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INDRADHANUSH

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FROM THE DIRECTOR GENERAL'S DESK

Preventing Sexual Harassment at the Workplace

The Constitution of India is enshrined with "equality of status and opportunity" for all its citizens; and equality of every person under the law is guaranteed by Article 14 of the Constitution. The Constitution also provides every citizen the 'right to practice or carry out any occupation, trade or business', which includes the right to a safe environment, free from all forms of harassment. Sexual harassment at workplace hampers a women's constitutional and fundamental rights to equality, justice and dignity. It is another form of violence against women reflecting patriarchal mindsets and gender based discrimination at work. It sabotages a woman's work performance and progress, affects working environment, results in frustrations and absenteeism. It is also a manifestation of power relations as women are much more likely to be victims of sexual harassment because of their vulnerability, insecurity, and social conditioning to accept discrimination in silence. Sexual harassment at the workplace is considered a violation of women's right to life and liberty. It creates an insecure and hostile work environment, which discourages women's participation in work, thereby adversely affecting their social and economic empowerment and the goal of inclusive growth. Sexual harassment is a serious form of misconduct in the workplace that has severe impact not only on the employment of women but also on the workplace environment, company reputation and business.

India's first legislation specifically addressing the issue of workplace sexual harassment was enacted in 2013. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 was made effective from December 09, 2013 by the Ministry of Women and Child Development, India. The Act is an extension of the Vishaka Guidelines issued by the Supreme Court in 1997. The Supreme Court of India for the first time in the Vishaka guidelines acknowledged sexual harassment at the workplace as a human rights violation. This is further reinforced by the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which was adopted by the UN General Assembly in 1979 and which is ratified by India. The Act is unique in its broad coverage, which includes all working women from organized and unorganized sector including all public and private sectors. An effective implementation of the Act will contribute to the realization of their right to gender equality, life and liberty, equality in working conditions everywhere. The sense of security at the workplace will improve women's participation in work.

Recent incidences of sexual harassment in the workplace reported in news have clearly highlighted that despite having Supreme Court guidelines and a law on prevention of sexual harassment; sexual harassment at the workplace cases are often not reported or not taken seriously by the concerned authorities due to various reasons. This diverts the goal of achieving gender equality. It is well recognized that sexual harassment is all about power play; the very act puts the women in an inferior position and continues to hold her there. Very few women deal with sexual harassment strictly, while majority prefer to suffer. Considering the patriarchal mind set, women still prefer not to raise their voice. They do not find themselves comfortable, as they fear discrimination, hostility, ridicule and the stigma attached to such a complaint. Though the onus to provide women employees a hostile free work environment lies with the employer, not raising one's voice has a trickle-down effect on other women who have to bear the brunt. When a woman raises her voice, she raises a voice on behalf of many silent victims.

Although the law is extremely crucial, yet legislations alone cannot go a long way unless it is accompanied by change in our mindset. This can start right from our homes by inculcating respect for women among our family members and the children of our families during the early process of socialisation.



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INDRADHANUSH

SPECIAL EVENTS

Release of the Research Publication From India to the Gulf Region: Exploring Links between Labour Markets, Skills and the Migration Cycle (November 19, 2015)

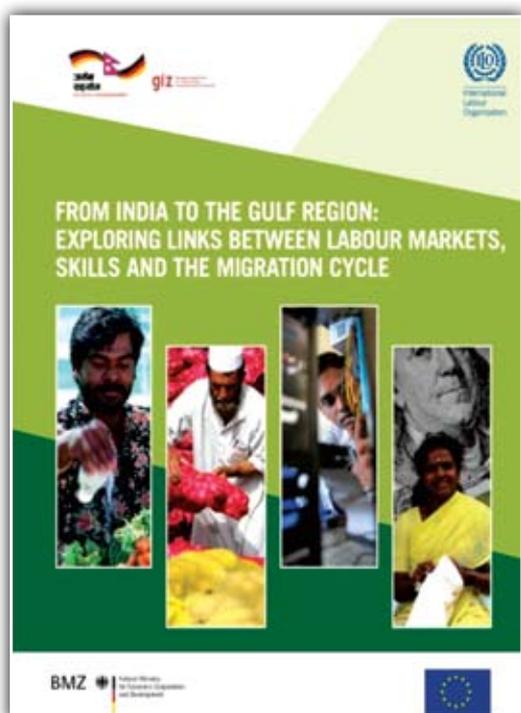
Temporary labour migration is often touted as a triple-win: a win for labour migrant-receiving countries that can support a level of economic activity that would be impossible without foreign labourers; a win for labour migrant-sending countries because it lowers unemployment and brings in remittances and skills; and a win for the labour migrants, who can earn more income and ultimately move out of poverty. However, governments are yet to develop a system that ensures that the triple-win delivers benefits equally to all three spheres.

Despite the substantial benefits generated by the migration flow between India and Gulf Cooperation Council countries, many challenges remain to ensure a fairer distribution of the triple-win profits. Much has been written on the abuses of migrant workers during recruitment and employment throughout the migration cycle, but less is known about labour demand, its relationship to skills and the impact of the recruitment process on demand and skill development.

It is in this context that the International Labour Organisation commissioned V.V. Giri National Labour Institute a Research Study on 'From India to the Gulf Region: Exploring Links between Labour Markets, Skills and the Migration Cycle'. This study was undertaken by Dr. S.K. Sasikumar, Senior Fellow and Dr. Rakhee Timothy, Associate Fellow.

A Publication based on this Report was released by Mr. Manish Kumar Gupta, Joint Secretary, Ministry of Labour & Employment and Director General, V.V. Giri National Labour Institute, Ms. Panudda Boonpala, Director, International Labour Organisation and Prof. Ravi Srivastava, Professor, Jawaharlal Nehru University on November 19, 2015. Dr. S.K. Sasikumar made a presentation on the major conclusions and recommendations of the report A Technical Discussion on Labour Markets, Skills and International Migration was also organised jointly by ILO, EU & VVGNI during the Release Function. Prof. Ravi Srivastava Chaired the technical discussions and Ms. Amarjeet Kaur, All India Trade Union Congress, Dr. Bhaskar Teegela, India Centre for Migration and Ministry of Overseas Indian Affairs and Dr. Sher Verick, International Labour Organisation were the Panelists.

This report highlights the links between labour market features, skill development and international labour flows in the context of labour migration from India to Gulf Cooperation Council (GCC) countries — a prominent destination for Indian workers. An analysis of the links is imperative due to the increased complications in migration governance systems and with immigration policies becoming restrictive or even skill-selective in many labour-receiving countries. The report argues that policies based on such an assessment will contribute towards improving labour market and migration outcomes, particularly for low-skilled and semi-skilled migrants.



Workshop on Social Protection Floor (December 10, 2015)

A Workshop on Social Protection Floor for the senior officials of the Ministry of Labour & Employment was organised by V. V. Giri National Labour Institute in collaboration with the Ministry of Labour & Employment and International Labour Organisation on December 10, 2015 at the Institute. The Welcome Address of the workshop was delivered by Shri Manish Kumar Gupta, Director General, VVGNI. The proceeding of the workshop was chaired by Shri Heera Lal Samariya, Additional Secretary, MOLE. Four papers were presented: (i) Towards Universal Protection in India: Why and How by Prof. Dev Nathan, Visiting Professor, IHD-New Delhi & Visiting Research Fellow, Duke University, USA, (ii) International Standards for Building Comprehensive Social Security Systems by Mr. Kroum Markov, ILO Geneva, (iii) International Principles and Practices for Social Security Reforms by Social Security team, ILO Geneva (Maya Stern-Plaza, Hiroshi Yamabana, Kroum Markov), and (iv) Social Protection in India: An Overview by Mr. Otojit Kshetrimayum, VVGNI. The presentation was followed by discussion. **Mr. Otojit Kshetrimayum**, Associate Fellow, coordinated the workshop.



PUBLICATION OF RESEARCH STUDIES

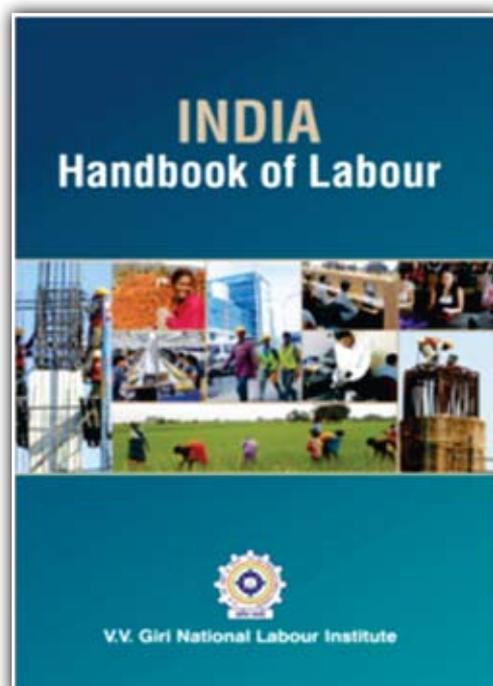
India: Handbook of Labour

Questions confronting the country in relation to labour are many and varied, ranging from concerns about employment and underemployment to social security for workers to elimination of child labour. Considering the range and magnitude of India's labour issues, it is important to involve different stakeholders in the process of finding solutions. This constructive engagement of stakeholders is possible if information and ideas related to labour are made accessible.

It is with this perspective that the V.V. Giri National Labour Institute has brought out this handbook, which seeks to consolidate basic information relating to key dimensions of the labour scenario in India. The idea is to provide relevant information in a simple, comprehensible way that makes it accessible to the broad spectrum of society.

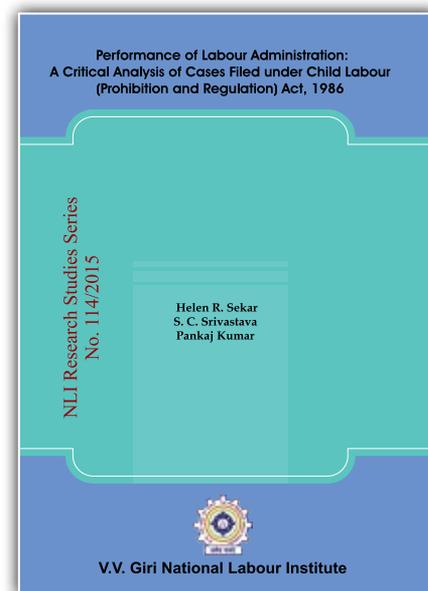
The different articles in the handbook are as follows:

- India's Labour and Employment Scenario: An Overview by Dr. S.K. Sasikumar, Senior Fellow, VVGNI
- Labour Laws for Informal Sector Workers in India by Dr. Sanjay Upadhyaya, Fellow, VVGNI
- Social Security and Rural Labour by Dr. Poonam S. Chauhan, Senior Fellow, VVGNI
- Preventing Children's Entry into Employment at Tender Age and Ending Child Labour in India by Dr. Helen R. Sekar, Senior Fellow, VVGNI
- Health Insecurities and Protection of Workers in Informal Employment by Dr. Ruma Ghosh, Fellow, VVGNI
- Gender Issues in Labour by Dr. Shashi Bala, Fellow, VVGNI and Dr. Ellina Samantroy, Associate Fellow, VVGNI



Performance of Labour Administration: A Critical Analysis of Cases filed under Child Labour Prohibition and Regulation Act, 1986

Conviction rates of labour law are one of the ways to assess how effectively the labour law enforcement system is functioning. The labour law enforcement system that consistently fails to secure convictions has little credibility. The resultant danger is that the people may give up reporting violation of the legal provisions. In the context of child labour Act it is important that those who violate the law are convicted and appropriately punished. In this context the study “Performance of Labour Administration: A Critical Analysis of Cases filed under Child Labour Prohibition and Regulation Act, 1986” was conducted by Dr. Helen R. Sekar, Senior Fellow, V.V. Giri National Labour Institute; Dr. S.C. Srivastava, Retired Professor of Law; and Shri Pankaj Kumar, Additional Labour Commissioner (Retired). This study examines the trends in implementation of Child Labour Prohibition and Regulation Act, 1986 in different states of India. Locating the impediments and challenges in achieving convictions of cases filed under Child Labour Prohibition and Regulation Act, 1986, the study provides framework for effective enforcement to deter perpetuation of the practice of employing children.



TRAINING PROGRAMMES

INDUSTRIAL RELATIONS PROGRAMME (IRP)

Empowering Trade Union Leaders (November 02-07, 2015)

The above programme was conducted for Trade Union Leaders from Public Sector organizations. The main objectives of the programme were: (i) to sharpen leadership skills; (ii) to discuss the role of Trade Unions in emerging economic and political scenario; (iii) to impart knowledge about labour laws and recent changes in Labour Laws; (iv) to develop familiarity with the changes and trends in industrial relations; The programme duration was for six days. The sessions were dealt by eminent resource persons from VVGNI and outside. A total of eleven participants attended the programme. **Dr. Poonam S. Chauhan** was the Course Director.

CAPACITY BUILDING PROGRAMMES (CBP)

Training of Trainers Programme for Rural Educators (December 14-18, 2015)

The programme was organised for rural trade union activists from different part of the country. The objectives of the programme were: (i) develop understanding of empowerment; (ii) discuss the issue of empowerment; (iii) develop skills for enhancing leadership potential; (iv) acquaint with labour laws for unorganized sector. The programme was attended by twenty one participants. **Dr. Poonam S. Chauhan**, Senior Fellow was the Course Director.

Leadership Development Programme for Rural Trade Union Leaders (December 21-24, 2015)

This training programme was organised for rural workers organizations and trade unions working at the grass roots level in the rural areas. The key aspects covered during the programme included: Analysis of rural society; Constitutional perspective on labour; Communication skills; Labour legislations; Social Security Schemes etc.

The programme was attended by a group of forty four participants representing various trade union organizations including: Indian National Trade Union Congress, National Labour Organisation, Hind Mazdoor Sabha, Labour Progressive Forum, Bhartiya Mazdoor Sangh, Madhya Pradesh Khetihar Mazdoor Congress, Uttar Pradesh Construction workers Union. During the course, the participants were addressed by various resource persons and faculty members from both within and outside the Institute. **Dr. Sanjay Upadhyaya** was the Course Director.

RESEARCH METHODS PROGRAMMES (RMP)

Research Methods on Gender Issues in Labour (November 16-27, 2015)

The course aimed at developing capacities of young researchers to pursue their research interests in the area of gender and labour issues. The main objectives of the course were (i) to understand theoretical perspectives on gender and labour research across various disciplines (ii) to understand the various feminist methodologies and approaches in gender research; (iii) to identify emerging issues in gender and labour research in social sciences; (iv) to acquaint the participants with various qualitative and quantitative techniques in gender issues in labour research; and (v) to make the participants familiar with recent statistical packages used in social science research. The training programme was attended by twenty six research scholars, assistant professors and associate professors from various Universities and research institutions across the country. **Dr. Ellina Samantroy**, Associate Fellow was the Course Director.



INTERNATIONAL TRAINING PROGRAMMES (ITP)

Labour and Employment Relations in a Global Economy (November 02-20, 2015)

V.V. Giri National Labour Institute organised an International Training Programme on Labour & Employment Relations in a Global Economy under the auspices of the ITEC/SCAAP Scheme of the Ministry of External Affairs, during November 02-20, 2015 at the Institute Campus. The programme was attended by 14 senior and middle level officials dealing with labour and related issues from 12 countries -Afghanistan, Armenia, Bangladesh, Ethiopia, Maldives, Palestine, Mauritius, Sri Lanka, Tajikistan, Tunisia, Gambia, and Zimbabwe. The specific objectives of the programme were to: (i) understand and appreciate the changing labour market and employment relations scenario in the context of globalisation; (ii) acquire knowledge about the changing role of social partners in the context of transformations in the world of work; (iii) learn and share experiences on new forms of labour management practices; (iv) develop positive attitude towards work, superiors, peers and subordinates; and (v) sharpen behavioural skills and insights for supervision, coordination and motivation. **Dr. Lakshmidhar Mishra**, Former Union Labour & Employment Secretary, delivered the Valedictory Address and presented the Certificates to the participants. **Dr. S.K. Sasikumar**, Senior Fellow was the Course Director.



Gender Issues in the World of Work (December 01-18, 2015)

The objectives of the programme were (i) to discuss the key concepts and approaches related to gender existing in the societies; (ii) to understand the significance of inclusive growth; (iii) to develop the capacity of the participants to help achieve gender equality; (iv) to orient the participants on affirmative policies for enhancing gender equality in the world of work; (v) to sensitize the participants about preventing sexual harassment at the workplace; and (vi) to examine the inter-linkages between gender, access to quality education and decent work perspective. The training programme was attended by twenty three international participants. **Dr. Shashi Bala**, Fellow was the Course Director.



NORTH-EASTERN STATES PROGRAMMES (NEP)

Gender, Work and Social Protection (December 07-11, 2015)

The programme aimed to enlighten the participants about the inequalities prevalent in the world of work and the challenges faced by women in the labour market. The Objectives of the program are (i) to develop a conceptual understanding about gender, work and social protection; (ii) to sensitize the participants about the development issues related to differential access of men and women to employment, education, skill training, health provisions etc. and to enhance their capacity to understand and analyze gender dimensions in policy and planning; (iii) to understand the gendered life cycle risks and nature of vulnerabilities among women across social groups; (iv) to address the issues of women's unpaid work, care work and other domestic responsibilities in framing policies on social protection; (v) to understand the different social protection programmes/schemes and good practices that promote employment both at national and international levels; and (vi) to enable the participants to develop an understanding about the role of social protection in ensuring gender equality and agency building of women through a rights-based approach. The programme was attended by twenty nine participants. **Dr. Ellina Samantroy**, Associate Fellow was the Course Director.

COLLABORATIVE TRAINING PROGRAMMES (CP)

Enhancing Employability of Youth through Skill Development, NCDS, Bhubaneswar (December 28-January 01, 2016)

This programme was jointly organized by V.V. Giri National Labour Institute and Nabakrushna Choudhury Centre for Development Studies, Bhubaneswar. The Objectives of the programme were: (i) to understand the World of Work and Decent Employment; (ii) to situate the importance of skill development for employability in general and for youth in particular in the emerging economy; (iii) to familiarize the participants with skill development avenues and initiatives; (iv) to enable the participants to play larger role along with enhancing individual capacity. The programme was attended by twenty four master degree students of Social Sciences and Management from Seven Universities of Odisha. A field visit was undertaken to experience the DDK-GKY implementation, the skilling and placement initiative of Government of India and ORMAS at NAIM. Prof. Ashok Kumar Das Vice Chancellor, Utkal University inaugurated the programme in the presence of Prof. Srijit Mishra, Director, NCDS and Dr. Sibalal Meher coordinator, NCDS. **Shri P. Amitav Khuntia**, Associate Fellow was the Course Director.

IN-HOUSE TRAINING PROGRAMMES

Behavioural Skills for Managing Work Effectively for RBI Personnel (Class III) (November 23-27, 2015)

The above programme was focused on enhancing behavioural skills of the participants. The main objective of the programme was to acquaint the participants with skills so that they could play an effective role for strengthening their organizations and work effectively. The specific objectives of the programme were: (i) to enhance effective

leadership skills; (ii) to sharpen interpersonal skills; (iii) to acquaint with concept of emotional intelligence; (iv) to strengthen consensus building; (v) to inculcate the skills for creative problem solving. The programme was attended by twenty nine participants from different branches of the Reserve Bank of India, Maharashtra. **Dr. Poonam S. Chauhan**, Senior Fellow was the Course Director.

Managing Work Effectively-A Behavioural Approach for Oil India Ltd. Assam (November 30 – December 4, 2015)

The programme was conducted to develop organizational behavior and human relations. The major objectives were: (i) to enhance effective leadership skills; (ii) to sharpen inter personal skills; (iii) to acquaint with concept of emotional intelligence; (iv) to strengthen consensus building; and (v) to inculcate skills for creative problem solving. Twenty three participants from Oil India Limited attended this programme from Assam and Bihar . **Dr. Poonam S. Chauhan**, Senior Fellow was the Course Director.

Behavioural Skills for Managing Work Effectively for RBI Personnel (Class IV) (December 7-11, 2015)

The above programme focused on enhancing behavioural skills of the participants. The objective was to acquaint with behavioural skills so that they could play an effective role for strengthening their organizations and work effectively. The main objectives of the programme were: (i) to enhance effective leadership skills; (ii) to sharpen interpersonal skills; (iii) to acquaint with concept of emotional intelligence; (iv) to strengthen consensus building; (v) to inculcate the skills for creative problem solving. The programme was attended by thirty participants from different branches of the Reserve Bank of India, Maharashtra. **Dr. Poonam S. Chauhan**, Senior Fellow was the Course Director.

Behavioural Skills for Managing Work Effectively for RBI Personnel (Class III) (December 14-18, 2015)

The above programme was organized for imparting behavioural skills of the participants for their effective participation in their work. The main objectives of the programme were: (i) to enhance effective leadership skills; (ii) to sharpen interpersonal skills; (iii) to acquaint with concept of emotional Intelligence; (iv) to strengthen consensus building; (v) to inculcate the skills for creative problem solving. The programme was attended by twenty nine participants. The participants were from different branches of the Reserve Bank of India. **Dr. Poonam S. Chauhan**, Senior Fellow was the Course Director.

OTHER IMPORTANT ACTIVITIES

Skilling of Youth for Zero Un-employment in collaboration with Manipur University (December 22-23, 2015)

National Seminar on Skilling of Youth for Zero Unemployment was organised by the Centre for North East, V. V. Giri National Labour Institute in collaboration with the Department of Commerce, Manipur University at Court Hall, Manipur University, Imphal on 22-23 December, 2015. The seminar was inaugurated by Prof. H. Nandakumar Sarma, Vice Chancellor, Manipur University and Shri P. Vaiphei, IAS, Commissioner, Higher & Technical Education, Government of Manipur. The seminar had a panel discussion on Skill Development and Entrepreneurship in Manipur with five prominent entrepreneurs in Manipur. Thirty six papers were presented in five technical sessions including (i) Skilling of Youth: Conceptual Analysis, (ii) Skilling of Youth for Employability-Sector Wise, (iii) Skilling of Youth: Challenges and Opportunities, (iv) Skilling of Youth for Employability & Livelihood, and (v) Skilling of Youth: Performance Evaluation. The Coordinators of the Seminar were Prof. Aheibam Rajmani Singh, Manipur University and **Mr. Otojit Kshetrimayum**, Associate Fellow, VVGNI.



OTHER PROFESSIONAL ENGAGEMENTS

Professional Engagements of Director General, Shri Manish Kumar Gupta

- Release of the Research Publication 'From India to the Gulf Region: Exploring Links between Labour Markets, Skills and the Migration Cycle' along with Ms. Panudda Boonpala, Director, International Labour Organisation and Prof. Ravi Srivastava, Professor, Jawaharlal Nehru University on November 19, 2015.
- Delivered the Welcome Address of the Workshop on Social Protection Floor for the senior officials of the Ministry of Labour & Employment organised by V. V. Giri National Labour Institute in collaboration with the Ministry of Labor & Employment and International Labor Organization on 10th December, 2015 at the institute.

Professional Engagements of Faculty Members

Dr. S.K. Sasikumar, Senior Fellow

- Presentation on the Research Study "From India to the Gulf Region: Exploring Links between Labour Markets, Skills and the Migration Cycle" at the Technical Discussion on Labour Markets, Skills and International Migration organised jointly by ILO & VVG NLI, India Habitat Centre, New Delhi, November 19, 2015.
- Panelist at the Technical Meeting on Governance of Migration: Opportunities, Challenges and the Way Forward, International Labour Organisation, November 27, 2015.
- Panelist at the Dissemination Conference on Dynamics of International Outmigration from Punjab organised by Centre for Research in Rural and Industrial Development, Chandigarh, December 3, 2015.
- Discussant at the Technical Session on Policy Options to Promote Inclusive Growth and Decent Work at the ILO Employment Symposium at ITC Maurya, New Delhi, on December 15, 2015.
- Attended the Expert Group Meeting on Fifth Annual Employment & Unemployment Survey organised by the Labour Bureau at Chandigarh on December 18, 2015.
- Attended the Expert Group Meeting on Quarterly Employment Survey organised by the Labour Bureau at Chandigarh on December 19, 2015.

Dr. Helen R. Sekar, Senior Fellow

- Addressed the trainees of ISEC course on "Official Statistics and Related Methodology" (69th term) from National Statistical Systems Training Academy (NSSTA), Greater Noida, on 29th December 2015.

Dr. Shashi Bala, Fellow

- Delivered the key note address in the Seminar on Women Entrepreneurs in the Knowledge Era organized by Department of Economics, School of Management Studies, Pondicherry University, Pondicherry on 5th & 6th, November 2015 at Pondicherry.
- Participated at Tech Discussion on Labour Markets, Skill and International Migration -A Technical Discussion organised by ILO & VVG NLI on November 19, 2015 at Casuarina Conference Hall, India Habitat Centre, New Delhi.
- Attended seminar on IMF's Fall 2015 World Economic Outlook launched in Lima, Peru organised by Indian Council for Research on International Economic Relations (ICRIER) in collaboration with International Monetary Fund (IMF) on November 20, 2015 at Conference Hall, ICRIER, India Habitat Centre, New Delhi.
- Attended International Conference on "Asia-Pacific: 70 Years after the War" on November 23 and 24, 2015 organised by ICRIER at Tamarind Conference Hall, India Habitat Centre, Lodhi Road, New Delhi.

Dr. Kingshuk Sarkar, Fellow

- Represented India in the ILO Conference on 'Labour administration reforms and innovations: Efficiency and Outreach' held at Prague, Czech Republic, 8-10 Dec 2016 and made presentations on the following three themes on three different sessions on each of the three conference dates (i) Reforms of labour administration on 8th Dec 2016 (ii) Data, statistics and research: Impact on Policy-making on 9th Dec 2016 (iii) Informal economy and unregistered work on 10th Dec 2016
- Participated in the Workshop on Impact of FDI on Economic Growth: South Asian Perspective: 3 Dec 2015 organized by Teri, New Delhi held at India Habitat Centre, New Delhi
- Represented paper titled 'Export Competitiveness and Internal Consumption: The Case of Indian Tea' was published in the Winter Special Issue 2015 of IMI Konnect, Volume 4, Issue 10 (ISSN 2321-9378)

Shri P. Amitav Khuntia, Associate Fellow

- Participated in the workshop "Social Protection Floor" on 10.12.2015 organised by V.V.Giri National Labour Institute, Ministry of Labour and Employem & International Labour Organisation at VVG NLI, Noida

Shri Otojit Kshetrimayum, Associate Fellow

- Presented a paper on Social Protection in India: An Overview in the Workshop on Social Protection Floor for the senior officials of the Ministry of Labour & Employment organised by V. V. Giri National Labour Institute in collaboration with the Ministry of Labour & Employment and International Labour Organisation on 10th December, 2015 at the institute.
- Presented a paper on Skilling Youth for Livelihood Security in Manipur: Trends, Prospects and Challenges in the National Seminar on Skilling of Youth for Zero Unemployment was organised by the Centre for North East, V. V. Giri National Labour Institute in collaboration with the Department of Commerce, Manipur University at Court Hall, Manipur University, Imphal on 22nd December, 2015.

Dr. Ellina Samantroy Jena, Associate Fellow

- Participated in the Academy on Labour Market Statistics and Analysis held from 2- 13 Nov 2015 at the International Training Centre of the ITC, Turin, Italy.
- Participated as an expert in a workshop on e-content development for the subject Sociology on 3.12.15 organised by the National Institute of Open Schooling, Noida

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