

# **NATIONAL CONVENTION OF WORKERS ON 5<sup>TH</sup> MARCH 2019, CONSTITUTION CLUB ANNEXE FOR ADOPTION OF WORKERS CHARTER OF DEMANDS**

Dear worker brothers and sisters!

We, the workers, along with the peasants and other toiling people produce the wealth of our country. It is we who contribute to the economic growth of our country. Yet our burning issues, our serious problems, and our urgent demands have been totally neglected by the government at the centre.

The joint trade union movement has been repeatedly raising the issues of concern to the working class for the last many years. We have repeatedly tried through various means, the latest being the two days' country wide general strike which has received massive support from all sections of the toiling people, to bring our demands to the notice of the government and sought redress, but to no avail.

Today, the country is in a deep crisis. All aspects of our daily life, as that of peasants and agricultural workers and other working people are in crisis. The hard won trade union and labour rights are under attack. Agrarian crisis and rural distress continue unabated. Thousands of peasants are committing suicide. Agricultural workers and poor peasants find no work in the rural areas and are migrating to the cities in large numbers competing with the unorganised sector workers for low paying jobs without any social security.

Prices of all essential commodities, housing, transport, electricity, education and health etc are increasing. But wages of workers have stagnated. In many sectors and for most of the contract, casual and daily wage workers and workers in the unorganised sector, in fact real wages have come down due to the price rise. The workforce in the informal economy being worst sufferers are devoid of any kind of social security. The workers in tea & coffee plantation continue to be fleeced by employers and those in sick industries are on the verge of losing jobs.

The government is stubbornly refusing to implement the consensus recommendation of the Indian Labour Conference to notify minimum wages as per the 15<sup>th</sup> ILC formula along with the Supreme Court judgment in the Raptakos & Brett case.

It is not implementing the Supreme Court judgment and the consensus recommendation of the ILC on equal pay and benefits to the contract, casual workers doing the same job as permanent workers.

Despite the consensus recommendation of the ILC the government refuses to recognise the around 1 crore workers engaged in its various schemes, most of them women, as workers. It pays shamefully low remuneration to them in the name of 'honorarium'/'incentive' etc. Labour force participation of women is on a continuous down fall. Discrimination against women workers continues. Sexual harassment at workplace is on the rise.

Unemployment has become a matter of serious concern, not only for the youth but also to hundreds of thousands of workers who are losing their jobs due to closure and shut down of industries. Employment generation has in fact turned negative in most of the labour intensive sectors.

Despite strong opposition from the workers and their trade unions, the government is aggressively pushing ahead with its programme of amending labour laws, for its goal of climbing up the ladder of 'Ease of Doing Business Index'. It has decided to scrap 44 central labour laws merging them into 4 labour codes. The intention is to deprive the workers of whatever little rights and social security benefits that they have achieved through decades of struggles and sacrifices and push them into virtual slaves of the employers.

Even before amending labour laws it has found an innovative way to gift employers with the right to 'hire and fire'. It has extended Fixed Term Employment to all sectors through a notification. Through programmes like NEEM (National Employability Enhancement Mission) and NETAP (National Employment Through Apprenticeship Programme), the government seeks to finish permanent employment altogether. Even contract workers are being replaced by apprentices and trainees. The future of our young looks dismal with no permanent employment, job security or social security.

The government has also been adamantly pursuing its policy of privatisation through disinvestment, strategic sale, outright sale etc. It has allowed 100% FDI in all strategic sectors like defence production, railways, insurance, banking, retail trade, etc. It is moving in the direction of denationalisation of coal mining sector and allowed private commercial coal mining. 600 railway stations along with the land around them belonging to the Railways have been identified for handing over to private players. Around 272 items being produced by the public sector ordinance factories including weapons and critical equipment, have been outsourced. Contrary to the claims of 'Make in India', these measures will destroy our manufacturing capability and research initiatives assiduously developed through the last six decades. Public sector undertakings in other strategic sectors like energy, petroleum, telecom, steel, civil aviation, ports, non coal mines, road transport etc. are also under the privatisation onslaught of the government.

The government has totally neglected its constitutional obligation of providing universal education and health to all its citizens. While government schools, colleges and hospitals are being deprived of finances and neglected, private corporates in the education and health sector are being provided exemptions and concessions.

The demonetisation causing sudden withdrawal of over 86% of the currency has not only caused immense hardship to common people, lakhs of small and medium enterprises have been closed. Lakhs of workers in the unorganised sector have lost their jobs. Lakhs of small peasants have lost their incomes. Not one of the declared goals while pronouncing demonetization was achieved. It was only the digital payment platforms that have benefited.

GST too has wrecked havoc with the lives of the small enterprises and lakhs of workers employed in these. Thousands of small and medium enterprises and retail traders are yet to recover from its impact.

Thousands of crores of rupees, money that the workers and the common people have saved in public sector banks is being looted by corporate swindlers who are defaulting and fleeing the country. Over 80% of the NPAs of banks are due to the big corporate houses, not more than fifty in number. The government which declines to spend adequate money to ensure basic needs and social welfare to the poor is providing tax concessions and exemptions worth more than Rs 5 lakh crores every year to the big corporates, domestic and foreign.

It is clear that this government is working overtime for the benefit of their corporate masters. It is resorting to authoritarian measures to suppress opposition and resistance to its policies. People, social and human rights activists working to safeguard the democratic rights of dalits, minorities and workers are branded 'anti national', persecuted and even killed.

Not only that. The government at the centre is promoting hatred and animosities and encouraging spreading of communal venom by the various communal organisations. This is meant to divide the workers and other sections of toiling people, disrupt their unity and weaken their struggles against the neoliberal policies. These attempts to foment hatred and hostility on the basis of religion, caste, region, language etc are a serious threat to working class unity, which the utmost need of the hour to intensify our struggles against the neoliberal policies that have been attacking our lives and livelihoods.

We, the workers, have been unitedly fighting against these policies since the last over two decades. We have jointly conducted 18 country wide general strikes during this period in addition to scores of sectoral strikes. The participation of workers in these strikes has been continuously increasing.

But when it comes to elections, through which the governments that formulate the policies so vital to our livelihoods and living conditions are elected are concerned, most of the major political parties are totally silent about us or on our issues. Our issues, our demands, the issues and demands of the workers and other sections of toiling people, not even the basic issues and problems relating to a decent and humane living and livelihood get any place in the discourse during elections. Many of the political parties try to consider people as 'vote banks' on the lines of religion, caste or sub caste, region etc. and take them for granted. Issues not at all concerned with our day to day problems or demands are raised to provoke and polarise people for their electoral benefits. After coming to power, we are totally neglected by the parties. Those in government start obeying orders of their corporate donors and enrich themselves in the process.


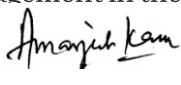
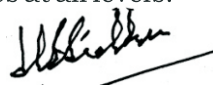

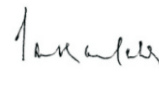

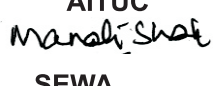



How long should this continue? While we need to defeat the present BJP led government which has been aggressively pursuing anti worker, anti people and anti national policies, we should also demand reversal of these policies and formulation of alternative pro worker and pro people policies, whichever government comes to power at the centre.

It is time that workers' issues are raised during the elections. It is time that workers' issues form a major part of the discourse during elections. Let us place our demands, the Workers' Charter, before the political parties and compel them to concretely express their stand on these issues before we decide whom to vote.

**Workers' Charter:**

1. Fix national minimum wage as per the recommendations of 15<sup>th</sup> Indian Labour Conference and Supreme Court judgement in the Raptakos & Brett case, which has been reiterated unanimously by later Indian Labour Conference.
2. Abolish Contract Labour system in perennial nature of job pending which strictly implement equal wage and benefits to contract workers doing the same job as permanent workers, as per Supreme Court judgment.
3. Stop outsourcing and contractorisation of jobs of permanent and perennial nature.
4. Strict implementation of equal pay for equal work for men and women as per Indian Constitution and equal remuneration act and also reiterated by Supreme Court.
5. Minimum Support Price for the produce of the farmers as per the recommendations of Swaminathan Commission, strengthen public procurement system.
6. Loan waiver to farmers and Institutional credit for the small and marginal farmers.
7. Comprehensive legislation covering social security and working conditions for all workers including agricultural workers.
8. Take immediate concrete measures to control sky rocketing prices of essential commodities; ban speculative trading in essential commodities. Expand and strengthen public distribution system; no compulsory linkage of Aadhar to avail services of PDS.
9. Check unemployment through policies encouraging labour intensive establishments; link financial assistance/incentives/concessions to employers with employment generation in the concerned establishments; fill up all vacant posts in government departments; lift the ban on recruitment and 3% annual surrender of government posts.
10. Assure minimum pension of Rs 6000 per month and indexed pension to all.
11. Recognise workers employed in different government schemes, including anganwadi workers and helpers, ASHAs and others employed in the National Health Mission, Mid day Meal workers, Para teachers, teaching and non teaching staff of National Child Labour Projects, Gramin chowkidars etc as workers and pay minimum wages, social security benefits including pension etc to all of them.
12. Immediately revoke 'Fixed Term Employment' which is in violation of the spirit of ILO Recommendation 204 which India has ratified.
13. Stop disinvestment/strategic sale of public sector undertakings. Give revival package to the important PSUs in the public interest.
14. Revival and opening of sick Jute, industries and Tea plantations, as thousands of workers in these industries are facing distress, malnutrition and deaths due to closure.
15. Revoke the decision to privatise Railways, Defence, Port and Dock, Banks, Insurance, Coal etc. Immediately revoke decision allowing commercial mining of coal mines.
16. Withdraw the Motor Vehicle Act (Amendment) Bill 2017, and Electricity (Amendment) Bill, 2018.
16. Immediately resolve the issues of the central government employees related to the recommendations of the 7<sup>th</sup> Pay Commission.
17. Scrap NPS and restore the Old Pension Scheme.
18. Stop anti worker and pro employer amendments to the labour laws and codifications. Ensure strict implementation of the existing labour laws.
19. Implement paid maternity leave of 26 weeks, maternity benefit and crèche facilities for women workers no incentive be given to employers who are following amended provision of Maternity Benefit Act as proposed by the Government.
20. Strict implementation of the Prevention of Sexual Harassment of Women at Workplace Act.
21. Ratify ILO Conventions 87 and 98 on Freedom of Association and Right to Collective Bargaining along with the ILO Convention 189 on Domestic Workers.

22. Stop dilution of OSH & Welfare provisions through merger of 13 Acts in one Code. Ensure implementation of existing Acts and rules. Vacant posts of factory inspectors, Mines inspectors etc and lift ban on inspections. Ratify ILO C-155 and recommendation 164 related to OSH & Environment. Tripartite audit of human and financial loss due to accident should be mandatory.
23. Strengthen Bipartism and Tripartism; make recognition of trade union by the employers mandatory in every establishment; no decision should be taken on any issue related to labour without consensus through discussion with trade unions, ensure regular, meaningful social dialogue with workers representatives.
24. Cut the subsidies given to the corporates.
25. Right to work as fundamental right by amending the Constitution.
26. 300 days of work under MGNREGA. Enact similar legislation to cover urban areas. Fix minimum wages not less than minimum wages of the state.
27. Strict measures to stop the inhuman practice of manual scavenging. Compensation, as per Supreme Court judgment, to the families who die while cleaning sewers.
28. Strict implementation of the SC/ST Prevention of Atrocities Act
29. Immediately fill up all backlogs in the posts reserved for SC/ST; reservation of jobs for SC/ST in private sector employment also.
30. Protect couples opting for inter-caste and inter-religious marriages. Ensure strict actions against those encouraging/ resorting to so called 'honour killings'.
31. Ensure strict punishment according to law for all guilty of rape and other cases of violence against women in letter and spirit.
32. Ensure effective implementation of Article 51 A of the Constitution that calls upon all citizens to promote harmony, spirit of common brotherhood, diversities and to transcend religious, linguistic, regional and sectional culture and to denounce policies derogatory to the dignity of women.
33. Free and compulsory education to all children up to Class XII along with technical education. The budget allocation for education should be 10% of the GDP.
34. Free health care for all. Strengthen health infrastructure, particularly in the rural and tribal areas. Increase government expenditure on health to 5% of GDP.
35. Workers should have active and effective participation in all Welfare Boards constituted for their welfare.
36. Portable drinking water be provided to whole populace.
37. Fill up all already sanctioned vacant posts.
38. Lift Ban on recruitment in all Government and Public sector undertakings and also 3% compulsory annual surrender of post.
39. Lifting ban on new creation of posts on introduction of new work.
40. Protection of street vendors should be ensured. States should frame rules accordingly.
41. In order to protect the interests of Home Based Workers which is women dominated sector ILO Convention 177 for Home Work be ratified alongwith an Act for Home Based Workers.
42. The unspent amount of cess collected under Building and Other Construction Workers Welfare Board be spent only on welfare of workers. Welfare Boards should have adequate workers representation. The functioning of the boards should be strengthened so that the workers can get registered with the board and have easy access to welfare benefits.
43. The Government should direct the States to frame the rules for inclusion of waste recyclers of the solid waste management in the cities at all levels.

				
INTUC	AITUC	HMS	CITU	AIUTUC
				
TUCC	SEWA	AICCTU	LPF	UTUC

**And Independent Federations/Associations of Workers and Employees**