

## **TOPIC: BASIC CONCEPT OF WORKMAN**

**A:** HELLO, I AM DEEPAK MORE AND WELCOME TO MY DKMANAGEMENT LABOUR LAWS BASIC CONCEPT CLARITY YOU TUBE CHANNEL.

I HAVE MORE THAN 40 YEARS, VERY RICH EXPERINECE IN THE ENTIRE GAMUT OH HUMAN RESOURCES, LABOUR LAWS AND EMPLOYEE RELATIONS.

TODAY'S TOPIC IS ABOUT CONCEPT OF "WORKMAN" UNDER VARIOUS LABOUR LAWS.

**PLEASE SUBSCRIBE, SHARE, LIKE, AND COMMENT MY YOU TUBE CHANNEL TO HELP YOU MORE.**

YOU CAN ALSO ASK ME ANY OF YOUR QUESTIONS OR QUERIES ON THIS TOPC IN COMMENT SECTION.

### **B: ORIGINAL LEGAL MEANING OF "WORKMAN"**

VARIOUS ACTS: EMPLOYEES ARE DEFINED UNDER VAROUS LABOUR LAWS-CLARIFICATIONS.

- THE INDUSTRIAL DISPUTS ACT.-CENTRAL ACT
- THE FACTORIES ACT, 1948: CENTRAL ACT
- THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946: CENTRAL ACT
- THE MAHARASHTRA SHOPS AND ESTABLISHMENT ACT. : STATE ACT FOR MAHARASHTRA

### **DEFINITION UNDER THE INDUSTRIAL DISPUTS ACT.**

**APPLICABILITY:** ALL OVER INDIA AND ACROSS THE CROSS SECTION OF ALL TYPES OF ORGANIZATION.

IN MOST OF THE FACTORIE, INDUSTRIES, ESTABLISHNENT, IT FIRMS, IN GENERAL "WORKMAN" OR "WORKER" CONCEPT IS MISUNDERSTOOD BY ITS NOMENCLATUR OF WORKMAM OR WORKER. THIS CONCEPT IS WELL DEFINED LEGALLY UNDER THE FOLLOWING ACTS.

**WRKMAN:** IS WELL DEFINED UNDER SEC.2(S): ANY PERSON EMPLOYED IN ANY INDUSTRY-TO DO ANY MANUAL, UNSKILLED, SKILLED, TECHNICAL, OPERATIONAL, CLERICAL OR SUPERVISORY CATEGORY WORK AND DRAWING WAGES RS.10000/- PM

BUT DOES NOT INCCLUDE:

1. MANAGERIAL OR ADMINISTRATORY CAPACITY.
2. SUPERVISOR WRAWS WAGES ABOVE RS.10000/- PM AND NATURE OF DUTIES-AS BELOW.

A "SUPERVISORY" NATURE MEANS, THE PERSON CONCERNED MUST HAVE RELATED DEGREE, CONTROL OVER THE SUBORDINATES, HAVE THE POWER TO SANCTION LEAVE, RECOMMEND FOR PROMOTIONS ETC., WHICH IS ONLY ONE OF THE CRITERIA OF THE SUPERVISORY WORK. THAT IS NOT THE ALL AND END OF THE TERM 'SUPERVISORY WORK'.

VARIOUS POST/POSITIONS MAY FALLS UNDER WORKMA CATEGORY-LET US CHECK.

- JR.ENGINEER, ENGINEER, SR.ENGINEER, OR SIMILAR.
- JR.OFFICER, OFFICER, SR.OFFICERS, EXECUTIVE, ASSTT. MANAGERS, MANAGERS OR SIMILAR.

IF WE APPLY THE NORMS LAID DOWN BY HON. SUPREME COURT, THEN IF THEIR NATURE OF DUTY IS 50% OR MORE OF SUPERVISORY, ADMINISTRATIVE OR MANAGERIAL NATURE THEN PROBABLY IN THE EYES OF LAWS THEY WOULD NOT FALL UNDER THE CATEGORY OF WORKMAN.

- **WORKER DEFINED UNDER THE FACTORIES ACT, 1948:**

**THIS ACT IS APPLICABLE** TO ALL SUCH PLACES WHERE 10 OR MORE WORKERS ARE WORKING WITH THE HELP OF POWER AND OR 20 OR MORE WITHOUT THE AID OF POWER CARRYING ANY MANUFACTURING PROCESS

- **WORKER:** SEC.2(L)-EVERY SUCH PERSON EMPLOYED DIRECTLY OR THROUGH BY ANY AGENCY WITHIN THE PREMISES OF THE FACTORY IS “ WORKER”

EXCEPT: MANAGER AS APPOINTED UNDER THIS ACT OR DIRECTORS.

IN VIEW OF MY VAST EXPERIENCE, IN THR ENTIRE GAMUT OF HR RELATED ALL AREAS, I HAVE BEEN APPROACHED BY LOTS OF NEW HR ENTRANTS, SMALL BUSINESSES TO EXTEND THEM TRAINING ON ALL SUCH LABOUR LAWS BASIC CONCEPTS. HENCE I HAVE DECIDED TO GUIDE, SHARE MY EXPERIENCE TO ALL SUCH NEEDY PROFESIONALS ON SOCIAL MEDIA.

**E: THE MAHARASHTRA SHOPS AND ESTABLISHMENT ACT.**

- APART FROM THE ABOVE WORKMAN DEFINITIONS, EMPLOYEES EMPLOYED IN **ESTABLISHMENTS** SUCH AS VARIOUS OFFICES, COMMERCIAL ESTABLISHMENTS, IT FIRMS ETC NORMALLY REGISTERED UNDER THE MAHARASHTRA SHOPS AND ESTABLISHMENT ACT:

ALL SUCH EMPLOYEES EMPLOYED IN RESPECTIVE ESTABLISHMENT ARE DEFINED AS EMPLOYEE AND ARE ELIGIBLE FOR ALL BENEFITS AVAILABLE UNDER THIS ACT.

PLEASE SUBSCRIBE, SHARE, LIKE, AND COMMENT MY YOU TUBE CHANNEL TO HELP YOU MORE EFFECTIVELY.

SEE YOU SOON IN NEXT VEDIO WITH NEW TOPIC NEW CONCEPT TILL THEN PLEASE STAY SAFE AND TAKE CARE, GOOD BYE

BY: **For D K Management Consultants**

**Deepak More**

**Founder and Principal HR Consultant.**

Email: [hr@dkmanagement.in](mailto:hr@dkmanagement.in) ; [dkmore2601@gmail.com](mailto:dkmore2601@gmail.com) ; [dkofficepune@gmail.com](mailto:dkofficepune@gmail.com)

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