



श्रम एवं रोजगार मंत्रालय  
Government of India  
MINISTRY OF LABOUR & EMPLOYMENT

सत्यमेव जयते



# National Workshop on **LABOUR CODE ON WAGES**



Friday, 19<sup>th</sup> January, 2018

ASSOCHAM House, 5, Sardar Patel Marg, Chanakyapuri, New Delhi



**THE ASSOCIATED CHAMBERS OF COMMERCE & INDUSTRY OF INDIA**

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## **INTRODUCTION**

The Ministry of Labour and Employment, GOI has introduced the Code on Wages Bill 2017 in Lok Sabha on 10.08.2017 as a part of its often stated aim of reforming labour laws and improving the 'ease of doing business'.

**The code on Wages Bill 2017 subsumes four existing Laws, viz. The Minimum Wages Act, 1948; the Payment of Wages Act, 1936; the Payment of Bonus Act, 1965 and the Equal Remuneration Act, 1976.** After the enactment of the Code on Wages, all these four Acts will get repealed. The codification of the labour laws will remove the multiplicity of definitions and authorities leading to ease of compliance without comprising wage security and social security to the workers.

At present, the provision of the Minimum Wages Act and the Payment of Wages Act do not cover substantial number of workers, as the applicability of both these Acts is restricted to the Scheduled Employments/Establishment. However, the new Code on Wages intends to ensure minimum wages to one and all and timely payment of wages to all employees irrespective of the sector of employment without any wage ceiling failing enhanced penalties including imprisonment. **These provisions will have far reaching implications.**

Keeping this in view, ASSOCHAM is organizing one day National Workshop on **Labour Code on Wages on 19<sup>th</sup> January, 2018, ASSOCHAM House, New Delhi.** The workshop will be addressed by the experts drawn from private sector as well as the government officials, who have been architect of the code.

## **TECHNICAL SESSIONS**

**1<sup>st</sup>**

**SALIENT FEATURES OF WAGES CODE AND ITS IMPLICATIONS**

**2<sup>nd</sup>**

**INTERNATIONAL AND NATIONAL MINIMUM WAGES : SCOPE, COVERAGES AND METHODOLOGIES**

**3<sup>rd</sup>**

**COMPLIANCE OF STATUTORY PROVISIONS ENHANCE PANALTIES AND PUNISHMENTS**

**4<sup>th</sup>**

**FLOOR PARTICIPATIONS – SUGGESTIONS & RECOMMENDATIONS**

## **KEY ISSUES TO BE DISCUSS**

### **MINIMUM WAGE LIMIT**

Currently, State Governments set the minimum wage limit under the Minimum Wages Act, 1948. It appears that the wage bill now proposes a universal minimum wage to workers to be set by the Central Government across all States and Sectors. State must implement the minimum wage limit set by the Wage Bill, but are at liberty to set a higher minimum wage in their respective jurisdictions.

### **APPLICABILITY**

The Payment of Bonus Act, 1985 is applicable only to workers earning wages below Rs. 21,000 per month. Similarly, the Payment of Wages Act, 1936 applies to worker earning monthly wages of Rs. 18000. Further, certain labour laws are restricted in their application to employees only in schedule industries or specific establishments. The wages bill entitles all workers to equal remuneration and a universal minimum wage regardless of their wages and type of industry.

### **WAGES & PAYMENT OF WAGES**

The wages Bill provides for a uniform definition of wages as opposed to different definitions of wages or remuneration under the extent labour laws. Wages under the Wages Bill are define as all remuneration (whether by way of Salary, Allowances or otherwise) expressed in terms of money or capable of being expressed which would be payable to a person employed in respect of his/her employment on fulfillment of terms of employment, whether express or implied. The Wage Bill now mandate every employer to make payment of wages electronically (bank transfer) or by cheque unless notified otherwise by the Government.

### **CLAIMS UNDER THE WAGE BILL**

The Wage Bill requires the relevant State Government to appoint one or more authorities and appellate authority to hear and decide the claims arising out of the non-payment of wages, deduction in wages made in contravention of the Wage Bill, payment of Wages below the minimum wages, non-payment of wages for the leave period, non-payment of over time, non-payment of equal remuneration to employees.

### **STATUTORY REGISTERS AND RETURNS**

The Wages Bill mandates every employer to maintain a single register (preferably electronic) containing the details of person employed, wages and other details prescribed by appropriate Government. Employers are also required to file Annual Returns under the Wage Bill. This is expected to ease the compliance burden of the employers.

### **OFFENCES AND PANALTIES**

Enhanced penalties including imprisonment for different types of violations have been proposed as per the gravity of violations. Enhanced penalties shall be imposed on the offender who is again found guilty of similar offence already committed by him.

### **FACILITATORS**

Currently, the Payment of Wages Act, 1936, and the Payment of Bonus Act 1965 provide for labour 'inspectors' to conduct inquiry and investigation to check compliance with the Payment of Wages Act, 1936. The Wage Bill provides for 'Facilitators' instead of 'inspectors', who in addition to powers of inquiry and investigation, are also empowered to provide the employers and workers with advice regarding effective means of complying with the law. The punishment/Penalties for breach / non-compliance etc. has been enhanced.

## **SPEAKERS INVITED**

- **Shri Anil Kumar Nayak**, Chief Labour Commissioner(Central), Govt. of India
- **Dr. Onkar Sharma**, Former Dy. Chief Labour Commissioner (Central)
- **Shri S.Y. Siddiqui**, Chairman, ASSOCHAM National Council on IR & Reforms
- **Shri Xavier Estupinan**, Wages Specialist, International Labour Organization (ILO), New Delhi
- **Dr. S.K. Sasikumar**, Senior Fellow, VV Giri National Labour Institute
- **Shri Michael Dias**, Secretary, The Employers Association, Delhi
- **Dr. Pravin Sinha**, Director, National Labour Law Association, Delhi
- **Prof. S.C. Srivastava**, Secretary, National Labour Law Association, Delhi
- **Shri B. Dhal**, Ex-Executive Director, (P&A) Steel Authority of India

## **WHO SHOULD ATTEND?**

- **Corporate IR/HR Professionals**
- **Labour Law Experts**
- **Consultancy Firms**
- **Chief Personal Relations Officer**
- **Sr. Reps of Corporate/PSUs**
- **Human Resource Managers**

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### **DELEGATE REGISTRATION FEE**

Registration fee per delegate is Rs. 2,250/- plus GST @18% i.e. Rs. 2,655/-

(10% discount for two or more delegates from the same organization.)

Payment by Cheque/DD to be drawn in favour of "ASSOCHAM" payable at New Delhi.

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