




Department of Labour
Government of Kerala



KERALA INSTITUTE OF LABOUR AND EMPLOYMENT (KILE)

NATIONAL LABOUR CONCLAVE

2025



**LABOUR CODES
CHALLENGES AND RESOLUTIONS**

2025 DECEMBER 19

The Labour Conclave 2025 involving experts from across the labour sector was organised to evaluate the new labour codes that will seriously impact the labour laws of Kerala and more importantly, the labour sector itself.

Overview

Following the recommendation of the Second National Labour Commission (2002) to streamline India's extensive labour laws into unified labour codes, Parliament had passed four codes, namely the Wage Code (2019), Social Security Code (2020), Industrial Relations Code (2020), and Occupation Safety, Health and Working Conditions Code (2020), which came into force from November 21, 2025.

While the central government claims that these reforms will strengthen the country's employment sector as well as industrial activities, the Kerala state government is strongly concerned that these codes contain provisions that undermine the long-standing labour protections, trade union rights and the administrative autonomy of the state labour department. The concern that these codes will adversely affect federal



rights and trade union rights has already been raised by various national and state-level trade unions. However, many employers' associations see these codes more favourably.

Considering the nation's diverse workforce, rapid technological transformations, and the socio-economic changes affecting the states, a careful, critical and comprehensive reassessment of the labour codes is essential to protect the interests of workers and uphold the federal principles. The Labour Conclave 2025 was designed as a high-level forum for conceptual debates, bringing together ministers, labour law experts, trade union leaders, industry experts, researchers and senior administrators from Kerala and other states to study the implications of the labour codes, formulate strategies to overcome their drawbacks, and develop recommendations reflecting Kerala state's vision for labour and workers. The ideas that emerged from the labour conclave discussions formed the basis for proposing amendments in the new laws, in alignment with the labour conditions in Kerala and framing the state's own labour policy and legislation.





National Labour Conclave Kerala with a Historical Mission

The National Labour Conclave organised by the Kerala government, with the participation of various trade union, political and social leaders and prominent figures, became a platform for robust resistance and protest against the central government's reduction of the extensive labour laws, which had protected the basic rights and dignity of the working class in India, into four unified codes. The National Labour Conclave, jointly organised by the Department of Labour and the Kerala Institute of Labour and Employment (KILE) in Thiruvananthapuram, became a platform for devising compelling ideas and elaborate strategies including legislation to overcome the socio-economic impacts created on the working

class under the name of labour codes. It has also been noted at the national level that Kerala was the first state to provide a platform to raise its voice against the usurpation of the democratic rights of the working class. The Labour Conclave facilitated an in-depth examination of the four labour codes implemented by the Central Government in a completely unscientific and unilateral manner, devoid of any humanitarian concern. Chief Minister Pinarayi Vijayan has initiated a historic mission in Kerala to liberate the working class across the country from the injustices imposed by the labour codes and to restore all the justice and rights they deserve.

National Labour Conclave:

A Platform for Democratic Resistance to Protect the Rights and Dignity of the Working Class: Chief Minister Pinarayi Vijayan

Chief Minister Pinarayi Vijayan, speaking at the inauguration of the National Labour Conclave organised by the Labour Department and the Kerala Institute of Labour and Employment in Thiruvananthapuram, said that the Conclave is a platform for legal, political and democratic defence to protect the rights and dignity of the working class, which is the foundation of the national economy.

Under the pretext of simplifying the country's labour laws, the central government has merged the existing 29 labour laws into four labour codes - wages, industrial relations, social security, and occupational safety and health. There is widespread public concern that the implementation of these codes will adversely affect the rights of workers. This labour conclave is a platform to discuss these concerns and find ways to overcome the predicaments.

Indian labour sector is currently going through a historical juncture. Perhaps, the most challenging period India has witnessed post-independence. In the age of increasing inequality between the labour class and the capitalist class at a global level, it is an imperative to stand with the former. It is the political and moral responsibility of any democratic government to stand with the people and share their concerns. It is the duty of a mature society to register rational and democratic dissent when the central government undertakes policies that curtail the fundamental

rights of the working class and prioritise the interests of the corporate giants.

To create sustainable development models, job security and social welfare must be ensured. Development cannot be defined solely by means of GDP figures and corporate profit margins. It is also defined by affirmative changes in the living standards of people and an economy based on social justice.

The labour laws and rights we enjoy today are not a charity from the government. They were hard-earned through blood and sweat as a result of anti-imperialist struggles and subsequent peasant struggles. The historic struggles waged across the country by the textile mill

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workers in Mumbai, the jute workers in Calcutta, and the workers of Kanpur and Ahmedabad were an integral part of the Indian freedom struggle. The Punnapra-Vayalar, Kayyur, and Karivellur struggles in Kerala, the struggles waged by workers in the coir, cashew, handloom, and plantation sectors, were for achieving labour rights and ending feudalism. All these movements had clear anti-imperialist political agenda. That historical consciousness should embolden us today.

The labour laws formed in the post-independent India were in resonance with the principles of socialism as envisioned in the preamble of the Indian constitution as well as the concept of 'social welfare' mentioned in the Directive Principles.

Eight hour working time, minimum wages, bonus, benefits such as ESI and PF are achieved through collective bargaining. Laws like the Industrial Dispute Act of 1947, the Factories Act of 1948, the Minimum Wages Act, etc., treat the worker not as a mere tool, but as a citizen with rights. These laws helped to some extent in controlling the excessive profiteering of capitalism and ensuring equitable distribution of wealth. However, the neoliberal policies that began in the 1990s paved the way for structural changes in the employment sector. These policies, initiated by the Congress governments, were later implemented with greater intensity and enthusiasm by the BJP governments. We have seen the role of the state changing from being a protector of the citizen to being a facilitator of the market. This situation adversely affected the job security and living conditions of the workers.

We are witnessing the disinvestment of public sector undertakings and projects like the National Monetisation Pipeline. This is leading to the privatisation of public assets in the country. Even profit-making companies are being sold. Encouraging contractual appointments instead of permanent appointments We are witnessing the disinvestment of public sector undertakings and projects like the National Monetisation Pipeline. This is leading to the privatisation of public assets in the country. Even profit-making institutions are being sold. encouraging contractual appointments instead of permanent appointments is creating uncertainty in the job market. The principle of equal pay for equal work is being ignored. The practice of paying different wages to permanent and contractual workers doing the same job is becoming widespread. These practices are weakening the collective bargaining power of workers. It is in continuation of these policies



The labour laws formed in the post-independent India were in resonance with the principles of socialism as envisioned in the preamble of the Indian constitution as well as the concept of 'social welfare' mentioned in the Directive Principles.

that the central government has introduced four labour codes. While claiming to simplify labour laws, these changes are radical and regressive and threaten job security and service delivery. The principle of equal pay for equal work is being ignored. The practice of paying different wages to permanent and contractual workers doing the same job is becoming widespread. Such practices are weakening the collective bargaining power of workers. It is in continuation of these policies that the central government has introduced four labour codes. While claiming to simplify labour laws, these changes are radical and regressive and adversely affect job security and welfare measures.

As labour organisations have pointed out, the consolidation of the existing 29 labour laws is actually aimed at eliminating legal protections for workers. This deserves serious scrutiny. The fact that these codes were passed in Parliament in the absence of opposition and without democratic debate reveals the ulterior motive behind this. This is a deliberate move to create a labour market controlled by corporations.

The provisions of the new law, called the Industrial Relations Code, seriously affect job security. The most notable among them is that the threshold for establishments requiring prior government permission to lay off or dismiss workers, or to close down operations, has been raised from 100 to 300 employees. This means that in more than 90 percent of the country's factories and industrial establishments, employers can dismiss workers without government permission. Workers can be fired at any time according to the employer's wishes. This is tantamount to legalising the hire-and-fire policy. Job security will now be a thing of the past. Fixed-term employment or fixed-term contract appointments will become legalised. This will undermine the

very concept of permanent employment. By allowing contract appointments even to permanent employees, workers are constantly jeopardised. This distances them from trade union activities. They can be dismissed without any benefits when the contract expires. The fear of losing their jobs if their contracts are not renewed prevents workers from speaking out against exploitation. It is impossible for a worker to plan for the future if s/he is not sure whether s/he will have a job in a year or two. In addition, the code strictly restricts the right to strike. A notice of 14 days must be given before a strike. Striking is banned when reconciliation talks and tribunal hearings are going on. It will be considered a strike even if 50 percent of the employees take leave. In effect, it becomes impractical to exercise the right to strike. It is a sheer violation of democratic rights to deny the working class their right to protest. Workers employed in supervisory positions and drawing a salary above 18000 are excluded from the definition of workers. This will lead to denying them the protection under industrial relations code.

The recommendations put forth by the Wage Code is also equally concerning. The system introduced by this Code is likely to undermine the scientific method of fixing minimum wages. The norms adopted by the 15th Indian Labour Conference and upheld by the Supreme Court in the Reptakos Brett case, namely the minimum provision for food, clothing, shelter, education and health for a worker and his family, are ignored here. Arbitrary centralisation of the power to fix wages without taking into account such minimum costs or regional differences in the cost-of-living index will adversely affect the purchasing power and standard of living of the workers. There are provisions to increase the current 8-hour working time to 9 hours. However, resting time given during this period will not be counted as work-

ing time. This encourages workers to spend more time at the workplace without being paid extra.

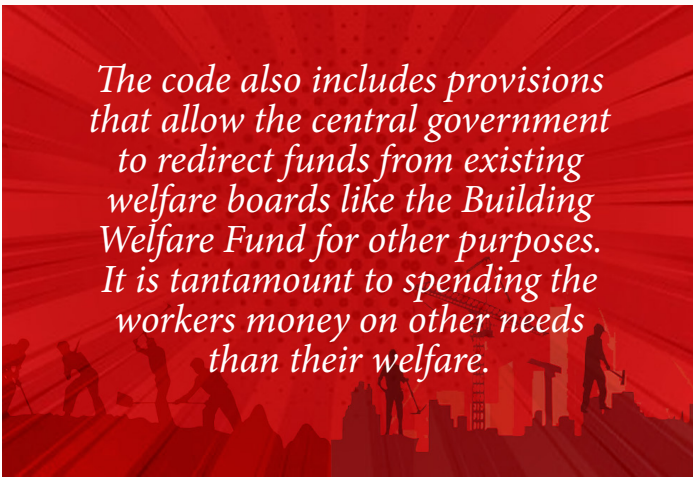
While the Social Security code claims to ensure social security for all, it practically weakens the existing system. There is no clarity on ensuring social security for workers in the unorganised sector and gig workers. In an economy that employs millions of youths through platforms like Swiggy, Zomato, Uber, the relationship between employer and employee is not clearly defined. As a result, there is no clear guideline for raising funds for welfare schemes. Although it is mentioned that a cess will be collected on turnover, it is insufficient.

The code also includes provisions that allow the central government to redirect funds from existing welfare boards like the Building Welfare Fund for other purposes. It is tantamount to spending the workers money on other needs than their welfare. The same concern applies to Employees Providence Fund. The PF Act continues to apply only to establishments with 20 or more employees. This excludes most employees in small establishments from PF benefits. It also gives the government the power to increase the overtime limit and increase the working hours to 12 hours per day. Fixing the working hours to 12 hours will physically and mentally exhaust the workers. While it says that workers should not work more than six days in a week, the next line gives the government the power to change it.

Thirteen labour laws, including the Plantation Labour Act, Mines Act, and Beedi Workers Welfare Act, are being repealed. This amounts to ignoring the specific safety issues and needs of each sector.

The new move of the central government has raised serious concerns in the rural employment sector. The central government is trying to change the name and fundamental principles of the Mahatma Gandhi National Rural Employment Guarantee Scheme. There should be a strong protest against this decision. The Sangh Parivar's hostility to the name and ideals of Mahatma Gandhi is evident through this behaviour. The new bill introduced by the central government under the name Vikasit Bharat Guarantee for Rozgar and Aajik Mission (Gramin) through VB-G RAM G Act aims to sabotage the existing employment guarantee scheme. It undermines even the most primary objectives of the scheme. The bill contains provisions that economically overburden the states. The ulterior motive of this bill is to make the scheme from a demand driven program to an allocation based one.

Under the existing framework, the scheme



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is designed to provide work based on the demands of the unemployed population. However, as per the proposed changes, it will shift to each state receiving an amount predetermined by the central government every financial year. At present, the central government bears 100 percent of wage costs and 75 percent of material expenses. Under the new bill, these costs will be shared between the central and state governments in a 60:40 ratio.

Once this bill becomes law, there will be a huge reduction in the central share that Kerala receives. The state will get only 60 percent of the total expenditure from the center. Kerala is the only state in India that provides a welfare pension of Rs 1,600 to more than 60 lakh people. It has not only increased the pension amount, but also ensured that it reaches the homes accurately.

Through more than 30 welfare boards, social security is ensured for workers in the unorganised sector, including construction workers, motor vehicle workers, tailors, and fishermen.

The 'Awas Insurance' scheme and the 'Apna Ghar' housing scheme provide dignified living conditions for guest workers. While they face discrimination in other states, Kerala provides them with a safe workplace and life. The Ayyankali Urban Employment Guarantee Scheme is being successfully implemented in urban areas in parallel to the National Rural Employment Guarantee Scheme.

The central government's efforts to weaken the employment generation scheme through Aadhaar-based payment systems and mandatory digital attendance is creating a major crisis. This is equivalent to denying jobs to the 26,888 workers who are aged and not tech-savvy, and who do not have internet access. Technology should not

be used as a weapon to drive people out. Kerala is a state that has passed a resolution in the Assembly against anti-worker policies. The government's stance is that labour policies can be formulated only through tripartite discussions and democratic consultations. We are ready to legislate within the state's jurisdiction to protect the interests of workers against the labour codes imposed by the Centre. The Central Government should withdraw from new legislation that imposes a heavy financial burden on the states. Strong protests are essential for this. Although three agricultural laws were withdrawn following the farmers' agitation, indirect privatisation in the agricultural sector still affects farmers and farm workers. Reducing fertiliser subsidies and not ensuring minimum support prices are causing losses to agriculture and increasing rural unemployment. Kerala is presenting an alternative development model against these national trends. We are proving that there is an alternative to neoliberal policies.

The acquisition of Hindustan Newsprint Limited, which the Central Government had decided to sell, by the State Government and its successful revival as 'Kerala Paper Products Limited', with a repayment of liabilities of Rs. 145 crores, including employee benefits, is a testament to the political will of the Government to protect the public sector. Similarly, the acquisition of BHEL-EML is also part of this alternative policy.

History is always on the side of those who fight. Let us move forward together against the corporate-communal nexus with that fighting spirit. This fight is not just for a section. It is for the future of coming generations and for the survival of the democratic republic of India, the Chief Minister said.

PRESIDENTIAL ADDRESS



Shri. V Shivankutti, minister of General Education and Labour, who presided over the inaugural session, said that even the NITI Aayog under the Central Government is compelled to acknowledge the development achievements of Kerala as remarkable.

It is particularly noteworthy that this is the first time that a national-level coalition has been organised in the country after the passage of black laws in the workplace and that it is being organised by Kerala. The government will seriously consider bringing a wage law in sectors such as hospitals, IT and media to deal with disputes arising in the labour sector. This is the first time that such a national coalition has been organised after the implementation of anti-labour black laws in the country. It is also particularly noteworthy that Kerala is organising it. As a representative of the Kerala government, I stand with a list of proud achievements. What sets Kerala apart is its clear political vision, a clear development vision, and the unwavering support of the working class that has stood firmly with these people. But at this crucial juncture, the policies of the central

government are creating grave concern.

The central government has reduced 29 labour laws, built over decades of workers' struggles, into four labour codes. This weakening of established protections in the name of reform constitutes an attack on workers' rights, social justice, and democratic values, and is unacceptable. The changes are structured around four areas: wages, labour relations, social security, and employment security. While this may appear, at first glance, to simplify labour laws, it effectively undermines workers' rights. The implementation of the Code on Wages would eliminate minimum wages across 87 existing labour sectors. The alternative of fixing wages by categorising workers—from unskilled to highly skilled—into four sectors is practically unworkable.

Employment is a subject that is in the concurrent jurisdiction of the Constitution. The Kerala government is committed to protecting workers using that federal authority. The direct inspections conducted by labour officers will be tightened in Kerala to ensure the safety of workers. The government will move forward with schemes that will also protect workers such as workers from other states and gig workers. If the central government's floor wage minimum is lower than the cost of living in Kerala, the government will ensure a high wage for our workers to live with dignity. The government does not see workers as a machine for making profit, but as the wealth of the country. Kerala is standing guard against it when the center snatches the rights of workers. We will meet the central labour minister in person with various trade union leaders with a letter containing the decisions of the labour conclave and strongly raise our demands. The time demands a strong fight by keeping the workers together. The Left government in Kerala will always be at the forefront to lead it and it needs everyone's support and cooperation, the minister said.

CITU National Secretary Tapan Sen said that the national level labour conclave organised from the perspective that development should not be corporate-centric or capital-centric is very noteworthy. All trade union interventions have come forward from the philosophy that development should be people-centric. He said that the conclave organised by the Kerala government as an alternative approach for people-centric development is welcomed by the entire trade union movement in the country.

Finance Minister K.N. Balagopal said that Kerala is a state that has eradicated extreme poverty and that it is an important milestone in the



from all sections of society.

Elamaram Kareem, former Rajya Sabha member and trade union leader, emphasised the need for a serious discussion on the practical steps that can be taken based on the various perspectives surrounding the labour codes.

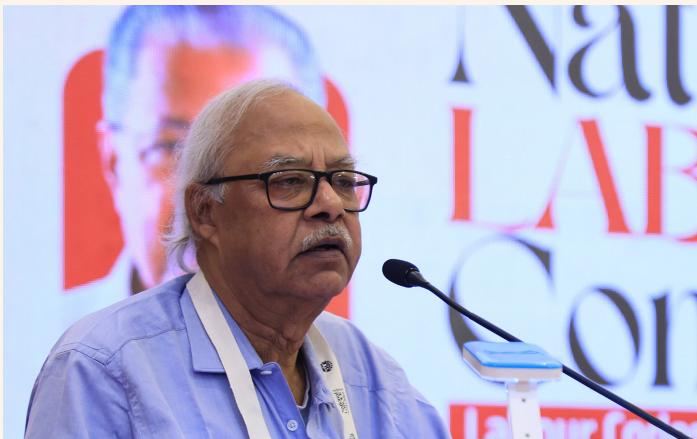
Former Supreme Court judge Gopal Gowda said that the second freedom struggle for economic democracy and constitutional democracy should continue as part of protecting the working class in the country. He said that the working class and their families need to be protected and an environment needs to be created for their children to rise in society.

In his welcome address, Labour Secretary Shanavas S said that the National Labour Conclave is being held in Kerala at a crucial juncture when four major labour codes are being discussed: wages, industrial relations, social security, and employment conditions and health. These labour laws, recently enacted by the Central Government, have come into effect from November 21, 2025. These laws are presented as reform measures aimed at revising the framework of existing labour laws, strengthening industrial growth, and preparing a future workforce for India. However, the state views some of the provisions of these labour laws with pain and concern. They weaken long-standing employment protections and trade union rights provided to workers and limit the state's space for regulation. National trade unions have raised concerns about the potential impact of these laws on workers' rights, collective bargaining, and federal principles, which are central to Kerala's labour policy and development model. At the same time, employers' organisations have provided a more positive outlook, highlighting the expected economic growth and investment-related benefits.

There have been many different revelations in light of the new legislation. Based on these differences in perspectives, a serious dialogue

history of Kerala. He said that the labour codes implemented by the Central Government should be revised and rewritten, otherwise the people will not accept them. The Minister clarified that in the current situation, the national level labour conclave is of utmost importance.

Amarjit Kaur, National General Secretary of NITUCI, stated that the issue must be recognised as a matter of vital concern for the well-being of the nation, not only by workers but by people





personalities from the fields of industrial relations, administration, law, national institutions and trade unions are participating in this conclave. Therefore, it is expected that there will be a fruitful discussion in this conclave. Everyone will be heard. It is expected that practical solutions and recommendations will emerge, he said in his welcome speech.

KILE Chairman K.N. Gopinath, while expressing his vote of thanks, said that the Kerala government took the initiative to organise the national-level conclave in a situation where the central government's action of implementing four labour codes through notifications in the country has worried the entire working class.

Industries and Law Minister P. Rajeev, INTUC National Secretary Sanjay Kumar Singh, Labour Commissioner Safna Naseruddin, Law Secretary Sanil Kumar KG, Employment and Training Director Shafian Ahmed, and KILE Executive Director Sunil Thomas spoke in the meeting. After the inaugural session, technical sessions were organised on the topics of 'Impact of the new labour codes on the employment sector of Kerala' and 'Alternative strategies to deal with the consequences of labour codes'.

is needed. Evidence-based examination and an inclusive discussion are not only desirable, but also mandatory. The conclave has been organised to discuss this issue in depth and find possible solutions. The aim is to find out how to effectively combine the two ends of this problem. On the one hand, we need to protect labour rights, trade union rights and the federal rights of a state. At the same time, the fundamental rights of investors

We need to protect our land. Many eminent



National Labour Conclave

Labour Codes

Challenges and Resolutions



Technical Session – 1

Impact of the New Labour Codes on the Employment Sector of Kerala

The first technical session was a platform for in-depth discussions on the impact of the labour codes implemented by the central government on the employment sector in Kerala. The Kerala government observed with concern that it contained several provisions that undermined the fundamental labour protections, trade union rights and the powers of the states in the administration of labour—principles that form the basis of Kerala’s labour policy. Trade unions at the national and state levels pointed out that these were issues that adversely affected federal rights and labour rights.

Former Supreme Court Judge Justice Gopala Gowda delivered the keynote address in the

meeting presided over by Kerala Additional Advocate General Adv. K.G. Sanal Kumar. Secretary, Department of Labour S. Shanavas, Member, Kerala State Planning Board Dr. K Raviraman, Chairman, Research Core Committee, KILE Dr. S. K Sasikumar, Labour Law Expert Prof. Prabhu Mohapatha, CITU National Committee President K. Hemalatha, INTUC National Vice President R. Chandrasekaran, HMS National Secretary Ashok Ghosh, STU State President Adv. Rahmatullah and others participated as panellists in the first session. The experts discussed the following issues.

1. The Simplification of Labour Laws into Four Codes

The consolidation of 29 labour laws into four codes has raised serious concerns among stakeholders. Critics argue that many of the protections in existing laws have been diluted or withdrawn through this codification.

Instead of strengthening the rights of the labour force, the labour codes have been evaluated as waning labour security, reducing the regulative powers of labour departments, and pushing the labourers into increased uncertainty.

2. Social Security for All (including Gig-Platform Workers)

The Social Security Code has drawn widespread criticism for not ensuring universal coverage in practice. Sections 109-114 only address the creation of schemes for gig-platform workers. They do not specify time limits, specific benefits, or guaranteed financial contributions.

The Code is not prepared to relax the conditions for being covered by EPF, ESI, Gratuity or to raise the wage ceiling. In this situation, the claim that all workers will get Provident Fund, ESIC insurance and other social security benefits is misleading and hides the limitations of the law.

3. “Minimum Wage for All” National Basic Wage

The wage code does not guarantee a scientifically determined ‘living wage’ in line with the norms set by the 15th Indian Labour Conference or the principles of the Supreme Court. The specified national floor wage is fixed at a very low rate. This weakens the idea of uniform standards by allowing for regional variations. More than 45 percent of the income under PLFS 2023 is below the fixed minimum wage. As the inspection mechanisms become weak, they are deprived of legal protection. Moreover, a large section, including project workers, is still outside the minimum wage range.

Applying the new definition of wages to maternity leave benefits, termination and compensation will result in a significant reduction in the benefits available to workers. Such reductions will undermine the social security objectives of the laws. They will adversely affect women workers, those who have been dismissed and those who are under suspension. This is a regressive move that undermines decades of labour law principles. This is completely unacceptable. It defeats the very basic purposes for which the said legal benefits were conceived and implemented and eliminates the important protections provided to workers.

4. Wages on Time

While claiming to ensure timely payment of wages, the wage code has eased the penalties against employers (up to ten times the amount of the overpayment). Eliminating penalties for first offenses benefits employers and weakens workers’ wage security.

Wage provisions that were previously applicable to workers in schemes like MGNREGA (Employment Guarantee Scheme) were removed from the code.

5. Preventive Health Care

Instead of ensuring ESIC coverage for all employees, the code limits itself to a provision of free medical check-ups at the expense of the employer for those above 40 years of age. In establishments with less than ten employees, ESIC coverage is according to the employer’s preference. Even where it is mandatory, violations are rampant, and





it is questionable how effective these provisions will be in protecting the health of workers.

6. Tenure-based Employment with Equal Benefits

The law effectively legalises permanent temporary employment even in jobs that are considered permanent. It gives employers too much power to replace permanent positions with short-term contract appointments. While the provision of gratuity after one year of service is touted as a relief measure, it does not compensate for the loss of job security, seniority, career progression

and other benefits. It undermines job security, workers' rights and collective bargaining power.

7. Equal opportunities and safety for women workers

The codes do not ensure clear safeguards or reliable mechanisms for consent when allowing night shifts. This can lead to a situation of forced consent. The codes fail to address fundamental issues such as contractualisation, wage inequality, workplace harassment, and denial of maternity leave. As inspection mechanisms are weakened, provisions against gender discrimination become ineffective.





Technical Session – 2

Alternative Strategies to Deal with the Consequences of Labour Codes

Former Rajyasabha member Elamaram Kareem presided over the technical session titled “Alternative strategies to deal with the effects of labour codes” in the National Labour Conclave. Prof Shyam Sundar, former faculty, XLRI delivered the inaugural address. Labour commissioner, Safna Nassurudhin, AITUC National General Secretary Amarjit Kaur, LPS National Organising Secretary V. Veluswami, SEVA national Vice President Soniya George, AICCTU national Vice President Clifton D Rozario, and labour laws expert Varkichan Petta among others participated in the session.

The expert panellists of the session discussed the following matters:

8. The Protection of MSME, Plantation, Mine, and Construction Workers

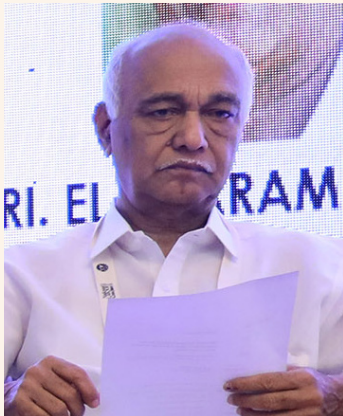
The provisions related to self-certification, exemptions and capping in the labour codes – especially the Occupational Safety, Health and Working Conditions Code 2020 – evidently weaken legal security norms and labour rights. A major portion of the workers in the MSME sector are

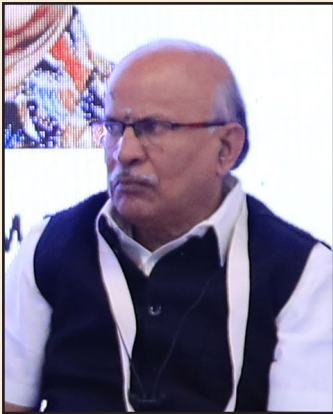
excluded from legal monitoring.

The Codes fail to ensure transparency in fund management and the distribution of incentives. Additionally, the reduction of inspections in hazardous sectors such as mining and plantations is likely to lead to an increase in accidents.

9. The Exclusion of Charitable Institutions from the Definition of ‘Industry’

Excluding charitable, social and philanthropic institutions from the definition of ‘industry’ would result in a large section of workers losing legal protection. This puts an end to the protection received through 1978 Supreme Court ruling in the ‘Bangalore Water Supply and Sewer-





to the implementation of 'hire and fire' policy in 90 percent of these establishments. Rather than expediting dispute resolution, the changes are likely to prolong it. The government, in effect, is shifting towards the role of a 'facilitator' instead of actively creating employment.

11. Inspector-cum-Facilitator: Improving Transparency

These provisions, which are found throughout the Social Security Code (2020) and the Code on Occupational Safety, Health and Working Conditions (2020), legitimise the inspector-cum-facilitator model. This shift from complaint-based direct inspections raises serious concerns that it will weaken enforcement and reduce worker protection. The replacement of independent labour inspectors with 'inspector-cum-facilitators', the shift to algorithm-based inspection methods, and the simplification of complaint-based inspection systems indicate an unbridled simplification of the rules rather than transparency.

Centralised random inspections and increased reliance on self-certification can lead to violations of wage standards, occupational safety standards, working hours, and social security provisions. Through this process, workers lose the crucial legal right to report abuses and seek redress.

12. Labour Flexibility

There is no credible evidence, either in India or internationally, for the claim that relaxing labour laws will lead to more jobs and investment. Even the exemplary labour law amendments implemented by the Rajasthan government during 2024-25 failed to create sustainable employment and instead increased contractualisation.

Rising unemployment, informal employment sector, uncertain occupational conditions, etc. are the major challenges faced by India. At

age Board.' Although the welfare framework for building and other construction workers, now included under the Social Security Code, 2020, exists, it will lead to exploitation of workers and deny opportunities for industrial dispute resolution.

10. Industrial Dispute Resolution

The Industrial Relations Code (2020) strictly restricts the right to strike. The ban on strikes during and after collective bargaining weakens the bargaining power of workers.

Raising the threshold for establishments requiring government approval for dismissals and lay-offs from 100 to 300 workers will lead

the same time, official data, including that of the Reserve Bank of India, indicate a decline in investments that generate sustainable employment. In this context, rather than promoting permanent employment, the labour codes are likely to create an unstable situation in the labour sector by encouraging the appointment of short-term contractual workers, apprentices, trainees, and interns.

13. Extensive Stakeholder Discussions

The Indian Labour Conference, the country's premier tripartite forum, has not been convened for the past decade. This proves that the claim that detailed consultations were held in this regard is false. All the major trade unions including CITUC, AITUC, INTUC had unanimously opposed the labour codes and had raised written objections. However, these concerns were not considered. The Parliament passed the code in the absence of the opposition. This weakens the democratic and tripartite processes.

After two sessions, a general discussion and codification was held based on this. Sunil Thomas, Executive Director of KILE, proposed a vote of thanks.



Key Decisions and Standpoints

The four labour codes brought by the centre, codifying 29 major labour laws are not in the interest of the workers. Rather, they protect the interests of the corporates. This is against the conventions of the International Labour Organisation. These laws were imposed after 2015 without convening the Indian Labour Congress and without holding adequate discussions with the trade unions. While many states in the country have amended their laws in favour of labour codes, Kerala is firm in its stance that it will not make any anti-labour amendments. Since labour is a subject included in the Concurrent List of the Constitution, the government will use its constitutional powers to protect the rights of workers in the state.



Major Concerns in Labour Codes

Allowing the working day to be extended from eight hours to 12 hours will open the door to labour exploitation. The very concept of job stability through fixed-term employment is being eliminated. The new laws weaken the right to strike and the right to organise.

The new codes have failed to ensure social security for the majority of people in the unorganised sector, including gig workers. As per the decision of the Labour Conclave, the State Labour Minister along with central trade union representatives will meet the Union Labour Minister in person, pointing out the anti-worker nature of the central labour codes.

The Kerala government will take the lead in raising and pressuring the demands of workers at the national level. Kerala will continue to be a model for India in protecting the rights of workers. The government will ensure the safety of all sections of the people, including IT, gig economy, and migrant workers.



Kerala takes Strong Steps against Central Government's Anti-Labour Policies



Committee to Study the Labour Codes

The National Labour Conclave has decided to form a committee of three legal experts to study the labour codes, understand the implications of the labour code for the workers of Kerala and suggest solutions. The members of the committee are Justice Gopala Gowda, Prof. Shyamsunder and Varkichan Petta. In addition, legal and research members have also been included in the committee. This committee will submit a preliminary report in this regard within two months.

The Labour Conclave organised by the State Labour Department concluded by declaring the strong stand of the working class and Kerala against the four labour codes that the Central Government intends to implement. The uncompromising fight against the Central laws that rob the fundamental rights of the workers will continue. The resolution in this regard was passed unanimously by the Conclave.









Comprehensive and Timebound [Retd.] Justice Gopala Gowda Committee Report as a New Impetus

The Government of Kerala, vide Government Order G.O. (Rt) No. 74/2026/LBR dated 22nd January 2026, constituted a Committee under the Chairmanship of Justice (Retd.) Gopala Gowda, former Judge of the Supreme Court of India, to study the four Labour Codes passed by the Parliament of India and suggest necessary amendments. The Committee was also mandated to recommend State-level legislation to protect and strengthen the rights and interests of workers in the State.

The committee formed in the first phase later included more expert members as associate members. After holding meetings with experts in the field of employment law and extensive discussions with various stakeholders, the committee deliberated on the subject in detail. After completing these discussions and studies, the committee, chaired by Justice Gopala Gowda, submitted its report to the Government of Kerala within the stipulated time limit on March 9, 2026.

The report submitted by the committee is organised into four main parts.

Part I examines the labour codes within the scope of the Constitution of India. This section specifically assesses the commitment to social and economic justice reflected in the preamble of the Constitution and the Directive Principles of State Policy.

Part II analyses the jurisdiction of the state government and examines in detail the administrative and legislative powers available to the states within the framework of existing labour laws.

Part III examines the four labour codes separately and presents suggestions for amendments required to bring them into line with constitutional principles and the objectives of social justice.

Part IV proposes three draft bills that aim

to protect underserved, particularly vulnerable, groups of workers who do not receive adequate protection under the existing legal framework.

The report observes that when the provisions of the labour codes are examined in detail, some of their elements are likely to be seen as contrary to India's constitutional position, which is designed with the aim of social and economic justice.

Another important issue considered by the committee was the power of the state government to amend labour codes.

Labour Welfare in Concurrent List: The Constitutional Framework

Labour welfare is included in the Concurrent List (List III) of the Seventh Schedule of the Constitution of India. Therefore, the Parliament of India and the State Legislatures have legislative power over matters related to employment and industrial relations.

Therefore, the State Legislature has the power to pass or amend laws on employment matters, subject to the constitutional provisions governing the division of powers between the Centre and the State.

Kerala has a long and distinguished tradition of enacting pro-labour laws. For example, the Kerala Agricultural Labour Act, 1974 was a precursor law that established welfare boards and social security schemes for agricultural workers.

In addition, Kerala has set a model for the world by creating a comprehensive welfare board system covering workers in various sectors such as cashew, beedi, head load, fish, construction, and tailoring. Currently, 26 welfare schemes are legally operating in Kerala. The Kerala Head Load Workers Act, 1978 is a good example of a state-level law that regulates and protects a sector of employment that plays a crucial role in the state's economy.

The report also points out that labour codes themselves recognise that workers can be provided with additional benefits under existing laws, contracts, agreements, or terms of service.

In this context, the Code on Social Security, 2020, section 161, Occupational Safety, Health and Working Conditions Code, 2020, section 120, Industrial Relations Code, Section 76 of 2020 are noteworthy.

These provisions clarify that if more favourable benefits are available to workers under any law, agreement, settlement, or service contract, they will continue to be in effect.

Finally, to protect and strengthen the interests of workers in the unorganised and informal sectors who do not receive adequate protection under the existing legal framework,

the committee has recommended bringing in three state laws.

The report includes the following draft bills.

- a) The Kerala Conferment of Permanent Status to Workmen Bill
- b) The Informal Workers (Regulation of Employment and Conditions of Work) Bill
- c) The Kerala Sanitation and Housekeeping Workers (Recognition protection and Welfare) Bill

These draft bills are designed to ensure greater job security for workers, regulate employment conditions, and provide better protection and welfare mechanisms for workers in the unorganised and informal sectors.

Committee members

Chairman



Retd Just Gopala Gowda

Members

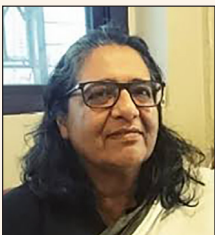


Prof K.R. Shyam Sundar



Sri Varkiachan Pettah

Co-opted Members



Adv Gayatri Singh



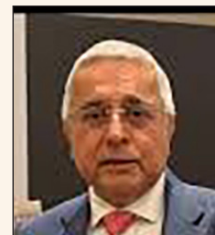
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Prof Babu Mathew



Adv Colin Gonslaves



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