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Paper Authors **SUKANYA SHARMA, DR. SAYYAD ISMIAL NASIR**



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A STUDY OF WOMEN WORKERS IN UNORGANIZED SECTOR IN INDIA

CANDIDATE NAME= SUKANYA SHARMA

DESIGNATION- RESEARCH SCHOLAR MONAD UNIVERSITY HAPUR U.P

GUIDE NAME= DR. SAYYAD ISMIAL NASIR

DESIGNATION- ASSOCIATE PROFESSOR MONAD UNIVERSITY HAPUR U.P

ABSTRACT

Almost 400 million people (more than 85 percent of the working population in India) work in unorganized sector and of these at least 120 million are women. Women working in the informal sector are not included in the official statistics and their work is undocumented and considered as disguised wage work, unskilled, low paying and does not provide benefits to the worker. India was one of the first countries in the world to give women the right to vote. The Indian constitution is one of the most progressive in the world and guarantees equal rights for men and women. Despite the advances women have made in many societies, women's concerns are still given second priority almost everywhere. They continue to face discrimination and marginalization both subtle and blatant and do not share equally in the fruits of development. Their contribution is not given due credit. Women workers in unorganized sector lag behind the males in terms of level and quality of employment. The present study was carried out with women construction workers and domestic helpers working in the unorganized sector in Okhla region of South Delhi. An attempt has been made in the paper to understand the socio- economic condition of women laborers, nature of their work, their working conditions, wage pattern, wage discrimination and other difficulties faced by them at their work place.

KEYWORDS: Women Workers, Unorganized Sector, working conditions, socio- economic condition

INTRODUCTION

The conditions of work in the unorganized sector were unsatisfactory and the problems confronted by them were acute. And that their illiteracy, poverty and indebtedness forced them to work for lower wages and under unjust conditions. Organized sector workers are distinguished by regular salaried jobs with well-defined terms and conditions of employment, clear-cut rights and obligations and fairly comprehensive social security protection. The unorganized sector, on the other hand, has no such clear-cut employer-employee relationships and lacks most forms of

social protection. Having no fixed employer, these workers are casual, contractual, migrant, home based, own-account workers who attempt to earn a living from whatever meager assets and skills they possess. National Commission on Labour (1966-69) has defined unorganized labour as those who have not been able to organize themselves in pursuit of common objectives on account of constraints like casual nature of employment, ignorance and illiteracy, small and scattered size of establishments and position of power enjoyed by employers because of nature of industry.

The unorganized sector is characterized by the presence of factors viz. long hours of work, wage discrimination of men and women, lack of job security, no minimum wages, lack of minimum facilities at work place, ill-treatment, heavy physical work and sexual exploitation etc. The laboring women generally work in unorganized sector. They are outside the reach of Protective Labour Laws and Trade Union Organizations. They are not offered fair wages and decent terms of work. There are hardly any opportunities to improve their income because in this sector, females work generally as laborers in unskilled occupations, do traditional work as domestic servants. The process of globalization, export oriented industrialization and relocation of industries from the developed to developing countries also lead to increase in women workers in unorganized sector. The nature of women's work ranges from wage employment or selfemployment, family labour and piece rated work. The prevalence of women workers in urban unorganized sector is significant in number. They are engaged in activities like domestic work, construction work, small trades like brick making, coir and basket weaving, household industries etc. In rural unorganized sector women are engaged in agricultural activities, animal husbandry, dairy, fisheries etc. In the present paper the status of women domestic workers, construction workers and agriculture laborers was studied through an empirical study. Most of the domestic workers and construction workers are primarily women who have migrated from rural areas for economic gain. The influx of women workers to the cities for non-farm

employment has saturated the existing sectors and is one of the main reasons for her extreme exploitation. Hardships of city life, absence of basic amenities and exploitation of these women by employers have added to their misery. The condition of women agriculture labour in rural areas is no better. Most of them do not have year round employment. They suffer vital disadvantages compared to men in their search for employment opportunities, lower real wages, increased uncertainties and irregularities of employment. There are legal provisions to protect their rights. Such working conditions are a hurdle in their overall development leading to under performance and not allowing them to raise their productive capacity in that very profession also.

Plight of Women Workers in the Unorganised Sector

The politico-legal, social and economic changes that have taken place during the past decades have definitely brought about perceptible changes in the status of women in the country. Women in our country share too many responsibilities and perform a wide variety of duties in running the family, maintaining the household, attending to labour and domestic animals and extending a helping hand in artisanship and handicrafts. But most of the times her participation in work is considered as unpaid. Her role has never been evaluated as such in real economic terms. An important reason for neglecting female employment as a specific category either in research or policy is the 'invisibility' of their economic contribution, especially in the rural areas, and traditional interpretation of such concepts as 'work', 'economic activities',

productivity, and work place. During the recent years, women in large numbers have joined the labour force and taken up paid employment. Although women's representation in the labour force is increasing still it is much lower to that of men. Women are largely confined to unpaid work and casual labour, while men concentrate on more valued forms of remunerative work. The informal/unorganised sector is a larger source of employment for women than men. The unorganised economy in India employs about 86 per cent of the country's work-force and 91 per cent of its women workers. Their earnings are necessary for sheer survival. Women are disproportionately represented in the unorganised sector, in non-standard and lower-paid forms of work, such as temporary and casual employment, part time jobs, home-based work, self-employment and work in micro enterprises. They face serious problems and constraints related to work such as low income, lack of continuity, insecurity, wage discrimination, unhealthy job relationship, absence of medical and accident care etc. The exploitation of female labourers in rural regions happens both horizontally and vertically. Thus, it is needed to address the issues and discuss the kind of policy reforms and institutional changes required for the emancipation and empowerment of rural female labour force. The present study aims at understanding the degree of vulnerability of the women workers in informal sector in India. Towards fulfilling this objective, this study has been conducted to find out the realities. The women working in the unorganized sector are most vulnerable,

ignored and diverse. Therefore, it is time to address their issues and discuss the kind of policy reforms and institutional changes required for their emancipation and empowerment. This present study will make an attempt to understand the socio-economic condition, nature of work, working condition and difficulties of women labourers working in the unorganised sector in India. It is hoped that this study will help in providing desired inputs to the policy makers, government functionaries, international agencies and all those who are engaged in the upliftment of the women workers working in the unorganised sector.

1. Low Wages and Exploitation:

Women workers in the unorganized sector face the plight of receiving low wages that often fall below minimum wage standards. They are subjected to exploitative practices such as long working hours, wage theft, and non-payment of dues. The absence of formal employment contracts and bargaining power leaves women vulnerable to exploitation by employers, contractors, and middlemen.

2. Lack of Social Security:

The absence of social security benefits adds to the challenges faced by women workers in the unorganized sector. They lack access to essential protections such as health insurance, pension schemes, and maternity benefits. This leaves them vulnerable to health risks and financial burdens in times of illness or emergencies. The lack of pension schemes further contributes to their financial insecurity in old age.

3. Unsafe Working Conditions:

Women workers in the unorganized sector often work in hazardous and unsafe

environments. They face occupational health and safety risks, including exposure to harmful chemicals, inadequate safety measures around heavy machinery, and a lack of proper protective gear. The absence of mechanisms to ensure workplace safety compromises their physical well-being and perpetuates a cycle of exploitation.

4. Gender-Based Discrimination:

Gender-based discrimination is pervasive in the unorganized sector, resulting in unequal treatment, biased practices, and limited opportunities for career advancement for women workers. They face various forms of discrimination, including sexual harassment, verbal abuse, and other gender-based violence in the workplace. The intersectionality of caste, class, and ethnicity further compounds the challenges faced by marginalized women workers.

5. Limited Access to Education and Skill Development:

Many women in the unorganized sector have limited access to quality education and skill development opportunities. This hampers their chances of upward mobility and better job prospects. The lack of training and capacity-building programs prevents them from acquiring the necessary skills to enhance their productivity and improve their economic prospects.

6. Unfavorable Working Conditions for Informal Caregivers:

Women working as domestic workers and informal caregivers often face unfavorable working conditions. They experience long working hours, lack of rest periods, and insufficient recognition for their labor. The absence of legal protections and decent working conditions perpetuates their

vulnerability and marginalization within the unorganized sector.

7. Limited Representation and Voice:

Women workers in the unorganized sector encounter barriers when it comes to organizing themselves, forming unions, and advocating for their rights. The lack of collective bargaining power and representation leaves them voiceless in decision-making processes that directly impact their lives and working conditions. This lack of representation further reinforces their marginalized status within the unorganized sector.

Condition of Women in Unorganised Sector

The data on Employment and Unemployment is collected through Periodic Labour Force Survey (PLFS) conducted by National Statistical Office (NSO), Ministry of Statistics & Programme Implementation (MOSPI). As per the latest PLFS report available for the year 2019-20, the percentage of female workers engaged in proprietary and partnership (P&P) enterprises (including the informal producers' cooperatives, largely considered as informal sector enterprises) among workers in usual status (Principal Status + Subsidiary Status) engaged in non-agriculture sector is 56.5.

Government has taken various steps to improve women's participation in the labour force and quality of their employment. A number of protective provisions have been incorporated in the labour laws for equal opportunity and congenial work environment for women workers. These include enhancement in paid maternity leave from 12 weeks to 26 weeks, provision for mandatory crèche facility in the establishments having 50 or

more employees, permitting women workers in the night shifts with adequate safety measures, etc. Employment of women in the aboveground mines including opencast workings has been allowed between 7 p.m. and 6 a.m., and in below ground working between 6 a.m. and 7 p.m. in technical, supervisory and managerial work where continuous presence may not be required.

The Equal Remuneration Act, 1976 provides for payment of equal remuneration to men and women workers for same work or work of similar nature without any discrimination and also prevent discrimination against women employees while making recruitment for the same work or work of similar nature, or in any condition of service subsequent to recruitment such as promotions, training or transfer. The Equal Remuneration Act, 1976 now subsumed in the Code on Wages, 2019 provides that there shall be no discrimination in an establishment or any unit thereof among employees on the ground of gender in matters relating to wages by the same employer, in respect of the same work or work of similar nature done by any employee. Further, no employer shall make any discrimination on the ground of gender while recruiting any employee for the same work or work of similar nature in the conditions of employment, except where the employment of women in such work is prohibited or restricted by or under any law for the time being in force.

Problems faced by Women in Unorganized Sector:

□ **Lack of education:** Illiteracy is the biggest problem because they do not get time to educate themselves. In

childhood, they have to start working early which do not allow them to go to school.

- **Insufficient skill & knowledge:** Majority of female do not have proper training and skills aligned to their task. This results in excessive stress and inefficient working.
- **The exploitation of female labor:** the Female worker is more vulnerable to exploitation by the employer. They can be easily threatened with their job for indecent favors. They are also subjected to severe forms of sexual harassment in the workplace.
- **Insecure job:** Absence of strong legislation controlling the unorganized sector makes the job highly insecure in this sector.
- **The non-sympathetic attitude of employer:** Temporary nature of employment in this sector does not allow the bond between the employee and employer to establish and become strong.
- **Extreme work pressure:** Female is overworked; they work twice as many hours as worked by their male counterpart. In the agriculture sector, the condition is the worst. When measured in terms of the number of tasks performed and the total time spent, it is greater than men as per one study in the Himalayas which found that on a one- hectare farm, a pair of bullocks' works 1064 hours, a man 1212 hours and a woman 3485 hours in a year.
- **Irregular wages payment:** There is a lack of controlled processes in the unorganized sector which results in an untimely payment of wages to the workers. When it comes to payment to female, it is even worst.

- **Wage discrimination:** Female do not get similar payment to the male for the same work.

Legal Frameworks available for Women in the Unorganized Sector

Constitutional rights and duties enumerated in Part III and IV of the Constitution of India are pivotal to the demand for protection of laws of women workers. There are a few legislation, which is directly applicable for women workers, such as, The Maternity Benefit Act, The Equal Remuneration Act, The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), etc. Article 14 guarantees equality before the law and equal protection of laws; Article 15 prohibits discrimination on the ground of sex. The Equal Remuneration Act guarantees women equal treatment relative to similarly situated men in the workplace. Under this law, no discrimination is permissible in recruitment and service conditions except where the employment of women is prohibited or restricted by the law.

Many studies find that women workers earn lower wages than men workers. The wage differentials between female and male agricultural workers are based on a pre-assumed gender character. Employers and contractors offer simply lower wages to women, regardless of their performance of the job. In the given situation of social and economic neglect, women have no better options. Studies indicate that on average, women's pay is around 30 percent lower than that of men across all sectors and fields of employment. Employers divide the kind of work to be done between men and women and technically evade the provisions of the Equal Remuneration Act, 1976.

The Unorganized Sector Workers Act, 2008 defines unorganized sector workers as those

who are home-based, self-employed or wage workers in an enterprise with less than 10 employees. This Act mandates the Central government to formulate a health and maternity benefit scheme for workers covered by it. In reality, this definition also excludes many women working in the unorganized sector, including agricultural laborers, seasonal workers, domestic help or construction workers. A comparative study of women in the unorganized sector in the USA and India reveals both similarities and differences in their experiences, challenges, and opportunities. While both countries have women engaged in informal employment, the context, socio-economic factors, and policy frameworks differ, leading to distinct dynamics.

In the USA, women in the unorganized sector often work as domestic workers, independent contractors, or participate in the gig economy. They face challenges related to low wages, lack of benefits, and job insecurity. Despite the presence of labor laws, minimum wage standards, and protections against discrimination and harassment, enforcement may vary, and informal workers may not always be adequately covered.

In India, the unorganized sector is vast and includes women engaged in diverse occupations such as agriculture, manufacturing, services, and informal trade. Women in India's unorganized sector face similar challenges, but the prevalence of extreme poverty, caste-based discrimination, and limited access to education further exacerbate their struggles. Although specific laws and policies exist to protect the rights of informal workers, such as the Unorganized Workers' Social Security Act and the Mahatma Gandhi National Rural Employment

Guarantee Act, implementation and coverage remain challenges.

Access to education and skill development also plays a significant role. In the USA, women generally have better access to education and skill development programs, enhancing their employability and providing pathways for advancement. In contrast, limited access to quality education and skill development opportunities in India hinders women in the unorganized sector from breaking the cycle of poverty and acquiring better-paying jobs.

Social security and benefits differ between the two countries. In the USA, there are provisions for healthcare benefits, unemployment insurance, and retirement savings programs, although coverage for informal workers may vary. In India, social security schemes for informal workers, such as the National Rural Employment Guarantee Scheme and the Pradhan Mantri Shram Yogi Maandhan Yojana, exist, but their reach and effectiveness in providing adequate social protection to women in the unorganized sector are still evolving. Empowerment and collective voice also vary. In the USA, labor unions, advocacy groups, and social movements strive to address the rights and welfare of informal workers, including women. Women in the unorganized sector can join these organizations to amplify their voices and advocate for their rights. In India, women in the unorganized sector often face challenges in organizing themselves due to social, cultural, and economic barriers. Efforts are being made by civil society organizations and trade unions to empower women workers and promote their collective voice.

CONCLUSION

The aim of labour legislation is to protect labourers with a view to provide humane treatment, welfare, well-being and security to

make the work force more efficient and productive. This in turn also, protects the interest of industry to have industrial peace. Human development insists that everyone should enjoy a minimum level of security. Moreover, it is the responsibility of the State to protect its citizen from various contingencies like employment injury, sickness, death, unemployment, maternity etc., in their work life by assuring better standard living to workers. Thus the object of social security is to provide a safety mechanism against stoppage or substantial reduction of earnings resulting from sickness, maternity, employment injury, occupational diseases, old age etc. In conclusion, the comparative study of women in the unorganized sector in India highlights both similarities and differences in their experiences. The context, socio-economic factors, legal frameworks, and policy support shape their realities and challenges. Understanding these nuances is crucial in formulating effective strategies to address the specific needs and empower women in the unorganized sector in both countries.

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