

# WOMEN WORKERS FORUM INDIA

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The Hon. Union Minister of Labour,  
GOVERNMENT OF INDIA

Re: Information for the Meeting of the Ministers of Labour 25-26 August 2022

Respected Sir,

We write to you as the **Women Workers Forum of India**, representing women workers across India's informal sectors. This includes women farmers, sex workers, domestic workers and returnee migrant workers.

We are writing to you ahead of the meeting of Ministers of Labour from all the states and Union Territories on 25 August 2022 to provide you with key information about the situation of women workers that we hope will assist you in formulating national labour policy.

## **Sex Workers**

Sex workers have long existed in the Telegana region. Over the years sex workers have formed collectives which promote the health and wellbeing of not only women working in sex work, but of the community as a whole. For instance, many sex workers are enrolled in Government HIV prevention programmes and carry out HIV prevention activities throughout the community. However, despite the positive impact sex worker collectives are having on communities in the Telegana region, they continue to be treated as social outcasts.

Following the Supreme Court Interim Order Dated 19th May 2022, in connection with the case *Buddhadev Karmaskar Vs Union of India*, the Supreme Court established a panel to give recommendations on how sex workers can live a life of dignity as given under the Constitution of India.

They have passed the following orders for implementation by the State and Central governments:

1. Any sex worker who is a victim of sexual assault shall be provided with all facilities available to all survivors
2. State governments survey ITPA protective homes of adult women who are detained against their will and include sex workers in the development processes
3. The Central Government and State governments through the Legal Service Authority should conduct workshops to educate sex workers about their rights vis-a vis the legality of sex work, and how to access judicial system to enforce their rights and prevent unnecessary harassment at the hands of traffickers

We urge the Ministers of Labour to recognise the valuable contribution sex workers make to the country and to realise their right to social security. We therefore urge the Ministers of Labour to implement these orders of the Supreme Court.

## **Domestic Workers**

Whilst there is no exact data on the number of domestic workers in the country, conservative estimates say there are over 30-40 million, the majority of whom are women from SC, ST, BC and minority communities. This number of domestic workers is likely to increase as other work opportunities for poor informal workers are diminishing.

Despite the fact that domestic workers represent a sizeable proportion of India's workforce, their value is not recognised. The law continues to fail to recognise them as workers, and states fail to realise their right to social protection. Domestic workers are specifically excluded from the Health and Safety Code, and still to date no

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proactive steps have been taken to register domestic workers in the Welfare Boards for the Unorganised Sector. Moreover, the E-Shram registration has not realised their right to social security as there is no clarity on what welfare should be provided or from where the financial allocations would be made.

We urge the Ministers of Labour to recognise the valuable contribution domestic workers make to the country and to realise their right to social security. Specifically, we urge the Central and State governments to:

1. Provide ESI to domestic workers
2. Allot double bedroom housing
3. Enact comprehensive legislation for domestic workers
4. Ratify ILO Convention c189
5. Grant pension and maternity benefits

## **Migrant Workers**

Migrant workers contribute over \$80 billion in remittances to the country every year– a vital inflow for the development of individuals, families, communities, societies, and the country as a whole.

However, the value of this work is not recognised by State and Central governments. Women workers who migrate overseas for work are put under extreme financial pressure due to unfair recruitment fees. This financial precarity makes it difficult for workers to leave exploitative work situations, and to address harassment and abuse in the workplace.

Further, undocumented migrants are entirely excluded from social security as they lack legal status. Even documented migrants have been excluded from social security - in AP, and Telangana women migrants returned from abroad to find their names were removed from the list of individuals eligible for ration cards during the COVID-19 pandemic.

The government should implement policies and programs that recognise the valuable contribution migrant workers make to the country, and that realise their right to social security. Specifically we urge the Central and State governments to:

1. Include returnee women migrants' names in Ration Cards and Job Cards
2. Compile comprehensive data on emigrants (both regular and irregular), that is disaggregated by gender and age
3. Provide skills training to returnee migrate aimed at broadening their prospects to migrate to new regions and helping them to enhance their bargaining power in countries of destination.
4. Promote the role of Panchayats to aid migrant workers and integrate urban and rural policies to improve the conditions of migration.

We respectfully urge all the Ministers of Labour to take heed of these recommendations and to implement them as a matter of urgency. We stand ready to work together with the State and Central Governments to assist this implementation.

Sincerely,

For and On Behalf of Women Workers Forum India