



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](#)

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