

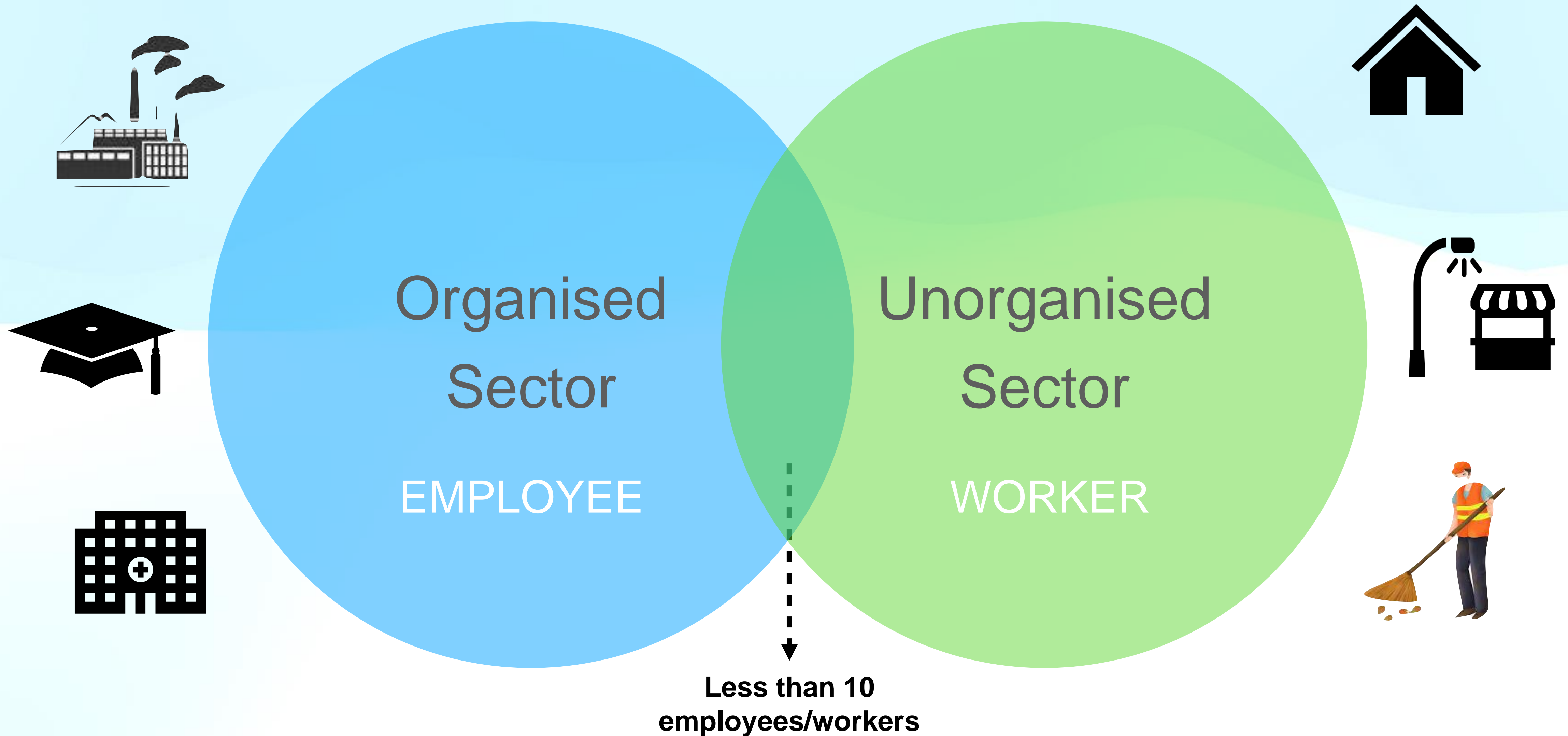
Labour Laws and Platform Regulation

Bhavya Gupta

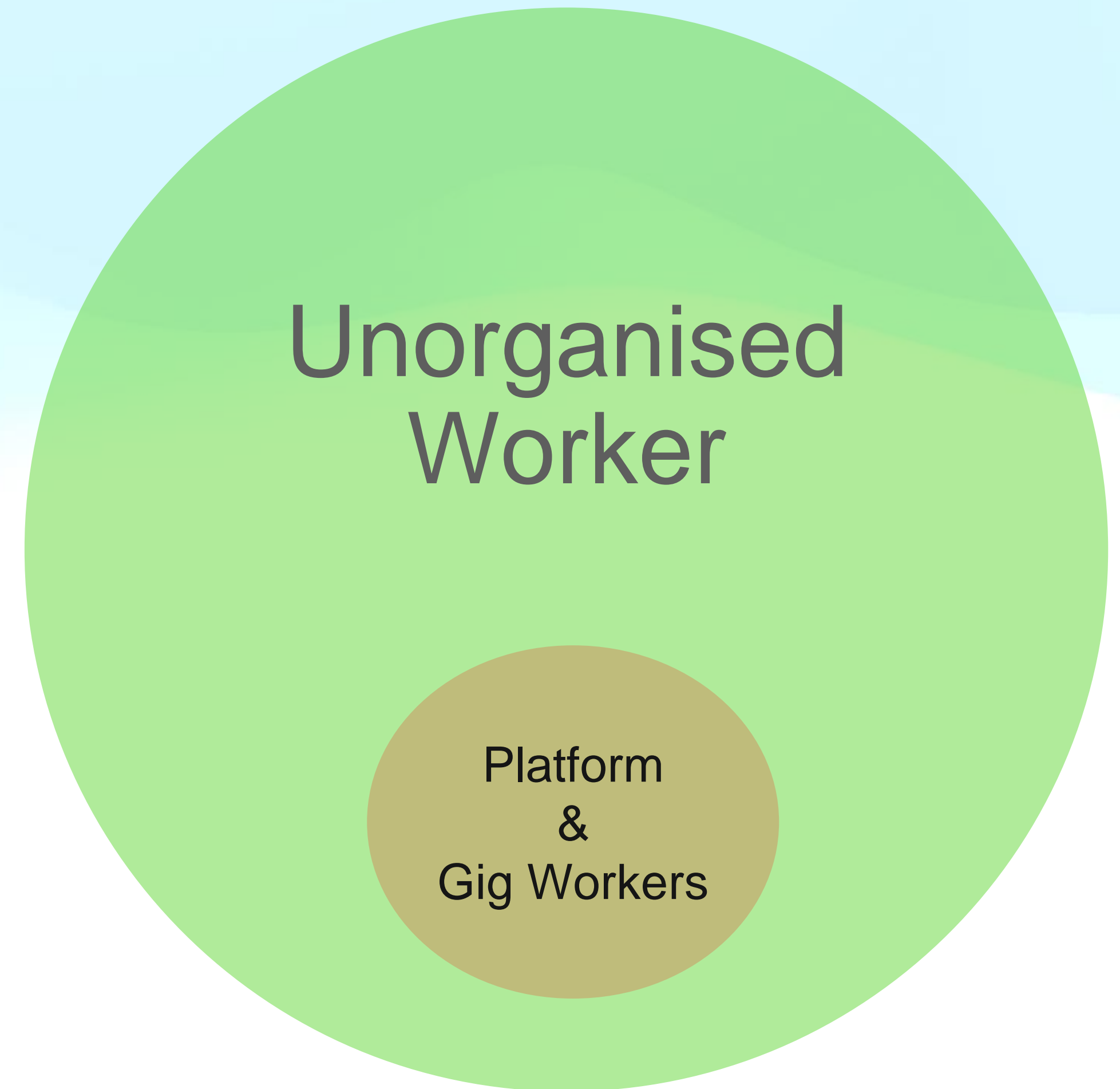
Legal Consultant, DP-WEE

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Labour Law in India



Gig & Platform Workers



Unorganised Workers

DIFFERENT TYPES

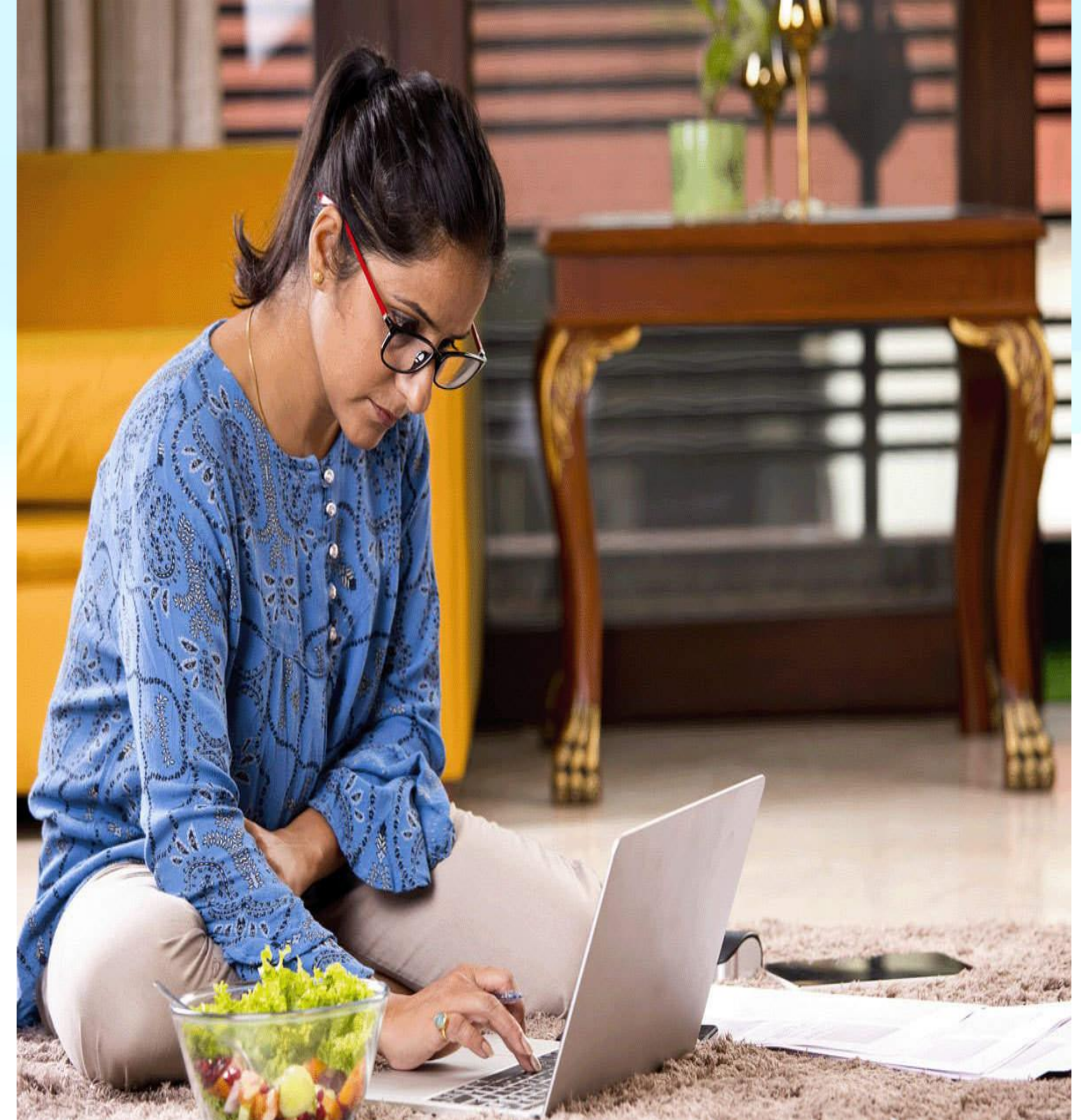
- **Self-Employed Worker**
- Wage Worker
- **Contract Labour**

- Home-Based Worker
- Domestic Worker
- Temporary/Casual Worker
- Migrant Worker

Self-Employed Worker



Home-Based Worker



Domestic Worker



Temporary or Casual Worker



Contract Worker



New Labour Codes of 2020

Yet to be implemented

**Social
Security**

Wages

Industrial
Relations

Occupational
Safety,
Health and
Working
Conditions

Gig Worker

Definition under Code on Social Security, 2020

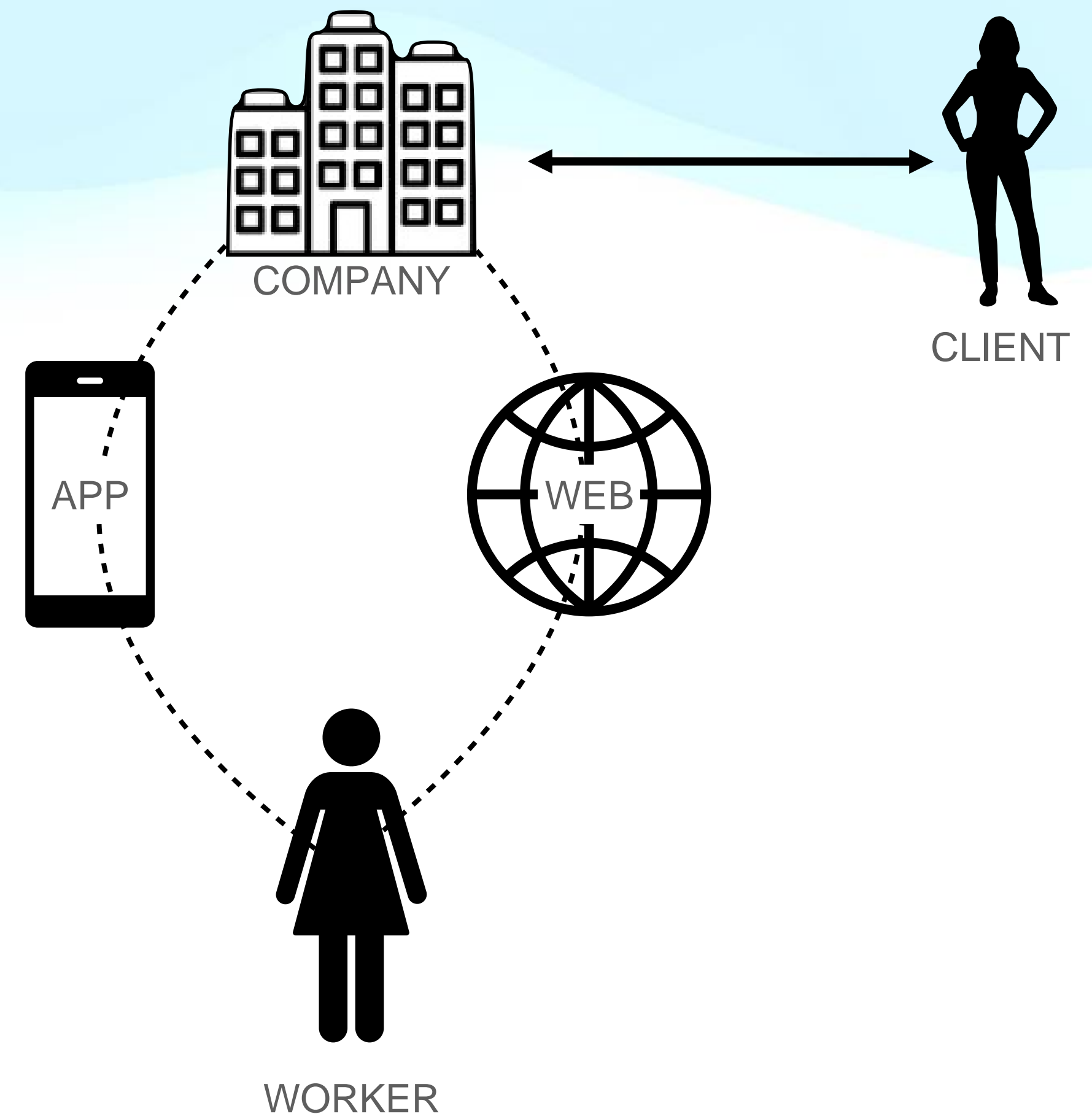
- Performs work or participates in a work arrangement
- Earns
- Outside of traditional employer-employee relationship

- ✓ Self-employed Worker
- ✓ Contract Worker
- ✓ Home-Based Worker
- ✓ Temporary/ Casual Worker

Platform Worker

Definition under Code on Social Security, 2020

- Online Platform
- In Exchange For Payment
- Work Arrangement
- Outside Of Traditional Employer-employee Relationship



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NITI Aayog, 2022

Labour Laws

Main Legislations

The Employees Compensation Act, 1923	The Industrial Disputes Act, 1947	The Payment of Bonus Act, 1965	The Beedi and Cigar Workers (Conditions of Employment) Act, 1966	Dangerous Machines (Regulation) Act, 1983
The Employees Provident Funds and Miscellaneous Provisions Act, 1952	The Industrial Employment (Standing Orders) Act, 1946	The Payment of Gratuity Act, 1972	Trade Unions Act, 1926.	The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993
The Employees State Insurance Act, 1948	The Maternity Benefit Act, 1961	The Payment of Wages Act, 1936	Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996	Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
The Equal Remuneration Act, 1976	The Minimum Wages Act, 1948	The Unorganised Workers' Social Security Act, 2008	The Contract Labour (Regulation and Abolition) Act, 1970	Motor Transport Workers Act, 1961
The Factories Act, 1948	The Bonded Labour System (Abolition) Act, 1976	The Plantations Labour Act, 1951	Child Labour (Prohibition and Regulation) Act, 1986	Sales Promotion Employees (Conditions of Service) Act, 1976

Benefits

Worker versus Employee

Unorganised
Worker

Employee

- Health Care
- Income Security
- Work Injury

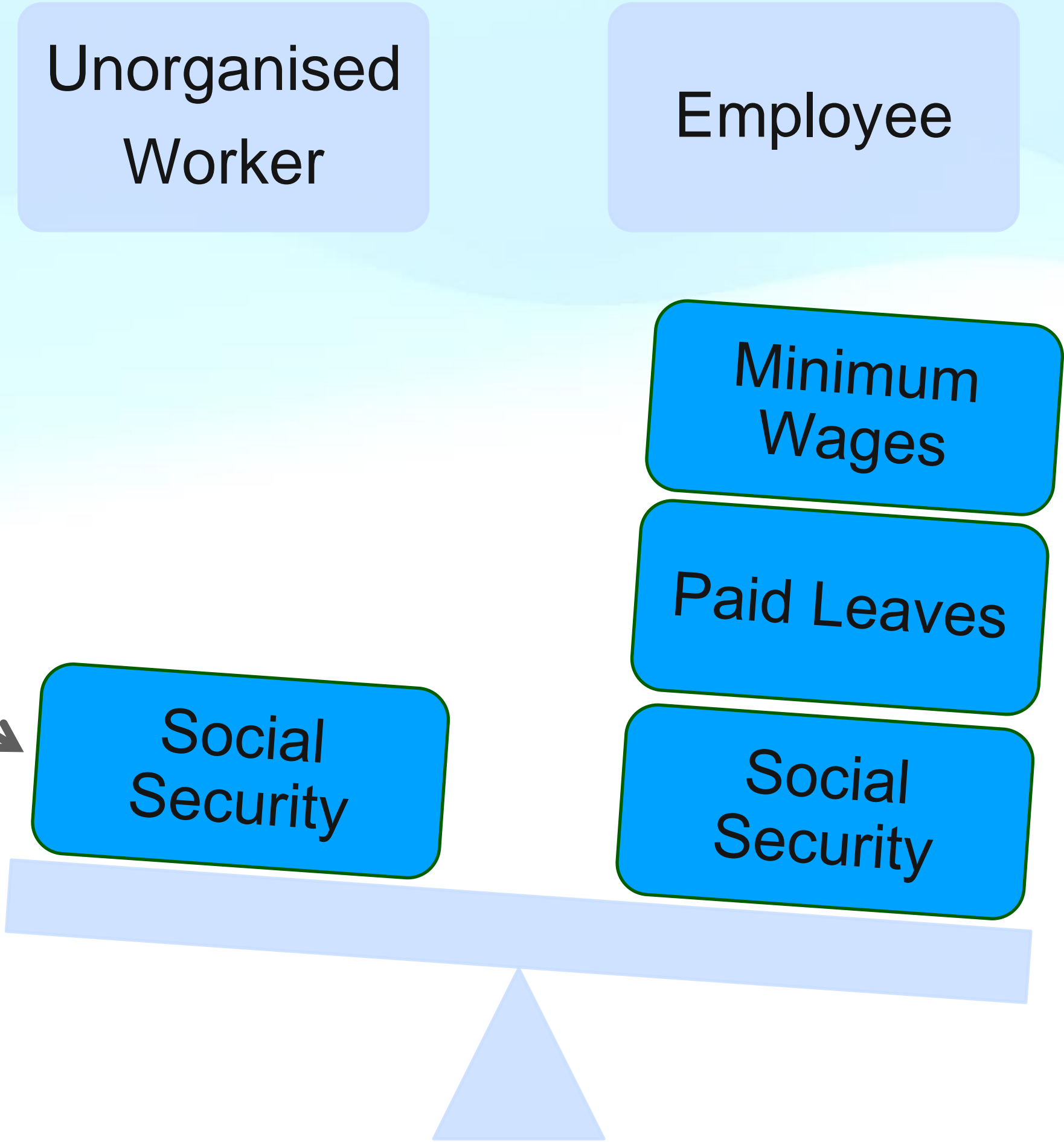
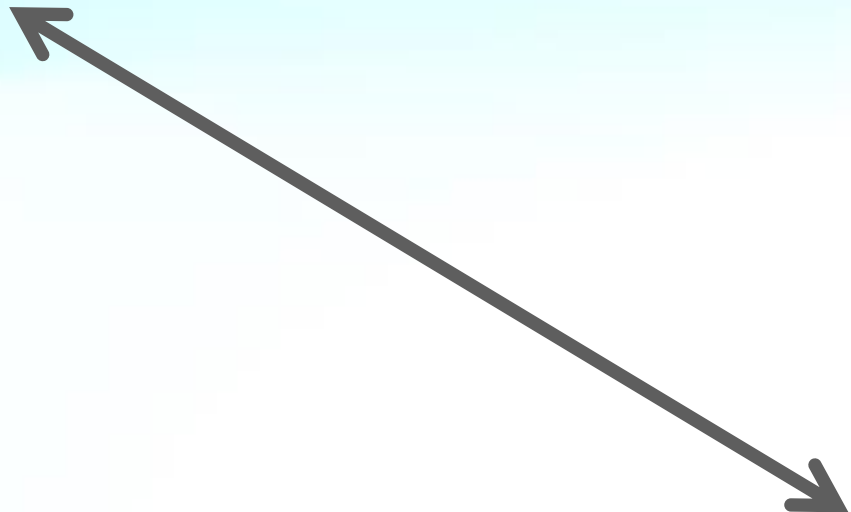
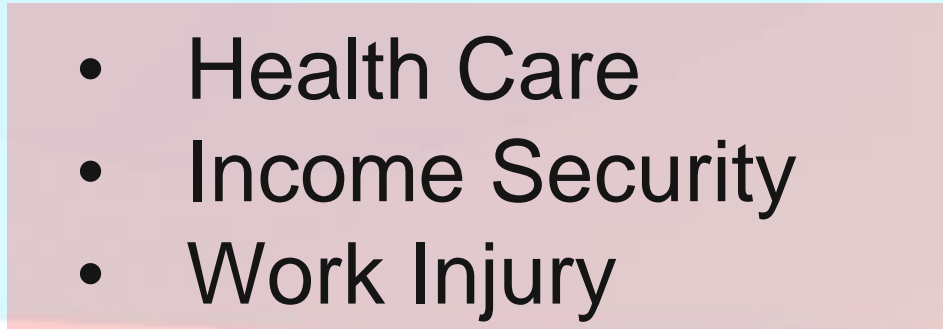
Minimum
Wages

Paid Leaves

Social
Security

Social
Security

ESIC
EPFO
NSSB





A woman with dark hair in a bun, wearing a black short-sleeved uniform with a lanyard, is leaning over a table. She is looking down at something on the table. The background shows a room with a grey sofa, a framed picture on the wall, and a doorway leading to another room with a ceiling fan.

Platform Workers: Women

Special Legislations

Women in Platform and Gig Work

- The Code on Social Security, 2020
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013

Way Forward

- Propose a comprehensive definition for Platform and Gig Workers
- Analysis of the International Labour and Human Rights Instruments and Domestic Laws of the US, UK and Singapore
- Policy Suggestions for economic empowerment of Women workers in platform and gig work

Thank You