

Migrant Labour and Covid-19

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Keeping an eye on the Surat crisis when migrants made protest for food and severely beaten up by the police and jailed, I would like to highlight an important point which needs to be understood. Migrants are not able to reach out to public provisioning without having domicile status or formal documentation in the destination locations. The workers are duped on all sides, surviving on meager incomes and excluded from public welfare schemes. They are left out of getting basic civic amenities from welfare schemes at destination states as migrants consider as non-residents there. The government of Gujarat's approach to migrant workers is visible in this Covid 19 crisis. The major odia workforce who played a most important role in the economy of Gujarat over the last several decades, they presently face such inhuman conditions when they run for food due to hunger as the destination government treat them as outsiders and strange workers and doesn't care about their hunger pains, health safety and life risk.

State Policy perspective

In 2019, these four Labour Code reform bills were introduced by the government in the Lok Sabha on 23rd July, which stirred up sharp reactions from different stakeholders. While the Parliament passed the Code on Wages Bill 2019, the remaining three codes are in the different phases of the legislation process. The labour code on wages was approved by Parliament in August while the code on occupational safety, health and working conditions has been referred to the parliamentary standing committee on labour. The Industrial Relations Code Bill, 2019, has been tabled in Parliament. The Social Security Code is the last of the four labour codes that have been approved by the Cabinet. It is important to understand that the government is trying to attack all workers in the country in the name of simplifying laws.

Here, I would like to highlight four important points on how to deal with the migrant distress situation in the amidst Corona virus crisis.

1. **Code on Wage:** It is the millions of migrant workers who perform labour intensive production processes that strengthen the economic growth of the urban sector in India.

There is an assumption that such Bill would lead to various consequences on the livelihood of millions of migrant workers who engage as the manual labour in the informal sector throughout the country. They will come under pressure on account of the current wage bill. After the Covid-19 crisis, the situation will be much worst. It is likely to be a step towards distressed and vulnerable migrant labour force employed in the informal sector, which is willing to accept advances, becoming entrapped in labour servitude.

2. **Code on Occupational Safety, Health and Working Conditions (OSHC):** After receiving the stiff opposition, the proposed Code was referred to the Standing Committee on Labour and Employment, on 9th October 2019 for the scrutiny of reports within three months. The Committee has submitted its report on 11th February 2020. In the report, the Parliamentary panel committee mentions the need for more clarity on several provisions of the OSHWC Code. There should be a prudent and unambiguous demarcation of responsibility between the centre and states. The ongoing corona virus crisis should be discussed as a grave concern from occupational safety and health hazards perspectives when migrants return to the destination places in search of employment again.
3. **Code on Industrial Relations:** The Cabinet approved the industrial relations Code that proposes to retain the threshold of 100 employees to impart flexibility to firms for retrenchment, but it has a provision for changing such number of employees through notification. In fact, the code is to break the unions by weakening collective bargaining like the right to represent interests of workers, particularly unorganized sectors where more than 90% of workforce concentrated and migrant labour is a sizeable figure in the workforce. Before coming to the parliament for enactment, the policy stakeholders should seriously consider the outbreak of Covid -19 crisis on how they deal with it while considering it.
4. **Code on Social Security:** The labour code on social security was first introduced in March 2017 and thereafter amended a year later following consultations with trade unions. The labour ministry dropped some contentious clauses of the 2018 draft in November due to intense resistance from trade unions. In September 2019, the central government has finally circulated the draft social security code, to propose several new

initiatives including universal social security for unorganized sector workers. The government has decided to dismantle the state-owned system of social security through the codification as a prologue to place the workers at the changing market. The Social Security Code 2019 does not stipulate any measures for these sector-specific social security schemes, leading to a huge workforce entirely out of any social security benefits. The question arises on how could ensure universal coverage through such an exclusion process. Now the Covid-19 crisis poses a serious concern to ensure the universal coverage for exclusionary groups as migrants and unorganized workers.