

Working Peoples Charter

The **Working Peoples' Charter** is evolving out of a broad diversity of processes and discussions in different networks and conferences, held over the years, by various organisations, networks and alliances, including more recent meetings held at Hyderabad, Chennai, Mumbai and Delhi in 2013 and 2014 from which this draft Charter emerged, which were attended by representatives from over 100 trade unions, NGOs, alliances of organisations and social movements working with people dependent on the informal economy.

The range of hard-fought benefits won by the working classes is being denied to the informal sector. The 'race to the bottom' that characterizes neo-liberal globalisation, essentially means criminally low labour costs, minimum labour laws and social security. The much touted 'emerging economies' are operating in contexts where profits are being made at the expense of workers and their right to a 'decent life'

Workers in developed countries are facing the onslaught of 'austerity measures'- the predominant state response to the ongoing capitalist crisis, while those in developing countries are being pushed into the ever-growing informal sector, with low pay, no benefits, and no right to organise. In India, workers in the formal sector too are facing similar impacts, characterised by jobless high growth and privatization of the public sector and services model. Large companies have closed down, even entire industries, leaving workers jobless, so that they too are pushed into the informal workforce. Even the production process shop floors are run through the use of contract labour system. In the era of neo-liberal globalisation, there is privatisation of profits and nationalisation of losses everywhere in the world. Agriculture too is critically impacted, with de-peasantisation, dispossession of lands, agricultural crisis, and further in the rural, coastal and forest economy, there has been a collapse of livelihood, loss of control over commons and natural resources. The general agrarian crisis has led to an increase in indebtedness leading to a series of farmer's suicides, and pauperisation resulting in massive displacement and distress migration.

This Charter reflects the aspirations of more than 500 million working people, primarily in the informal sector, across the length and breadth of India: working in urban or rural, formal or informal sector, in wage employment, self employment, home-based and domestic employment, and includes all socially oppressed and excluded working people, whether earning a livelihood or not. There is a convergence of both traditional identities (like caste, gender and community) and that of class. As the NCEUS report states: "What is quite significant is that 79% of the informal or unorganised workers (502 million by 2012), 88% of the scheduled castes and scheduled tribes, 80% of the OBC population and 84% of the muslims belong to the poor and vulnerable group. They have remained poor at a bare subsistence level without any job or social security, working in the most miserable, unhygienic and unliveable conditions, throughout this period of high economic growth since the early nineties." People in the informal sector are excluded from the fruits of the 'high

economic growth' story of India; the growth story that over-shadows critical issues such as jobless growth, the deep agrarian crisis, unemployment, flexibility in employment, distress migration, new and old forms of discrimination at the workplace, loss of traditional means of livelihoods, privatization of public sector and services, and gradual denigration of all forms of labour legislation. The state is leaning more and more towards a policy framework that is based on profits for the corporations rather than social welfare for the people.

It is incumbent upon the state to recognise this vulnerability and act upon it for the welfare of the citizens of this country. It is important in this era of jobless growth, for the state to ensure decent work for the people. People have to be placed before profit in state policy. The Indian state has the minimum responsibility to uphold the 'constitutional morality' which constitutes the inherent strength of the Indian Constitution, which evolved out of the mass upsurge of the anti-colonial struggle.

Specific and Immediate Demands

- **Social Security for Unorganised Workers- amend the Unorganised Workers Social Security Act 2008 based on the following:**
 - Universal minimum social security including health and maternity benefits, accident insurance, life insurance and pension
 - Each state must form state social security boards, bring out rules and define the schemes. For purposes of the Act, "workers" should be defined as *those working in the unorganised enterprises or households, (excluding regular workers with social security benefits), and the workers in the formal/organised sector without any employment/social security benefits provided by the employers [NCEUS 2007].*
 - Ensure Central and state budgetary allocation contributing towards Social Security Funds directed towards implementing schemes under the Act.

- **Wages**
 - Fix Universal minimum wage at state level for all workers
 - Minimum wage should be based on the recommendation of the 15th Indian Labour Conference which were also further supplemented by the Supreme Court [*Raptakos Brett vs. Union of India*].

- **Labour Administration**
 - Strengthen and augment Labour Departments and personnel in-charge of provisioning of social security for unorganised workers.

- Assure labour officials at sub-divisional level
 - Create tripartite mechanism for Labour Facilitation Centres,
 - Strengthen labour inspection system
 - Create a tripartite federal authority overseeing implementation of labour legislations and social security schemes
- **Housing for Workers**
- Provide in-situ occupancy rights and adopt a zero eviction policy of slum-dwellers and tenement residents
 - In case of industrial closure and change in land use from industrial to commercial, allocate at least 30% of land for workers housing
 - Implementing the homeless shelter scheme according to supreme court guidelines and provide low rental housing
- **Enforcement of Labour Standards**
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- Ensure adherence to ILOs core labour standards when approving all public projects, public procurement, subsidies and tax benefits
 - In order to maximise employment and labour intensive economic growth, ensure a threshold number of jobs per unit of investment

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