



drishti

## The Occupational Safety, Health and Working Conditions Code, 2019

---

 [drishtias.com/printpdf/the-occupational-safety-health-and-working-conditions-code-2019](https://drishtias.com/printpdf/the-occupational-safety-health-and-working-conditions-code-2019)

### Why in News

---

The Standing Committee on Labour has invited suggestions from the public on the Occupational Safety, Health and Working Conditions (OSH) Code, 2019.

- The OSH Code was introduced in the Lok Sabha in July, 2019.
- It **aims** to regulate the employment of workers, including those engaged by contractors, and their working conditions across sectors.
- It is **one of the four codes** that are part of the Centre's **labour reforms** agenda. The four labour codes—on **Wages, Industrial Relations, Social Security and Occupational Safety**, and **Health and Working Conditions**—intend to provide workers with wage security, social security, safety, health and grievance redress mechanisms.

### Key Provisions

---

- **Replaces 13 labour laws** relating to safety, health and working conditions, including the Factories Act, 1948, the Mines Act, 1952, and the Contract Labour (Regulation and Abolition) Act, 1970.
- **Applicability**
  - Establishments employing at least 10 workers,
  - All mines and docks,
  - Provides special provisions for certain types of establishments and classes of employees, such as factories and building and construction workers.
- A **National Occupational Safety and Health Advisory Board** in place of multiple committees at present.
  - The Board will have **tripartite representation** from trade unions, employer associations and state governments.
  - The Board will **advise the government** on the standards, rules and regulations on workers' safety, besides overseeing the implementation of the Code.

- **Licensing Requirements**  
One registration, one licence and one tax return instead of multiple registrations, licenses and returns as required in the existing 13 labour laws.
- **Formalisation of Employment:** The Code provides for a statutory provision to **issue appointment letter to every employee** of the establishment.
- **Safety and Welfare Provisions**
  - The employer is required to provide a **hygienic work environment** with ventilation, comfortable temperature and humidity, sufficient space, clean drinking water, and latrine and urinal accommodations.
  - The Code provides for **uniform threshold for welfare provisions** for all establishments. Welfare Provisions include crèche, canteen, first aid, welfare officer etc.
- **Duties of Employees** include taking care of their own health and safety, complying with the specified safety and health standards, and reporting unsafe situations to the relevant authority.
- **Working Hours For Women:** Women, **after their consent**, will be permitted to **work beyond 7 pm and before 6 am** subject to the safety, holidays, working hours or any other condition as prescribed by the state or the central government.
- **Penalty**
  - An offence that leads to the **death of an employee** will be punishable with **imprisonment of up to two years**, or a fine up to **five lakh rupees**, or both.  
The courts may direct that at least 50% of such fine be given as compensation to the heirs of the victim.
  - If an **employee violates provisions of the Code**, s/he will be subject to a **fine of up to Rs 10,000**.

**Source: IE**