the Gulf countries,

have stimulated the demand for Inter-State Migrant (ISM) workers.

The Kerala government has started unique schemes like the AAWAS Insurance scheme, Apna Ghar and Janani housing for the social security of ISM workers. The AAWAS insurance provides life coverage of Rs 2 lakh and free medical treatment up to Rs 15,000 in the government and State's empanelled private hospitals. Some 1.6 lakh workers have already registered under this scheme. The Apna Ghar project provides decent hostel accommodation with basic facilities at Rs 800 a month. The pilot project at Kanjikode, Palakkad, will accommodate 620 male workers, is spread over an area of 44,000 sft, and has lawns, volleyball courts, resting spaces.

The Assam agitation that started in the 1980s raised the issue of nationality of Bengalis living in Assam. The Assam government's present effort to prepare the National Register of Citizens (NRC) is persecuting Bengali Muslims to flee their home and find employment in Kerala. 17% of the ISMs in Kerala are from Assam.

75% of the 37000 crore collected as labour cess remains unspent

30 April 2018: An RTI query has brought to fore that the state governments in the country collected Rs 37,482 crore till June 2017 under the Building and Other Construction Workers Cess. However, only Rs 9,491 crore was spent on workers' welfare.

Around 2.77 crore workers are enrolled with various state labour welfare boards, of which only Kerala has spent a 100% of its funds on worker's welfare. West Bengal, Mizoram, Manipur and Puducherry have spent close to 50% of cess collected, while overall more than 75% of the cess money lies unutilised with the state boards.

Health and Safety

Court strikes down law allowing Airlines to change stipulated duty hours for workers

19 April 2018: The Delhi High Court has struck down Flight Duty Time Limitations (FDTL) floated by Directorate General of Civil Aviation (DGCA) in the year 2011 which allows commercial airline operators to stretch the working hours of pilots.

Lawyer Yeshwant Shenoy had filed a case against the regulation bringing to the notice of the Court that the law compromises on the rest time of the pilots resulting in fatigue which has led to fatal accidents in the past. Taking cognizance of the matter, the Court directed the DGCA to float new rules within a year and to ensure that in the meantime recommendations of the committee headed by Naseem Zaidi are strictly followed. The committee had recommended that flight crew should get 36 hours of rest free from all duties, a pilot flying between three to seven time zones during a long haul flight should have minimum 36 hours of rest before next flight and barred consecutive night operations between 12 AM-5 AM.

Workplace Safety Watch

Domestic work: Bubli (18) died after she fell from the 13 floor of a residential tower block apartment in the, **Angel Jupiter Society** in Indirapuram on 12 April 2018. She had been employed by the builder to clean a few unoccupied flats in the housing society.

Construction: On 16 April 2018, a construction worker Rizaul Haque Babul (34) died after falling off the 3rd floor of a building in **Malabar Hill** area of **Mumbai**. Babul was provided no protection gear and no provisions for safety equipments were made available by the contractor at the construction site.

On 24 April 2018, a construction worker Veera Nayak (40) was killed and another worker Siddulu (30), sustained injuries when the roof of a residential building collapsed in **Chandanagar, Hyderabad**. 4 workers were engaged in demolition work on the first floor of a residential building when the roof collapsed.

2 workers K. Mosa (30) and M. Kotesh (36), died after falling from the 3rd floor at a construction site at **Manikonda, Hyderabad, Telangana** on 28 April 2018. The incident occurred when the 2 workers employed to empty cement bags lost balance and fell as there were no harness or safety provisions at the construction site.

Sanitation: 2 workers Ravindra Kumar (40) STP operator and Vikram Singh (26) a contractual security guard employed by the hotel chain Taj died and 3 others Kamdev Patra (54), Nityanand (51) and Gaurav Sukheja (34) were admitted to the ICU after inhaling toxic fumes emanated

from a sewage treatment plant pipeline at the Taj Vivanta hotel in Khan Market area of New Delhi.

The repairing of the sewage leakage was outsourced to Eco Pollutech Engineers and Ravinder worked as a contractual maintenance staff at the sewer plant. He fell unconscious while repairing following which, the other 4 workers followed for his rescue and got trapped themselves.

On 17 April 2018, Mohammad Umar (26) a contract worker working on a sewer pipeline died after a mound collapsed on him in Chawla area of Dwarka Vihar, New Delhi. Umar was working with 7 other workers at the Delhi Jal Board site. The construction work had been outsourced to a private company by the Delhi Jal Board.

Manufacturing: On 17 April 2018, 2 power press operators Satender Ravidas (35) and Arvind (29), died due to asphyxiation and another worker Chandan was seriously injured after a fire broke out at a crockery manufacturing factory in southwest Delhi's Nawada Industrial Area. Workers were working night shift when the fire broke out.

The factory had no safety provisions as prescribed under the Factories Act, 1948 and the exit gates were locked from outside.

4 workers along with the owner of a cardboard factory, died in Rajasthan's Alwar district on 29 April 2018, after getting trapped inside a 20-foot-deep tank at the factory. The incident occurred when a worker had gone down the water tank where paper was stored, to repair a pipe adjoining it.

In and Around

World Bank report promotes abolition of Minimum Wages and work contracts for workers

20 April 2018: The World Bank in its flagship publication – The World Development Report has proposed that hiring and firing of workers be made easy so that more workers can be added to the workforce.

It has also proposed that employers who have some form of profit sharing model should be allowed to remain outside the ambit of

Minimum Wages regulations. The report has drawn criticism from the International Labour Organisation and Trade Union organisations.

News from Around the World

Tunisia: Teachers launch indefinite strike opposing austerity policies

25 April 2018: Members of the Tunisian General Labour Union (UGTT) and the General Federation of Secondary Education (FGESSEC) stopped work at all high schools and colleges of Tunisia and began an indefinite strike on 17 April 2018.

Since December 2017 teachers are demanding higher wages and a retirement age of 55 based on 30 years of work.

Earlier this year, thousands of teachers protested in front of the Ministry of Education demanding that the current process of disintegration of public schools be reversed through in-depth reforms and greater human and financial resources. Teachers refused to submit the exam grades to the administration in January and held a massive protest in February.

The government refused to engage in dialogue with the workers which has led to the work stoppage and indefinite strike.

Spain: Amazon fires workers demanding better working conditions

18 April 2018: Amazon fired 100 temporary workers at its San Fernando de Henares warehouse in Spain which employs 1100 permanent and 900 contract workers. The workers had stopped work on 21-22 March 2018 demanding better working conditions and regularisation of their work contracts. The General Confederation of Labour Union (CGT) has raised the matter with the management.

Zimbabwe: 16000 nurses dismissed for demanding better wages

18 April 2018: 16,000 nurses participating in strikes under the banner of Zimbabwe Nurses Association demanding immediate payment of due allowances & arrears and restructuring of the graded salary system have been dismissed by the government.

In 2010, nurses in Zimbabwe were promised new allowance schemes and review of the graded salary system. Governments till date

have failed to take cognizance of the matter. A majority of nurses have been placed in lower grades and no review of their employment status has been carried out in the past years to contain their wages. An average nurse in Zimbabwe makes \$284 a month.

The nurses strike was preceded a month-long walkout over pay and working conditions by junior doctors which ended on 2 April 2018.

Germany: Public sector workers win pay hike

17 April 2018: The public sectors workers have won a phased agreement to boost the pay of more than 2 million public sector workers by some 7.5 percent over two-and-a-half years.

The agreement gives workers a 3.19 percent raise backdated to March 1, followed by a 3.09 percent increase from 1 April 2019, and a further 1.06 percent from 1 March 2020.

The deal covers about 2.3 million public sector workers. The interior ministry has said that it will introduce a law to extend it to civil servants, judges and soldiers too.

UK: Delivery workers engaged in 'gig economy' demand worker rights

1 April 2018: Contract workers employed by delivery company Hermes have raised a dispute against the company demanding minimum wages and health benefits as entitled to other workers under the law.

The Hermes claim mirrors several other similar tribunal hearings – including verdicts in cases brought against, Addison Lee, City Sprint, Excel and eCourier – where judges have ruled that workers of the gig economy were not 'self-employed' as claimed by the company but, workmen as per the legal classification of "workers", thereby entitled to receiving minimum wage, leave wages and social security benefits.

UK based delivery firm DPD had offered its workers sick and holiday pay as part of wholesale reforms after death of a driver it charged for attending a medical appointment to treat his diabetes collapsed and died earlier this year leading to protests by workers at the company.

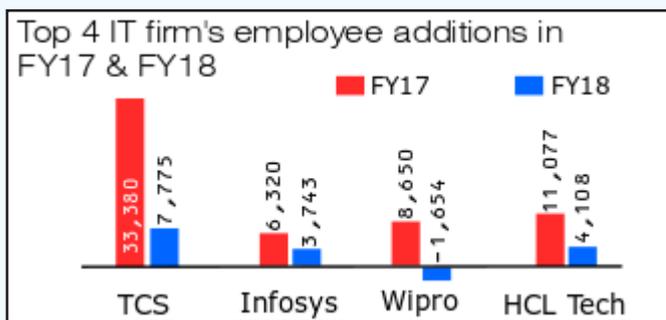
Corporate Watch
Soaring profits of the IT companies is not

reflecting in the wages of IT/ITEs workers

Tata Consultancy Services (TCS), one of the largest Indian IT companies has reported a record profit this quarter. Its net profit is up by 4.4% at Rs 6,904 crore and revenue is up by 8.2%. The company has also become the first ever IT company to have crossed the \$100-billion market cap. However, this growth is not reflected in the wages of the workers or the employment generated by the company. The same scenario can be seen at the other three IT giants – Infosys, Wipro and HCL technologies.

The increments offered to the workers has ranged between 1 and 5 percent. TCS offered its workers a hike of 2% in select offices and to workers of select brackets while Infosys offered increments between 1.6 to 1.9%. Entry level wages in the IT sector have remained static for the last decade.

Last year, most IT companies either forced their mid-level workers to accept voluntary retirement or terminated them illegally thereby cutting down their labour cost. This year the addition in workforce plummeted by 76% as in the year ended 31 March 2018, the top four Indian IT firms — Tata Consultancy Services (TCS), Infosys, Wipro, and HCL Technologies — made net additions of 13,972 employees (taking into consideration the number of people exited in the year), compared to 59,427 in 2016-17.



By instilling the fear of artificial intelligence and lack of jobs citing market protectionism in the United States under Trump rule, Indian IT companies have succeeded in hiring lesser workers, firing mid-level workers and keeping the wages and incentives for workers stagnant, thereby squeezing more and more from their workforce, while continuing to accrue tax sops from the government in the name of generating employment.