

## தொழிலாளர் கூடம் (Thozhilalar koodam)

A blog on labour issues in Tamil Nadu

### Why We Need a Minimum Wage Law: A Comic Book

Posted on March 31, 2016 by admin

[\(காமிக் தமிழ் பதிப்பு, இங்கே கிளிக் செய்யவும்.\)](#)

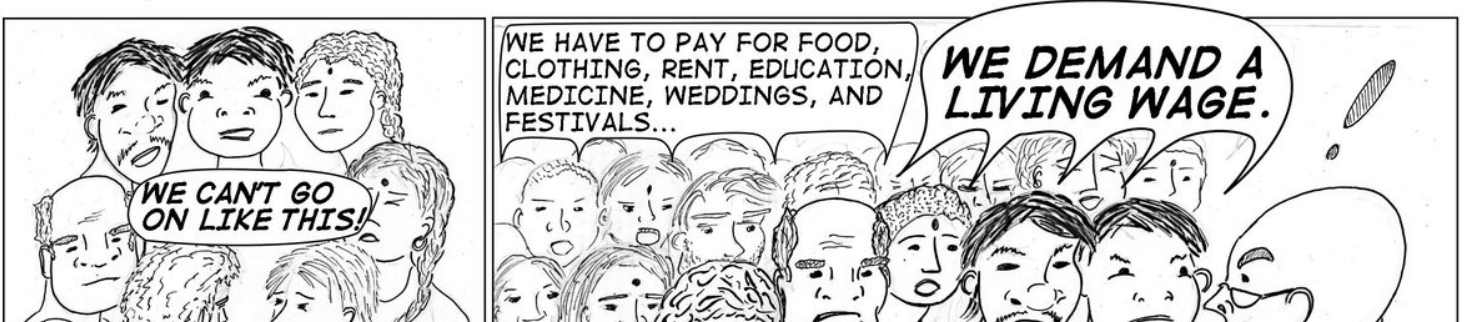
The right to a living wage is a core demand of the labour movement, and a strong minimum wage law is an expression of worker solidarity across employment sector, region, ethnicity, caste, and gender. There is still a long way to go in the struggle for a just minimum wage in India, but the Minimum Wages Act of 1948 provides a natural starting point for understanding the fight. Thozhilalar Koodam presents a comic on the Minimum Wages Act: how it is used, abused, and how it can better serve the interests of the working class.

# WHY WE NEED A MINIMUM WAGE LAW

YESTERDAY



TODAY





## WORKERS HAVE BEEN STRUGGLING TO SECURE A LIVING WAGE IN INDIA SINCE BEFORE INDEPENDENCE.

THEIR STRUGGLE WON US THE MINIMUM WAGES ACT, ONE OF THE OLDEST LABOUR LAWS IN INDIA, IN 1948.

BY THIS ACT, EACH STATE GOVERNMENT SETS A MINIMUM WAGE FOR EACH EMPLOYMENT SECTOR.

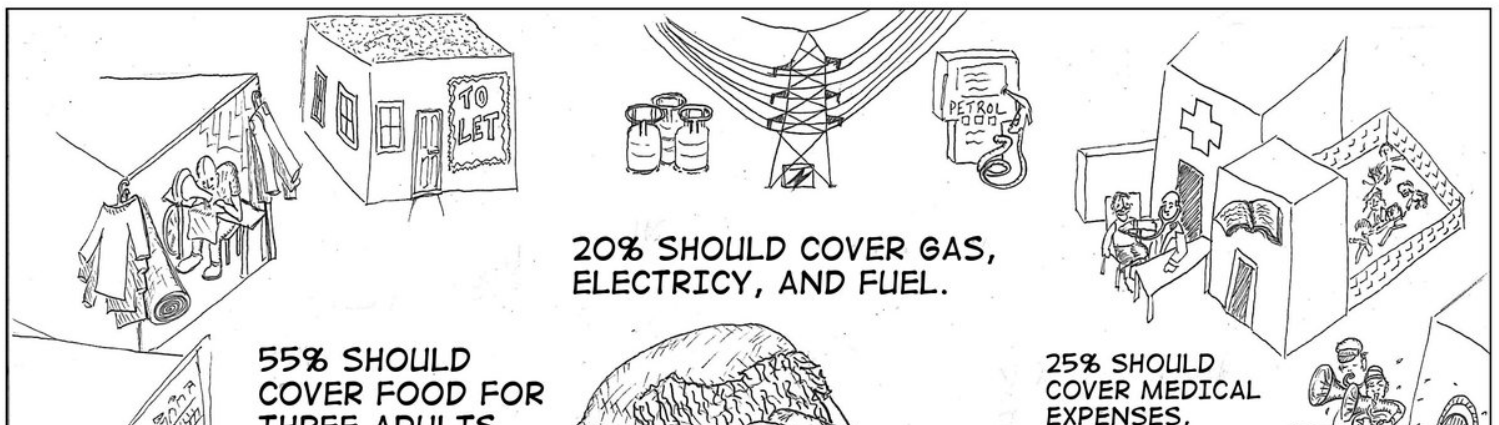
IT WAS RELATED TO ARTICLE 43 OF THE CONSTITUTION, WHICH STATES:

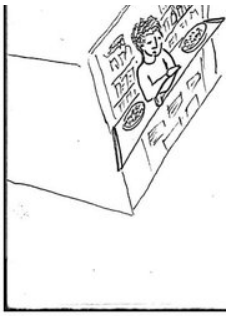
"THE STATE SHALL ENDEAVOUR TO SECURE, BY SUITABLE LEGISLATION OR ECONOMIC ORGANISATION OR IN ANY OTHER WAY, TO ALL WORKERS, AGRICULTURAL, INDUSTRIAL OR OTHERWISE, WORK, A LIVING WAGE, CONDITIONS OF WORK ENSURING A DECENT STANDARD OF LIFE, AND FULL ENJOYMENT OF LEISURE AND SOCIAL AND CULTURAL OPPORTUNITIES IN PARTICULAR."



## HOW IS THE MINIMUM WAGE SET ?

THE MINIMUM WAGE ACT DOES NOT SPECIFY A NUMERICAL WAGE. INSTEAD, IT MANDATES THAT STATES LIKE TAMILNADU SET MINIMUM WAGES THAT ALLOW WORKERS TO AFFORD BASIC AMMENITIES. IN PARTICULAR:





THREE ADULTS,  
AS WELL AS  
CLOTHING AND  
SHELTER FOR  
THE ENTIRE  
FAMILY.



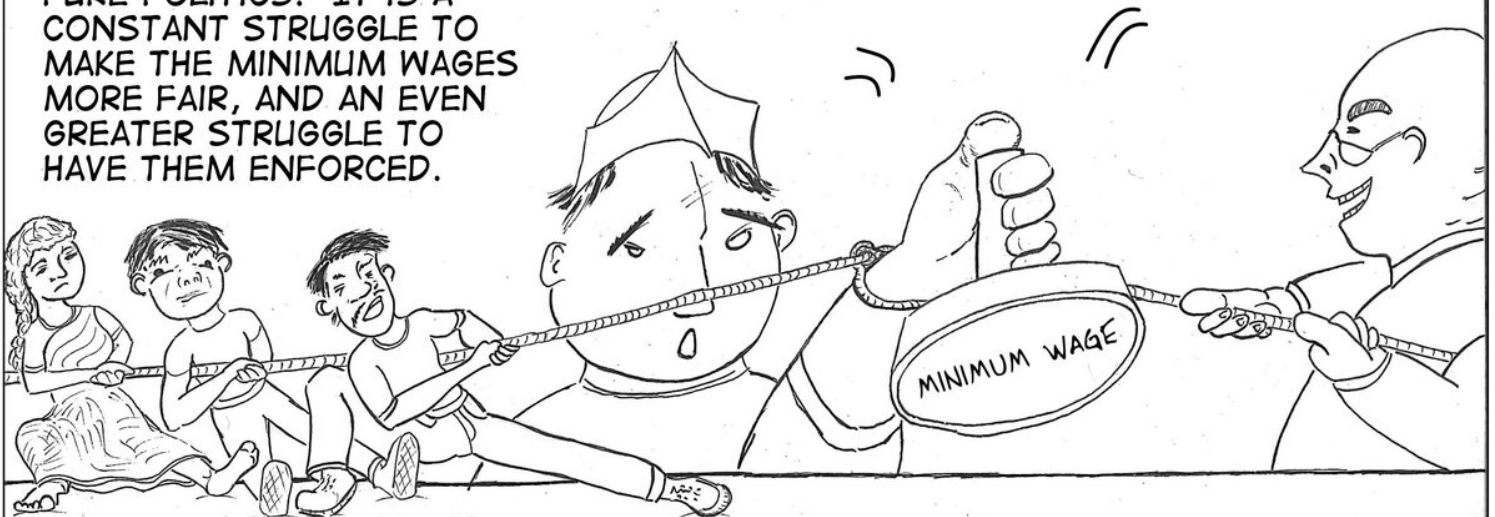
EDUCATION FOR  
CHILDREN, OLD-  
AGE  
PROVISION,  
AND  
RECREATION,  
INCLUDING  
FESTIVALS,  
CEREMONIES,  
AND WEDDINGS.



THAT SHOULD COME TO 800 RS PER DAY FOR MY FAMILY. BUT WAIT, I'M A TEACHER, SO MY MINIMUM WAGE IS JUST 121 RS PER DAY. HOW CAN I AFFORD TO LIVE ON THIS MEAGRE WAGE?

MOST MINIMUM WAGES DO NOT FULFILL THE MANDATE OF THE ACT. SO HOW IS THE MINIMUM WAGE ACTUALLY SET ?

PURE POLITICS. IT IS A CONSTANT STRUGGLE TO MAKE THE MINIMUM WAGES MORE FAIR, AND AN EVEN GREATER STRUGGLE TO HAVE THEM ENFORCED.



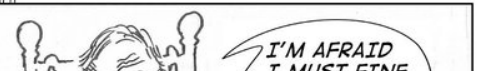
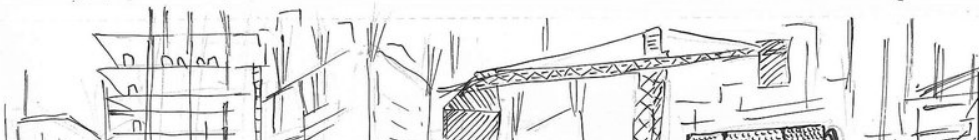
LIVING WAGE

STARVATION WAGE

HOW DO EMPLOYERS GET AROUND THE LAW ?

THERE IS POOR ENFORCEMENT OF MINIMUM WAGE LAW...

AND ON THE RARE OCCASIONS AN EMPLOYER GETS CAUGHT, THE FINES ARE VERY LOW.



I'M AFRAID I MUST EAT





THERE ARE ALSO VARIOUS LEGAL MECHANISMS BY WHICH WORKERS ARE SYSTEMATICALLY DEPRIVED OF THEIR WAGE.



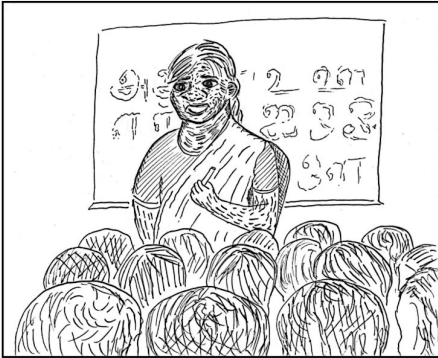
THESE PRACTICES GO AGAINST THE SPIRIT OF THE MINIMUM WAGE ACT, BUT CHALLENGING THEM IN COURT IS OFTEN FUTILE. THERE ARE OCCASIONAL SUCCESS STORIES, BUT IN THE LONG RUN IT IS ESSENTIAL THAT WORKERS UNIONIZE TO FIGHT FOR A DECENT WAGE.



# WHAT'S MISSING IN THE LAW ?

ONE OF THE BIGGEST PROBLEMS WITH THE MINIMUM WAGES ACT IS THAT IT ALLOWS WAGE TO VARY WIDELY ACROSS STATE, REGION, EMPLOYMENT SECTOR AND GENDER.

TEACHER: 121 RS/DAY



SALT PAN WORKER: 165 RS/DAY



SECURITY GUARD: 187 RS/DAY

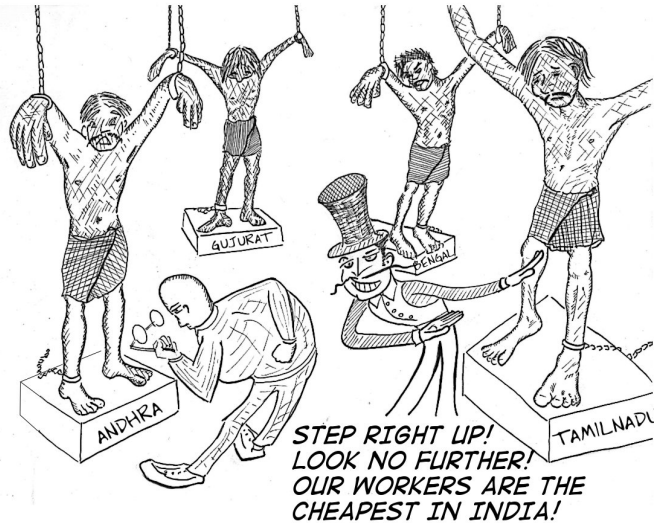


GRANITE WORKER: 339 RS/DAY



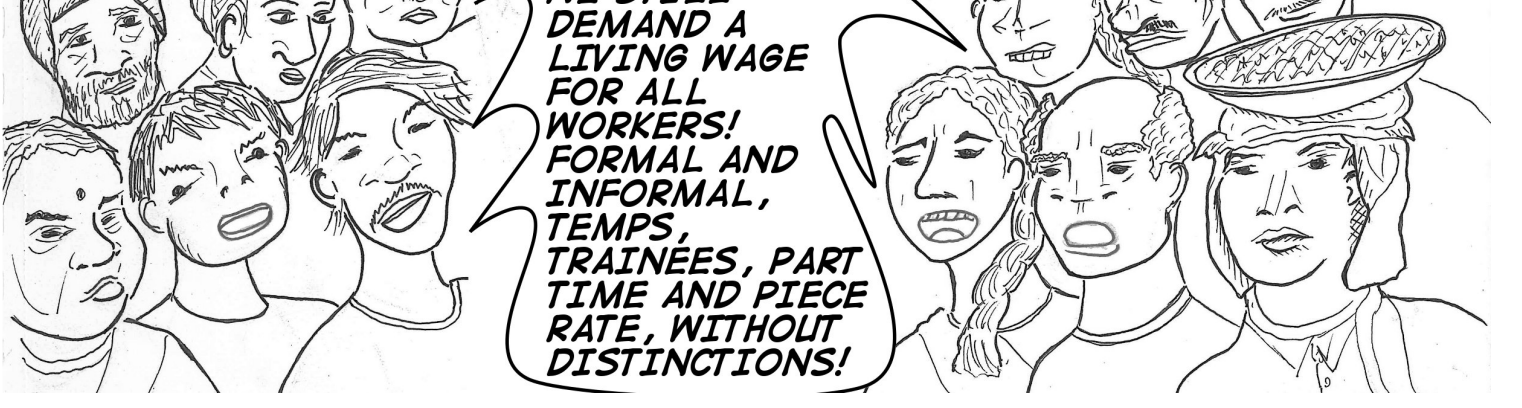
SOME OCCUPATIONS LIKE DOMESTIC WORKERS ARE EXCLUDED ENTIRELY. BUT DON'T ALL WORKERS HAVE THE SAME BASIC NEEDS?

MINIMUM WAGE VARIES BY STATE. STATES DELIBERATELY KEEP THE WAGE LOW TO ATTRACT INDUSTRY IN A RACE TO THE BOTTOM.



TRADE UNIONS ARE DEMANDING A NATIONAL FLOOR MINIMUM WAGE OF 15,000 RS/MONTH, IN THE MODEL OF MANY COUNTRIES LIKE USA, BRAZIL, AUSTRALIA, & VIETNAM. STATE GOVERNMENTS WOULD STILL BE ABLE TO SET MINIMUM WAGES ABOVE THE NATIONAL FLOOR, BUT NOT BELOW IT.





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