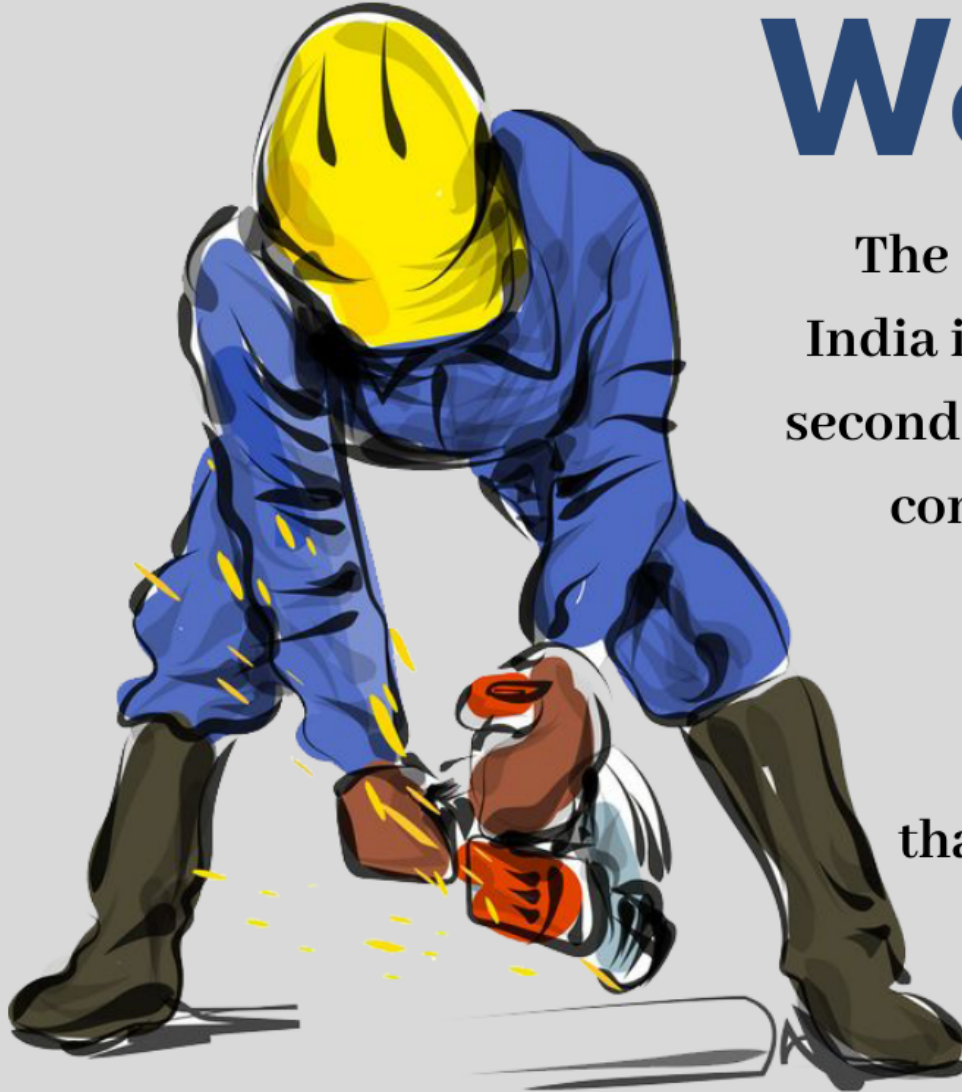




Construction Workers

The construction sector in India is considered to be the second-largest employer and contributor to economic activity after the agriculture sector. It contributes to more than 10% of India's GDP.

- Deloitte





WHO IS A CONSTRUCTION WORKER

He/She is defined in Section 2(e) of the Building and Other Construction Workers Act (BOCW Act) as "a person who is employed to do any skilled, semi-skilled or unskilled, manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be expressed or implied, in connection with any building or other construction work."



REALITY

The construction sector employs around 55 million labour with the highest number of migrant workers.

Approximately, 48,000 workers die every year due to a lack of safety provisions and occupational accidents. contributing to 24.2 percent of the total fatalities in India.



CHALLENGES

It is largely an unorganized sector due to which laws are hardly implemented, and inspection takes place rarely. Moreover, India doesn't have any primary law on Occupational Safety and Health (OSH).

The workers are mostly illiterate which acts as a barrier for them when it comes to accessing government schemes and forming representational trade unions.



CHALLENGES

The excessive use of subcontractors causes hindrance in safety planning, coordination, and allocation of safety, responsibility, and communication.

Most of the companies are small in size. Since their longevity is unpredictable, investing money in training and equipment is considered an unnecessary cost.



HEALTH HAZARDS

Airborne fibers and toxins are quite prominent due to dust produced by stone masonry and site clean-up.

Asbestos which causes lung cancer is present in tiles, thermal papers, insulation, circuit breakers, etc.

There is a danger of unintended collapses and falling of materials which can lead to injuries in soft tissues or even death.



GOVERNMENT PROVISIONS

The building and other construction workers (Regulation of Employment and Condition of Services) Act, 1996 has provisions for accommodation, washrooms, creche, canteens, and a welfare fund. It also outlines fire extinguishing equipment at the site.

It is the responsibility of the contractor to manage the specific safety and management health risks at the site. The Work Health and Safety (Construction Work) Code of Practice 2015 has been developed to guide the principal contractor.



GOVERNMENT PROVISIONS

National Safety Council (NSC) has been established to generate, develop and sustain a voluntary movement on Safety, Health and Environment (SHE) at the national level under the Ministry of Labour.

Shram Suvidha Portal and Labour Identification Number (LIN) aims to bring transparency and accountability in the enforcement of labor laws and eases compliance.



GAPS

Very few migrant workers are registered under the act and thus, are not able to avail benefits of the welfare fund.

The term "employer" in the BOCW Act is defined to include both contractors and owners. This leads to both of them passing on responsibility to one another neglecting the worker population.

Additionally, there is no social audit in place to check the effectiveness of the law.



GAPS

Many times, workers on the site are not provided with precautionary gears like gloves, glasses, earmuffs, etc., and their basic construction safety training is also usually ignored by the contractors owing to their temporary status

Provisions like proper sanitation and creche facilities are not followed strictly leading to ignorance of safety for women as well as toddlers at the workplace.



RECOMMENDATIONS

The definition of "construction workers" should be widened so that it complies with the Factories Act, 1948 too.

Awareness camps should be organized regarding the existing laws, welfare, and insurance schemes.

The Welfare fund should not be underutilized and audited timely.

Regular inspection of construction sites for ensuring effective compliance is necessary.

