

Course Name: Labour Welfare and Industrial Relations

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Lecture – 20

Hello learners. Namaste. Welcome back to the course on labor welfare and industrial relations. We move to the last lecture of the module 4 where we look into social security specifically based on a convention of ILO number 102.

I'm Dr. Abraham Cyril Issac. I'm an assistant professor at the School of Business in the Institute of Technology, Guwahati. So we have discussed extensively about Social Security in the previous lecture. If you have seen, we have looked into the relevance, the evolution of Social Security specifically. What was a historical background in which Social Security have emerged and why the need for Social Security was there? And what are the different important acts with respect to Social Security?

So today we will extend our understanding. This is where even in my introduction video, I mentioned that I'll go beyond the syllabus. I'll try to bring in something which is happening at the international forum. What we are supposed to subscribe to all these important aspects. Also, I'll try to include and as part of that, I'm trying to include number one zero to the convention of ILO.

So Social Security Minimum Standards Convention number 102. That's what we will look into today in greater detail. It was adopted by International Labor Conference on 28 June 1952. It is the flagship of all ILO Social Security Conventions. Please remember that the only international instrument based on basic social security principles.

that establishes worldwide agreed minimum standards of all nine branches of Social Security. What are the nine branches of Social Security? Let's have a quick look into that.

Nine branches of Social Security. Please note, ladies and gentlemen, there are different aspects of Social Security we have tried to

assimilate over different lectures in this module. But here I would like to give you an exhaustive list given by ILO which concerns with the nine branches of security. The first one is medical care. Every single employer, every single organization should take the medical care seriously as part of the social welfare measures. The second is sickness benefit.

The third is unemployment benefit. Fourth is old age benefit. Fifth is employment injury benefit. Employment injury benefit or employee injury benefit to a certain extent. Sixth, family benefit.

The employer has to take care of the organization, has to take care of the family also, which becomes very critical. Maternity benefit, we have discussed it as part of the Maternity Benefits Act also. Invalidity benefit and finally survivor's benefit. So these are the nine branches of social security according to ILO. And I just wanted to detail the list of the entire set of social security measures.

We have touched upon most of it. different contexts but when you look into the ILO convention specifically these are the nine branches of Social Security when you look into convention number 102 it specifies how the systems are to be set up let's look into that when you look into the system what circumstances each branch is meant to protect who should be protected What type of benefit should be provided while the entire system is working? And how do persons become eligible for the benefits? And finally, for how long?

For how long the benefit should be granted? So when you look into the Convention No. 102, It specifies how the systems are to be set up by these five measures. What circumstances, who, what type of benefit, how do persons become eligible for that and for how long the benefit should be granted. So let's look into the minimum standards for determining rates of this benefit.

This is again just a heuristic or just measure and it need not be exactly implemented but these are the principles on which the policies are drafted. When it comes to the standard beneficiary, sickness, man with wife and two children, employment injury, incapacity of work, man with wife and two children, 50% would be the indicated percentage. Disablement, man with wife and two children, survivors, widow with two children, maternity, women. invalidity man with wife and two children survivors widow with two children so these are the indicated percentages when when we look into the the convention minimum standards for determining rates for benefit now when you look into the minimum content of a medical care program so You cannot simply float any medical care program as a law suggests you need to have medical care program.

So our company is giving one. Now, that should not be the reason or that could not be the reason why, you know, a medical care program will come. And I am not sure that whether that will actually look into or cater to the entire needs of the worker. So that is why there should be a specific mention of the minimum content of a medical care program and that is what is critically underscored by this convention. When you look into that specifically we have the general practitioner care as the first point including home message that would come in the minimum content of a medical care program.

We have the specialist care in hospitals and similar institutions for inpatients and outpatients, specifically in the minimum content of a medical care program. We will have the essential pharmaceutical supplies that will come in the minimum content. We would also have the prenatal. Confinement and postnatal care by medical practitioners or qualified midwives. Please note qualified midwives.

This would be also part of the minimum content of a medical care program. And finally, hospitalization. hospitalization wherever necessary so in the maternity benefit brand specifically the medical care element should include items four and five of this particular list specifically it has been mentioned so these are certain minimum standards or minimum content or minimum standards for medical care that should be there when an organization is coming up with such a program when you look into the medical benefits specifically The insured person and his or her family members, let us say, become eligible for full medical care from the day he or she enters into the insurable employment

specifically. So there is absolutely no ceiling on the expenditure incurred towards the treatment of an insured person or family member.

Medical care is also provided to retired and permanently disabled persons and the spouses on payment of premium of rupees 120. So they are also not disbanded. They are also not considered. They are also part of the entire medical system. That's why with a premium being paid, a nominal premium being paid, they are also taken into consideration.

When you look into the maternity benefits specifically, It maternity benefit is payable for three months during the confinement of the pregnancy. Specifically, it can be extended for one month based on the medical advice that is being provided. And the insured person, please note, the insured person receives full wages during the period subject to contribution for 70 days in the preceding period. So the person, if he has contributed, she has contributed 70 days, then subject to that, definitely the insured person receives full wages during the period.

That is what is more critical when it comes to Maternity Benefit Act. When you look into the Sickness Benefit Act, you should go into the detail. A worker, specifically when you look into the sickness benefit, a worker has to contribute 78 days in a six-month contribution period to actually become eligible for the sickness benefit. So it is a form of cash compensation. It's a form of cash compensation at rate of 70% of the specific wages.

payable for a maximum period of 91 days per year in a year aspect to the insured person during the period of certified sickness please note it is with respect to certified sickness and this is to prevent any exploitation or any abuse of the package or the abuse of such policies that otherwise would be there to facilitate a healthy environment within the workplace so in case of extended sickness benefits we see that sickness benefit is extended up to two years in case of 34 long-term diseases and the insured person specifically is paid at the rate of 80 percent of wages when the insured person specifically undergoes sterilization seven days for men and 14 days for women enhance the sickness benefit equivalent to full wages is paid to him or her so these are the sickness benefit details which comes under the particular policy when you look into the dependence

benefit paid at the rate of 90 percent of the wage In the form of monthly payment to the dependent of the deceased insurance insured person and rupees 10,000 is paid as funeral expenses. So this is also taken care of in the dependents benefit part.

When you look into the disablement benefits specifically. When you look into the dependence benefit again, in spite of all these facilities that have been, you know, different aspects that will be still having a lack and are still having some shortcoming. Disablement benefit, disablement benefit is typically different. the insured person is eligible for temporary disablement benefit from the day of entering insurable employment irrespective of payment of any contribution in case of employment injury so 90 percent of wage can be paid as temporary disablement benefit as long as the disability specifically continues in the case of permanent disability in the case of permanent disability or disablement benefit it is paid at the rate of 90 percent of a wage in the form of monthly payment depending upon the loss of earning capacity, which has to be certified specifically by a medical board.

So what we have understood with these typical measures, benefit measures and benefit schemes is that there are a lot of provisions, be it for dependent, be it for disablement, be it for sickness, be it for healthcare. In spite of all these facilities, in spite of all these facilities, there have been many complaints about the Poor quality of medicines available under this scheme. Inadequate medical care and delay in the payment of cash benefits is also a concern that has come up of late. So employers are of the opinion that the provision of a leave specifically encourages malingering and absenteeism.

That's what the employer specifically says. They have their own concerns there. Though the administration and finances of scheme need to be improved, it has to be an important step ahead in the sphere of the entire medical welfare. So when you look into the act, specifically the policy or the law recommendation from ILO, we have to also look into the social protection floors recommendation. 2012, which is known as a number 202, the most recently adopted ILO social security standard, which expands the normative framework for the extension of social security by introducing the concept of nationally defined social protection floor.

nationally defined social protection flows that guarantee at least access to essential health care and basic income security throughout the life course. So specifically, when you look into the recommendation number 202 is the first international instrument to specifically offer guidance to countries to close social security gaps and progressively achieve universal protection to the establishment and maintenance of comprehensive social security systems. When you look into the particular recommendation number 202, The recommendation calls for a the implementation as a top priority of social protection floor as a fundamental element of national social security systems.

And as a starting point for the countries that do not have a minimum level of social protection and be the extension of social security with a view of protection. progressively ensuring higher levels of social security as too many people as possible according to the national fiscal and economic capacity and as guided by the previous convention number 102 and other ILO social security standards specifically so one thing I would like to mention here is that The social protection flow recommendation 2012 number 202 expands the normative framework for the extension of social security by expanding the concept of nationally defined social protection floor. And it guarantees at least access to essential health care. And as mentioned, the basic economic security throughout the country.

So this has to be one of the most critical achievement to offer guidance to countries to close social security gaps and progressively achieve universal protection throughout the establishment of the social security. So when you look into these two recommendations closely, what we have seen is that they have they are underscoring a typical important aspect. update on what otherwise would be missed out by the employer intentionally or unintentionally, but you need to have a basic standard. That is what these two resolutions actually are recommendations actually encouraged to have. When you look into the social protection flows recommendation 2012 more deeply, it has four basic social security guarantees and these include access to essential health care,

access to essential health care, basic income security for children, persons of active age who are unable to earn sufficient income again and older persons and should be set at a level that allows people to leave with dignity. So please note that the social protection

flows recommendation 2012 goes one step beyond and tries to give back the dignity every single worker otherwise commands so through the social protection flows concept recommendation number 202 provides the minimum core content of the human right to the social security and a major achievement of recommendation number 202 It's a policy guidance it offers states to give effect to their general and overall responsibility to establish and maintain these comprehensive social security systems. So these guidelines, these guiding principles intentionally echo two aspects, both fundamental human right principles, fundamental human right, also core principles related to good governance.

So these are the two important aspects that are taken care of when you are looking into the social protection flows recommendation 2012 and the previous recommendation. So what we have seen is basically that there are certain acts and there could be some provisions with respect to acts which are good enough for the company or for the employer. But there are certain provisions that employers might sometimes intentionally or unintentionally miss out. So to prevent any such abuse, if there are, That is why these ILO provisions are there.

It gives a basic charter. It gives a basic understanding of where or how the social security benefits should be actually designed. Please note, there are two important aspects I just concluded. One is the fundamental human rights principles. Every single individual, every single worker has the right to actually perform with certain dignity.

Putting back or giving back the dignity to the worker in the workplace, that is what the significant aspect here is. And second is, All these aspects are in line with giving way to the good governance aspect. So mainly we can say good governance practices, best management practices, but unless and until you are giving basic HR or human right practices within the workplace, within the workspace. these things will not lead to good governance.

That would be the entire completion of module 4. We will go into greater detail of welfare into module 5, where we will look into greater details of specifically welfare activities and other acts and laws. Till then, take care. Bye-bye. Amen.