

Non-Negotiables for Social Security

1. A comprehensive bill for Social Security of unorganised workers to ensure that the Social Security legislation should incorporate Labour Rights, Social Security Rights and all essential components of social security in the clause of definitions without ambiguity and without dilution. Social security definition should include safety at work place. It should include land rights in rural and agricultural regions with emphasis for dalit workers, right of tribal on forest and land, housing right of urban workers and right of access to PDS for all workers and with emphasis for migrant workers who change their addresses frequently due to shift in work-place.
2. We reaffirm the necessity for incorporating employment assurance or guarantee, livelihood protection, minimum wage and minimum income protection, employment regulation with social security, in the legislation.
3. The government should issue individual identity cards for all categories of workers, including self-employed, unemployed and marginal farmers.
4. The government should do the entire social security funding with minimal one time contribution from workers and a fee for renewal in two or three years. The reasonable fair level of social security needs of workers and family members be determined and accordingly the requirement of funds be calculated. In principle 5 per cent of GDP should be spent on social security.
5. The government should not privatise Social Security. The government should provide health services or medical care through dispensaries and hospitals of the social security boards and in no circumstances allow privatisation of health services or insurance-based medical care be prescribed for unorganised workers.
6. The law should not differentiate between BPL and APL workers. All unorganised informal workers should get social security. The definition of unorganised informal worker should not contain any wage or income ceiling. The tripartite boards should be entrusted the function of excluding certain privileged group of unorganised workers from the purview of social security benefits (e.g. IT and BPO workers, rich self employed workers).
7. The law should provide for protective provisions for dalits and tribal and particularly for dalit agriculture workers and dalit women by constituting vigilance committees, providing land to dalits agriculture workers, abolition of manual scavenging, protection of dalits against caste based discrimination and exclusions and stringent punishment for violations.
8. All women workers, paid and unpaid, need additional protective cover in the law for equal wages and service condition, mechanism for the prevention and reprisal of sexual harassment, maternity benefits with leave, widow pension and legal aid.

All women should be entitled to Social Security benefits as independent workers and not as dependent on male earning members or as part of the family/household. Employment status of a male member in the family must not be the criterion for availability of the entitlements to women.

9. We reaffirm the need for tripartism at all levels in administration of social security provisions and dispute resolution. In tripartite forum, women workers, dalits, dalit women, tribal and other classes of workers be given proportionate representation.
10. The proposed law must necessarily incorporate provisions described in this document of Non-negotiables and as resolved by the trade unions in the meeting on 19th October 2006.
11. We further emphasize the need for a separate comprehensive legislation for the agriculture workers, which would focus on special vulnerable circumstances of workers while providing for dispute resolution, social security, income protection and debt redemption.