

Nirmanshree

Empowering Women through Social Enterprise



A PROJECT FUNDED
BY THE EUROPEAN UNION

Women Construction Workers in India

DRAFT POLICY BRIEF

September 2023



Abstract

The real estate sector has long been perceived as a male-dominated one; however, the contribution of women to its growth is invaluable as women form the backbone of the construction workforce and play an important role. The starkness of gender inequity can be seen in the on-ground realities. Women are not only more likely to be engaged in the informal economy but also comprise a significantly higher number of informal workers within the formal sector. An added layer of vulnerability surfaces from their burden of doing most of the domestic and care work. Women in the construction sector face various challenges, including limited access to training and job opportunities, lower wages, and inadequate working conditions. This policy gap analysis has identified the gaps and barriers in policy implementation and made recommendations to address the challenges to support women in the construction industry. This analysis of the findings can serve as a valuable tool for policymakers and stakeholders to develop policies and programmes that promote gender equity and create better working conditions for women in the construction sector in India.

The key policy suggestions include registration of migrant construction workers, simplifying the process of registration, promotion of safety and hygiene at work sites, upgradation of skills, inclusion and certification of women construction workers to match the demand of the job market, promotion of diversified and expanded gender sensitive housing-related activities, encouragement through special consideration for mandatory engagement of women in skilled labour forces (e.g. masons), provision of unemployment allowance during the lean season, life and health insurance coverage, protection of women workers' rights, enforcement of stringent labour laws for safety and security of women at workplace, enrolment of children in nearby anganwadi centres, provision of credit link and subsidy to women to construct their own houses, creating awareness among the spouses for their skill upgradation and entitlement, convergence of multi-departments' multi-sector and multi-stakeholders activities, etc. This policy brief also strongly recommends the creation and promotion of 'Women's Collectives' to address many of the problems of women construction workers.

1. Introduction

India's Female Labour Force Participation Rate (LFPR) stands at 25.1%, according to the annual Periodic Labour Force Survey (PLFS) in 2020-21, which is an improvement over a few years ago but is below the global average. In the domestic construction and real estate sector, which employs 57 million workers, 50 million of the people employed are men, and only 7 million are women. Further, the informal women workers engaged in construction in India earn 30-40% less than their male counterparts highlighting the gender inequality prevalent in the construction and real estate sector in India. The construction sector employs the largest number of casual labourers (84%), which is characterised by unstable employment earnings and shifting workplaces. More than 80% of jobs in the sector are constituted by a minimally skilled labour force, and the rest comprising of technical roles such as engineers, clerical roles, etc. But the situation of female workers in this category is worse than their male counterparts. They are paid less and are often allowed to work only half of the month. Most of these women are illiterate and work as stone breakers, concrete mixers etc., under very hazardous conditions¹.

Women in the construction industry often face many barriers and biases that prevent them from achieving their full potential. One of the main forms of discrimination is the lack of equal employment

¹ Pink Collar Skilling: Unleashing the Women Power in Real Estate Sector, Published by World Skill Centre.

opportunities. Many employers in the construction sector still view women as unsuitable for physically demanding jobs or assume that they lack the necessary skills to work in the industry. As a result, women are often excluded from job openings, promotions, and other opportunities for career advancement. Another form of discrimination is unequal pay. Women in the construction sector are often paid less than their male counterparts for doing the same job.² This is a clear violation of equal pay laws and regulations, but it still persists in many workplaces.

IMF Study states that “India’s GDP can expand by a whopping 27 per cent if the number of female workers increases to the same level as that of men.”³

Furthermore, women in construction often face harassment and gender-based violence. This can range from sexist comments to physical assault, and it creates a hostile work environment that makes it difficult for women to feel safe and respected at the workplace.

In addition to these forms of discrimination, women in construction also face challenges related to workplace culture and stereotypes. The construction industry is often seen as a “man’s world,” and women who enter this field are often perceived as outsiders. This leads to isolation and a lack of support from coworkers and supervisors.

Women contribute immensely in the construction sector be it carrying heavy load of bricks (and/or construction materials) to high altitude or even curing the freshly cemented/ constructed area by fetching water from a long distance even in hard and harsh summer, unfortunately with little or no recognition. Women constitute nearly 50% of the population. Women are but the slow and silent changemakers, as they involve and influence individuals and communities for multiple socio-economic and environmental benefits. Starting from cooking on an ever-fuming charcoal stove for feeding the family, to rearing multiple number of kids, women, in the process, has been suffering a lot. But it is woman who has brought the changes too in accepting and adopting health services and availing solar or LPG stoves in India. The self-help group (SHG) movement across the country and especially in states like Odisha has galvanised the process of overall all-inclusive positive change where role of women remains quite progressive. Women play an integral but invisible role even in the socially and environmentally sustainable, resilient, and inclusive development of the construction sector. Her involvement and contribution led to (a) safety and accountability, (b) integration with innovation and technology; (c) design and development of environmentally sustainable and energy efficient solutions, (d) social inclusion as well as diversity for children, the elderly, and people with disabilities, etc.

Various initiatives of the government of India have helped to create a more inclusive and gender-equal construction sector. However, more needs to be done to address the gender gap in the sector and provide equal opportunities for women to participate and succeed.

2. Present Study

Habitat for Humanity India (Habitat India) has conducted an evidence based exploratory study in its two project states, i.e., Odisha and Maharashtra in India. This study intends to initiate policy dialogues on the status of women workers in the construction sector. The construction sector does not work in isolation. Multiple stakeholders play their respective roles in this sector. Each step and process in this sector is interrelated and interdependent. There are multiple intermediaries, too. This evidence-based study has helped exploring the positions, contributions, and views of various stakeholders in the sector. The study has also collected, consulted, and compiled existing schemes, programmes, and policies for women workers in the unorganised sector in general and women construction workers in particular. It has not only mapped gaps in those policy documents, but also recommended a few policy interventions through a consultative process.

² *Periodic Pink Collar Skilling: Unleashing the Women Power in Real Estate Sector*, Published by World Skill Centre.

³ <https://economictimes.indiatimes.com/news/economy/policy/gender-parity-can-boost-indias-gdp-by-27-wef-co-chairs/articleshow/62589586.cms?from=mdr>

2.1 Objectives of the study

- To map the problems/ difficulties, vulnerabilities and occupational hazards / constraints of women construction workers.
- To explore and analyse various factors that lead to gender discrimination at construction space.
- To map various stakeholders (government, associations and other institutions) and make them critically aware of the policy gaps related to women in the construction sector.
- To suggest measures that would benefit women construction workers in the State.

2.2 Study area

The project districts of Habitat India in Odisha, i.e., Dhenkanal and Jajpur, Maharashtra, i.e., Osmanabad and Beed, are covered under the study. Primary research works, including field visits, are conducted in these four districts where as national and state level data are collected and compiled from secondary sources for analysis. Subjective issues, which are otherwise not noticed through quantitative statistical analysis, as surfaced during the field work, are also captured.

2.3 Methodology

The study has adopted a mixed-methods research approach. Qualitative and subjective concerns that affect objectively to women's well-being were studied through intensive interaction with women construction workers. While review of literature, situation and vulnerability analysis of women construction workers, review of existing schemes, programmes, policies, and laws, etc. were done with primary and secondary data for quantitative analysis, consultations with various stakeholders such as, a few senior and experienced subject matter experts (from Government, non-Government and academic institutions, local, district and State Government representatives) to solicit necessary feedback. Participatory Rural Appraisal (PRA) exercises as part of the rigorous fieldwork with focus group discussions, and individual interviews with construction workers were done for qualitative research works. Online interviews with key respondents were also conducted, where physical access or visits could not be ensured. This has enabled to collect their views, opinions, impressions, perceptions and concerns. Their concerns were examined critically under the existing policies. Triangulation was also done for improving the quality and authenticity of data. Recommendations are suggested based on a series of serious consultations with the women construction workers, implementing agencies, government officials, policy makers, and analysing the feasibility within the existing policies frameworks or possibilities of convergence and coordination with others.

3. Review of Literature

An attempt has been made to study and review the conditions of women workers in unorganised sectors in general and women construction workers in particular. However, it is observed that research studies on challenges faced by women construction workers are very few. Issues including gender discrimination, irregular and seasonal employment, sexual harassment and abuse at workplace, lack of growth opportunity, etc. are observed to be the major concerns.

Findings from the literature review are:

Inter and intra-sectoral heterogeneity among agriculture, construction and domestic workers is required in ensuring their employment security. Location-specific policies should be formulated as different occupational groups face different problems.⁴

The Indian construction industry has inherent gender biases owing to the perceived nature of work and mainstream notion of it being a male-dominated industry. Women construction workers are trapped in a

⁴J Y, Suchitra & Durgam, Rajasekhar. (2006). *One-size-does-not-fit-all: Employment insecurity of unorganised workers in Karnataka*. 49. 455-473.

cycle of late entry, being unskilled, receiving low wages and, therefore, being casualised.⁵

Women construction workers face harassment at both home and workplace. They do the heaviest work. Training for women as masons may equalise their opportunities.⁶

Problems of migrated construction workers are many. Poor health condition, arduous working life, harassment, inadequate and unequal wage structure, long working hours, poor housing facilities, atrocities against women workers, lack of safety measures and improper and inadequate education facilities for children of construction workers, etc. are some of the major concerns. Creation of awareness of labour rights among the construction workers and proper implementation of labour laws are recommended to ease out some of those problems.⁷

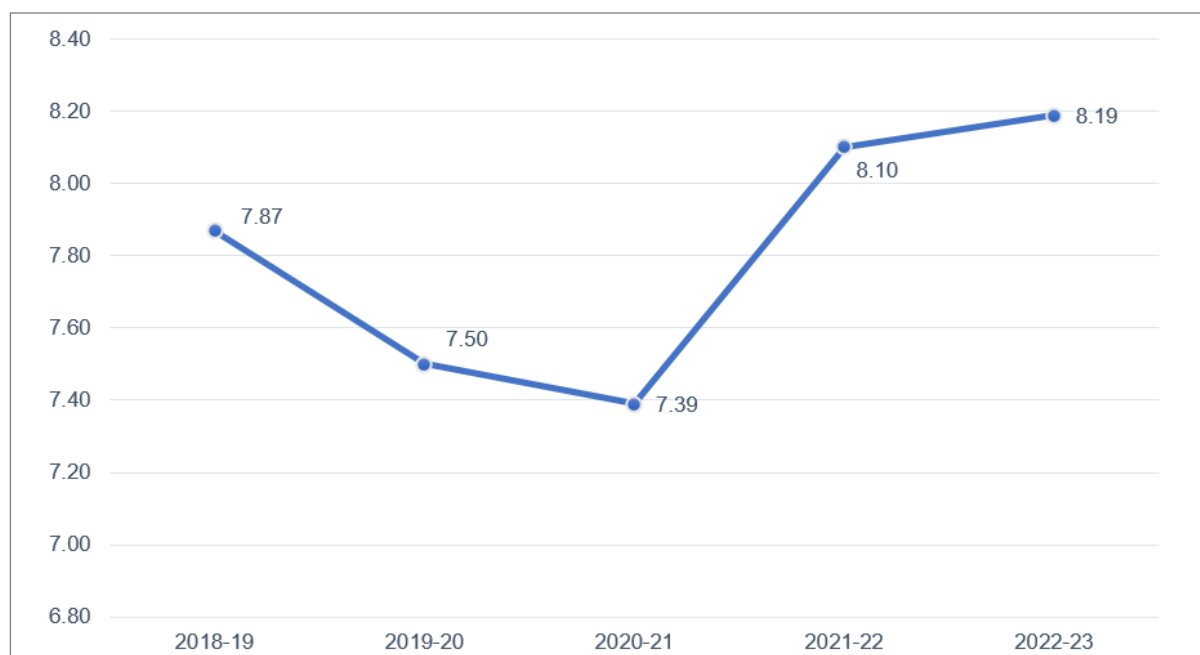
Disparity in wages (female workers being paid less), no fixed working hours and harassment of female construction workers at workplace were common in the unorganised sector.⁸

Women work as unskilled labour and face several other difficulties in comparison to males. Sexual harassment, gender biasness, wage discrimination, no skill upgradation even after working for long (many years) are major factors that add on to the drudgery and difficulties of female construction workers.⁹

Marginalisation of women, illiterate and landless, and schedule caste construction workers in addition to issues of safety and security of young girls are evident in many cases and many forms.¹⁰

4. Situation Analysis of Women Construction Workers

Contribution of construction sector to Overall GVA at Current Prices from 2018-19 to 2022-23 (In %)



Source: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1942055>

⁵ Kakad, Krishna. (2002). *Gender Discrimination in the Construction Industry: The Case of Two Cities in India*. *Gender, Technology and Development*. 6. 355-372.

⁶ Annette Barnabas & Joseph Anbarasu D. & Clifford Paul S., 2011. "Prospects of Women Construction Workers in Tamil Nadu, South India," *Indian Journal of Gender Studies, Centre for Women's Development Studies*, vol. 18(2), pages 217-235, June.

⁷ M., Dileep. (2013). *Inimitable Issues of Construction Workers: Case Study*.: 42. 42 - 52.

⁸ Dave, Vandana. (2012). *Women Workers in Unorganised Sector*. Women's Studies Research Centre. Kurukshetra University. *WOMEN'S LINK*. 18(3).

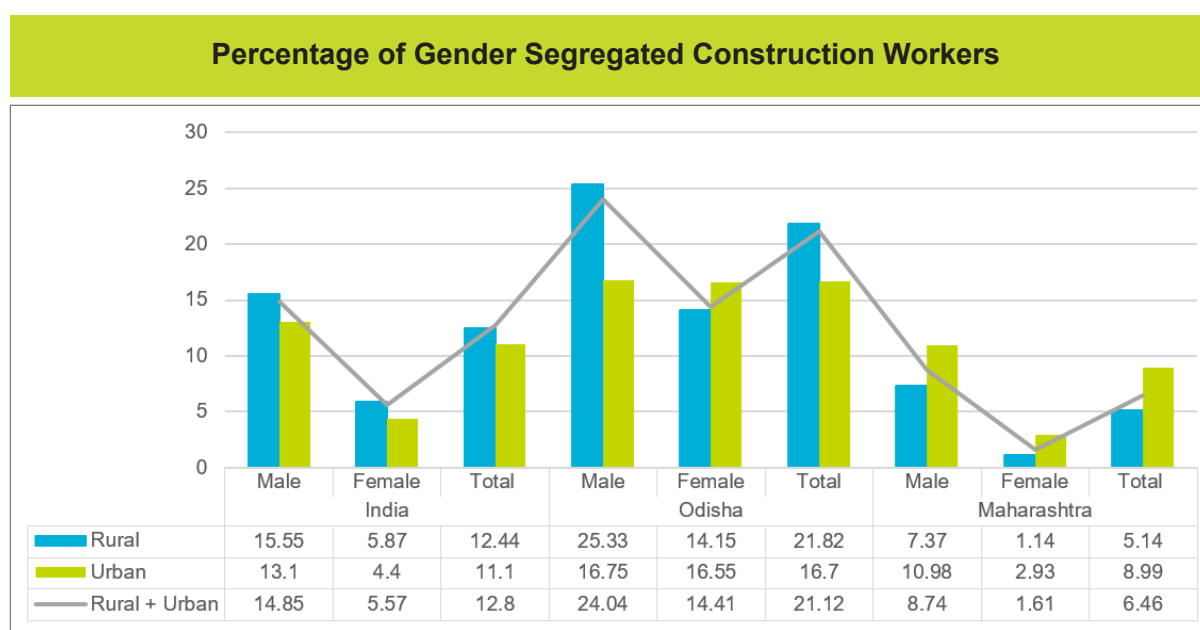
⁹ Devi, Kalpana & Kiran, UV. (2013). *Status of female workers in construction industry: A review*. *International Journal of Humanities and Social Science*. 14. 27-30. 10.9790/1959-1442730.

¹⁰ Patel, Amrita & Giri, Jasmine. (2019). *Climate Change, Migration and Women: Analysing Construction Workers in Odisha*. *Social Change*. 49. 004908571882175. 10.1177/0049085718821756.

Construction sector in India has been gaining importance over the years with steady increase in the contribution of the sector to the national economy. Contribution of construction sector has increased from 7.87% in 2018-19 to 8.19% in 2022-23. There was fall in contribution of the sector in 2019-20 and 2020-21 due to COVID-induced lockdown and shutdown and can be treated as abnormal years.

Percentage of participation of total women construction workers (both rural and urban) in India (5.57%) is much lower than the male construction workers (14.85%). There is significant regional (state-wise) variation of participation of women in construction sector. Even within Nirmanshree pilot project States, participation of total women construction workers in Maharashtra (1.61%) is even lower compared to the already existing less represented women construction workers at national level. However, the participation in Odisha (14.41%) is substantially higher compared to national average as well as that of Maharashtra. Percentage of male construction workers in rural areas at national level (15.55%) is higher than that in Maharashtra (7.37%) and lower than that of Odisha (25.33%).

Even within the construction sector, the participation of male construction workers at national level (14.85%), in Maharashtra (8.74%) as well as in Odisha (24.04%) is comparatively higher as against their female counterparts. The variation is wider even at geographical demarcation. While at national level, there is 4.40% of women construction workers are in urban areas, the participation in rural area is 5.87%. This shows a reverse trend in Nirmanshree pilot States as in Maharashtra and Odisha, the percentage of women construction workers in rural area are 1.14% and 14.15% respectively, which is lower compared to participation in urban area of 2.93% and 16.55% respectively. Even within the rural area as well as urban area, there is huge gap between the male and female participation in construction works.



Source: Periodic Labour Force Survey 2010-21, MoSPI

Women's participation in the construction sector in India is low (5.57%)¹¹. There are complex and multi-faceted challenges, which include gender-based discrimination, poor working conditions, unequal opportunities for growth, the gender pay gap, and lack of protective policies at the workplace, etc. Such challenges not only limit the potential of women to contribute to the further growth of the construction sector but also perpetuate gender inequality in the workplace. Gender discrimination is highly evident in the workforce in the construction sector.

¹¹ Periodic Labour Force Survey, 2020-21

With a meagre presence (12.8%) in the total workforce, in India, construction workers, as it seems, have hardly any voice to carve and curve policies concerning to their welfare, let alone reduction of drudgery, harassment, discrimination the women construction workers are subjected to with less than 6% presence.

However, the efforts of Habitat India through its “Nirmanshree” project have started changing the trends as is observed below from the analysis of the data collected and compiled from the four project districts from Odisha and Maharashtra.

5. Vulnerability Analysis of Women in Construction Sector

As a part of the study, area-specific field work was conducted in Dhenkanal and Jajpur districts of Odisha, Osmanabad and Beed districts of Maharashtra (covered under Nirmanshree Project of Habitat India). A total of 20 Focus Group Discussions (FGDs), 10 Case Studies and 30 Key Informant Interviews were conducted to study and analyse the status of women in construction sector in Odisha and Maharashtra. The study has pre-defined target population that included beneficiaries, mostly women construction workers, of Nirmanshree project. It focused primarily on qualitative methods backed up with quantitative methods as required. Initial findings of the study got triangulated, reconciled and validated too through a small primary survey. Observations, Focused Group Discussions (FGD), interviews, PRA exercises, etc., were undertaken for primary collecting data. Purposive non-random sampling techniques was used. A brief schedule with simple questions relating to seasonality of availability of work, inward migration of workers, working conditions, health concerns, etc., was administered among 400 respondents. The schedule included a brief Knowledge, Attitude and Practice (KAP) study too to measure the gap, if any, on various social safety schemes/ issues. A five-point Likert scale was used to measure the attitude especially on gender related issues. A control group, i.e. a nearby Block (Blocks not covered under Nirmanshree Project of Habitat India), from within the same district of the study, with similar socio-economic profiles) have also been included to quickly and briefly study, and to compare and contrast the impact/differences/changes, if any.

5.1 Availability of work - Seasonality

Seasonality plays a significant role in the job market for women in construction sector, rainy season being the worst. Women lag behind and get comparatively less percentage of work all through the year. The gap between male and female, engaged in construction work in a month, ranges from 10% to 30% in Odisha, whereas 8% to 35% in Maharashtra. While it is highest in October and November, the gap is comparatively less in other months, February being the lowest. There is not much difference/gap between male and female workers in rainy season. Engagement in agriculture sector is reported to be one of the major reasons of such low percentage of participation of such workers in construction sector. Migrant workers do return back to home state/district for agricultural activities too in addition to participate in the festivities. Hence, there is less representation, in case of both male and female, leading to less gap.

5.2 Gender-segregated migrant construction workers

A detailed flow chart of activities involved in major construction (housing) sector (i.e., the entire project cycle) revealed participation of women in hard and harsh work. Women are engaged more often in labour intensive works (80% and more - carrying heavy load of bricks and sand, mixing cement and sand, climbing higher altitude even when pregnant, watering/curing, leveling the surface, etc). Extensive harder work like digging of soil is, of course, done by men. Women are also noticed to feel shy identifying themselves as ‘masons’ which is reported to be a male-dominated activity. Few (less than 20%) unskilled women are reported to be engaged in assisting the skilled male mason as helpers. Interestingly, 75% respondents in Odisha including female consider that these works are for man and

not for woman. Surprisingly, there is consensus among the respondents that men have to lead women. 65% women in Maharashtra responded that man does not feel comfortable to work as supporting hand (helper) to a woman.

5.3 Working condition

Accommodation of women construction workers, especially for the migrants, is found to be poor. They are found to be staying in overcrowded, unhealthy and unhygienic places. Basic facilities like safe drinking water, clean sanitation measures (toilets), etc., are lacking. No women's hostel that provides safe and affordable accommodation for working women, could be seen near the construction work sites covered under this study. Service conditions are also inadequate and detrimental to women welfare. Motivation level of women construction workers is found to be very low. It is reported that the women construction workers feel insecure and unsafe in the male-dominated work sites. Male co-workers are reported to be indifferent to the problems of women. Lactating mothers expressed their concerns regarding their infants' health and nutrition. 50% women construction workers in Maharashtra and 65% in Odisha revealed to have been facing challenges to work at construction sites during their monthly menstrual cycles and during a pregnancy.

No women specific/supportive facilities like separate toilets, a creche and feeding room, etc., are found to be there in the work site. Prevalence of gender-based discrimination, long hours of work, irregular and unstable earnings, etc. have been adding to their drudgery as these women are otherwise engaged to pursue their livelihood choice in construction sector. Safety and security of women in workplace does not seem to be a priority or concern for the contractors. Problems of migrant women construction workers at unknown locations are even worse. It is also observed that spouses, in case of family being migrated, do not get work on the same work site. They work in different work sites depending on the need.

5.4 Health status

Improper working environment leads to poor health status of women. Women carry heavy load, cover long distance, and work for longer hours. All these combinedly affect negatively to her health, physically as well as mentally. A few cases of physical injury while carrying bricks, mixing cement and sand, etc., are also reported. Improper health care, inadequate rest, insufficient nutrition causes multiple health hazards to them. Women construction workers are noticed to be fatigued, anaemic and malnourished, so are their children. Construction workers reported to have no life and health insurance coverage.

Most of the women construction workers are in reproductive age group. However, they do not get any benefits of leave or rest during menstruation, pregnancy, child birth and or when they are lactating. 94% in Odisha 90% women respondents in Maharashtra very strongly expressed their concern, discomfort and drudgery on the hard and harsh works specified to them in of construction space.

5.5 Advanced / associated activities relating to construction sector

Advanced and associated activities under construction sector like plumbing, carpentry, electrical or interior designing, etc. have hardly been undertaken by women. There are no such facilities for women to get trained in such activities. However, male workers are reported to have been trained in all such trades under Government schemes (e.g. Deen Dayal Upadhyay Grameen Koushala Yojana - DDU GKY) and/or Industrial Training Institutes (ITIs) in both the States.

5.6 Violence at work site

Sexual exploitation and abuse take toll on the women construction workers, though the cases are underreported. Fear of losing the livelihood option, social stigma attached to such happenings, and lack

of support system force them to continue with the sufferings. Important to mention here that Odisha recorded the fifth highest number of IPC crimes against women in 2021. Odisha has registered as many as 27,792 cases, whereas Maharashtra has registered 33,182 cases and has been the fourth highest number of IPC crimes against women in 2021, preceded by West Bengal (33,247), Rajasthan (40,056), and Uttar Pradesh (44,230).¹²

5.7 Financial situation including wage rates

The gender disparity in wage rate is quite high in the study districts of Dhenkanal and Jajpur in Odisha and Osmanabad and Beed in Maharashtra. It is observed that women in these four districts are paid less than the average minimum wages in Odisha and Maharashtra. This is also another major reason of workers, especially women, not getting attracted to work in construction sector.

All figures are in Rs.

Type of work	Minimum wages as per latest Government circular*		Average wage rate of women in these four districts as per the findings of the study			
	Odisha	Maharashtra	Dhenkanal	Jajpur	Osmanabad	Beed
Unskilled	326	494	245	268	300	275
Semi-skilled	366	577	278	312	350	350
Skilled/Clerical	416	695	322	345	400	450
Highly Skilled	476	816	365	410	550	545

*Source: *Minimum Wages, Labour Commission, Maharashtra, April 2023 and *Minimum Wages, Labour Commission, Odisha, October 2022.*

5.8 Bargaining power

Unions, workers organisations/associations are there in Odisha and Maharashtra, but are mainly male-dominated. It is found that women construction workers have very less idea about any kind of association or unions. Men do not allow them to come to the forefront. Women do not have any exclusive platform to raise their voice or to fight for their right. With lack of collective confidence, they are subjected to discrimination, exploitation and ill-treatment by contractors and other co-workers. Due to less in number/size, their voice is hardly heard.

It is observed that stronger the WSHGs (e.g. in Odisha) in the State (are of operation), higher is the collective self-confidence and voice of the women, and comparatively lesser is the exploitation and/or discrimination.

Thankfully, Nirmanshree project of Habitat India, through its creation and promotion of 'women collectives' provides women construction workers a forum to get united. Such 'women collectives' not only facilitate the activities related to construction, but also help women groups to form federations to represent their concerns at appropriate levels for required policy and operational interventions.

5.9 Double burden of work

Woman, in general, keep themselves engaged in multiple socio-cultural activities, apart from managing almost all household works. They are observed to be taking additional responsibilities of managing the elderly as well as differently-abled family members. Her reproductive role and responsibilities in bearing, rearing and caring of child(ren) is uncompromising in nature. Women are also found to be taking responsibilities of both in-laws as well as their own elderly parents. In case of migrant women, managing household activities without any family support system is reported to be too hectic and burdensome.

¹² National Crime Record Bureau Report-2022

5.10 Knowledge, Attitude and Practices (KAP) study of women construction workers

Nearly, every three out of four women respondents (73%) still believe that men should predominantly do the masonry works and women should only assist them. However, one in every five women construction worker disagrees to such limitations and prejudice. One in every two women construction worker (49%) agrees that men should get more wages. Women construction workers continue to have low self-esteem and are highly dependent on the male counterparts.

Awareness level, of women construction workers on women's and workers' rights, is very low, even though there are many women supportive rules and regulations including Prevention of Sexual Exploitation and Abuse (PESA) at Work Place Act -2013 are in place. They feel ostracised, aloof, lonely and helpless while asking for their entitlements. Male workers do not support them, rather show supremacy.

Every second woman respondent, in Odisha, opines that she should also have a say in the layout design of her house as she is the one who would spend more time in the household activities. This correlates to the fact that 47% of women, and 69% of men, in Odisha, own land alone or jointly, which is much higher than the national average that stands at 28% for women and 49% for men, as per National Family Health Survey - 2019-21 (NFHS -5). However, women respondents have hardly any idea of the (joint) - patta (land records). 90% women have revealed that their say, if any, does not bear any stand in (or influence) the decisions pertaining to housing and related activities at the household and community levels.

Despite having plethora of social safety net schemes, only 20% reported to have positive knowledge about those, and even fewer have fully access to all of their entitlements under such relevant schemes. However, 67% were found to be unaware of such schemes and programmes of the Government. Respondents in Jajpur are comparatively better aware than those in Dhenkanal.

The above issues, though not exhaustive, conclude that there exist significant gender inequalities among workers in the housing and construction sector. Such inequalities, obviously, adversely affect women. The list is long. However, to name a few, it includes barriers to owning land, insufficient engagement in decision making, low wages, lack of skills, lack of opportunities for skill upgradation, existing ambiguous and complex systems and protocols, etc., which negatively affect women's capacities to have decent livelihoods opportunities in new and emerging job market.

6. Project Nirmanshree

Habitat for Humanity India (Habitat India), in partnership with European Union, is implementing Project Nirmanshree (India) to help empower women economically and socially through technical and enterprise training and support. The project demonstrates that by training and certifying women in Recognition of Prior Learning (RPL) they are able to improve their construction knowledge and advance their careers from being a labourer to an assistant mason for example. This in turn increases their compensations or construction opportunities in a male-dominated industry. The project also demonstrates that women have strong entrepreneurial abilities which need to just be nurtured or encouraged. Some women led social enterprises even promoted low-carbon, climate-resilient housing solutions which are affordable and adaptable to local needs. While creating economic opportunities, the project also facilitates improving access to services and entitlements related to housing, including drinking water, sanitation, and energy.

Habitat India has also taken an innovative approach of forming 'women collectives' in the construction space. These collectives work to persuade and motivate its members to access their rights and entitlements, and to leverage the collective's support, experience and members to help or better negotiate with construction employers. The 3,000 trained women construction workers, under Project

Nirmanshree, were facilitated to form four women collectives (one at each project district of Odisha and Maharashtra). Per collective, office bearers were elected and trained to guide the collective and supports its members. This enabled the women construction workers to form groups from the villages and federate at district level to carry out their works in coordination and sustain their social and economic empowerment.

7. Review of Schemes, Programmes, Policies and Laws

The study has attempted to review major schemes, programmes, policies and laws of Government of India related to construction workers. It has also studied special schemes, if any, in these two operational Nirmanshree pilot project states, i.e. Odisha and Maharashtra. A few have been listed below. There are various schemes for combating all forms of discrimination and violence against women in the country. A few such schemes are studied mentioned below.

- **National Crèche Scheme:** The scheme focuses on children of 6 months to 6 years, of working women in rural and urban areas who are employed for a minimum period of 15 days in a month, or six months in a year. The scheme has a pan India coverage.
- **e- Shram Portal:** The e-Shram portal is the first national database of unorganised workers in the country. Workers with e-Shram cards are eligible for Rs 2 lakh accidental insurance cover under the Pradhan Mantri Suraksha Bima Yojana.
- **One Stop Centres (OSCs):** These centres are intended to support women affected by violence, in private and public spaces, within the family, community and at the workplace.
- **Swadhar Greh:** The scheme targets the women victims of difficult circumstances who are in need of institutional support for rehabilitation so that they could lead their life with dignity.
- **Ujjawala Homes:** A scheme for Prevention of trafficking and Rescue, Rehabilitation and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation.

7.1 Acts to Protect Women's Rights under Labour Laws

The rights of women construction workers are protected by several Acts and laws. Some of the key Acts that provide protection to women construction workers in India are:

- **Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996:** This Act aims to regulate the employment and conditions of service of building and other construction workers in the state of Maharashtra.
- **The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013:** This Act aims to prevent and address sexual harassment at the workplace.
- **The Equal Remuneration Act, 1976:** This Act provides for equal pay for equal work for men and women. It applies to all employers, including those in the construction sector, and prohibits discrimination in matters of wages and other terms and conditions of employment.
- **The Minimum Wages Act, 1948:** This Act sets a minimum wage for workers in various sectors, including the construction sector. It also provides for the payment of overtime wages to workers who work beyond a certain number of hours per day or per week.

7.2 Ensuring Enabling Environment for Women Entrepreneurship

The Government of India has implemented several schemes and policies to promote women entrepreneurship in the country. These schemes and policies are designed to provide various forms of support to women entrepreneurs in India, including financial assistance, training, capacity-building, and access to markets.

- **Stand Up India Scheme:** This scheme aimed to promote entrepreneurship among women, Scheduled Castes (SC), and Scheduled Tribes (ST) by providing bank loans ranging from Rs 10 lakhs to Rs 1 crore to start new ventures in manufacturing, services, or trading sectors.

- b. Mudra Yojana:** The Pradhan Mantri Mudra Yojana provides financial assistance to micro and small enterprises, including women entrepreneurs, through various stages of business growth.
- c. Annapurna Scheme:** This scheme was designed to provide financial assistance to women entrepreneurs engaged in the food catering business by offering loans up to Rs 50,000.
- d. Udyogini Scheme:** The Udyogini Scheme aimed to empower women in rural areas by providing financial assistance and support for starting small businesses or ventures.
- e. Bharatiya Mahila Bank (BMB):** Although BMB was merged with the State Bank of India (SBI) in 2017, it provided special financial products and services exclusively for women entrepreneurs.
- f. Mahila Coir Yojana (MCY):** This scheme promoted women's participation in the coir industry by providing financial assistance for purchasing coir-processing equipment.
- g. Stree Shakti Package for Women Entrepreneurs:** This package provided concessions on loans taken by women for starting new businesses or expanding existing ones.
- h. Support to Training and Employment Programme for Women (STEP):** The STEP scheme focused on providing training and skill development to women to enhance their employability or encourage them to become entrepreneurs.
- i. Agricultural Schemes:** Various agricultural schemes, like the Rashtriya Mahila Kosh (RMK) and the Priyadarshini Scheme, aimed to support women in agriculture and allied activities.
- j. Atal Innovation Mission (AIM):** Though not exclusively for women, AIM encouraged innovation and entrepreneurship among all segments of society, including women entrepreneurs.

7.3 Schemes for Construction Workers in India

Some of welfare schemes offered to registered construction workers by the State Construction Workers Welfare Board (in Maharashtra and Odisha) are mentioned below. The scheme covers social security, health, education and financial benefits for the workers and their family members.

Social Security

- Reimbursement of Rs 30,000 for first marriage expenses
- Mid-day meals
- Pradhan Mantri Sharm Yogi Maan-Dhan Scheme
- Financial assistance of Rs 5,000 for purchase of tools
- Pradhan Mantri Jeevan Jyoti Vima Yojana
- Pradhan Mantri Suraksha Vima Yojana
- Recognition of prior learning training
- Providing safety kits
- Providing essential kits

Education of Children of Construction Workers

- Financial assistance of Rs 2,500 every year for students of Class 1 to 7
- For Class 8 to 10 students, financial aid of Rs 5,000 per year
- For Class 11 to 12 meritorious students, aid of Rs 10,000 per year
- Financial assistance of Rs 20,000 every year for degree students
- Engineering degree – Rs 60,000 per year
- Medical degree of Rs 1 lakh per year
- Diploma Course – Rs 20,000 per year
- PG Diploma Course Rs 25,000 per year
- Reimbursement of MISCT course

Healthcare

Financial support is offered to pregnant women at the time of delivery:

- Normal delivery Rs 15,000
- Surgical delivery Rs 20,000
- Rs One Lakh will be offered for treatment of critical illness of the registered labourers or their family members
- Financial support of Rs Two lakhs to workers with 75% or more disability
- Mahatma Jyotiba Phule Jan Aarogya Yojana
- Regular health check-ups

Financial assistance

- Atal Bandkarn Kamgar Yojana (Urban)
- Atal Bandkarn Kamgar Yojana (Rural)
- Financial support of Rs two lakhs for natural death to the legal heir
- Financial support of Rs five lakhs for accidental death at the construction site to the legal heirs
- Funeral assistance of Rs 10,000
- Financial support (pension) of Rs 24,000 per year for the widow/ widower of the registered labour
- Rs 6 lakhs for a home loan or Rs two lakhs grant

8. Gaps in Existing Policies and Schemes (for Women Construction Workers)

The study has mapped various existing Policies and Schemes that benefit women construction workers. Those are critically analyzed. Gaps are identified. Those gaps are categorized into three different types, such as (a) Normative Gap, (b) Implementation Challenges/ Gap and (c) Monitoring and Information Gap. The gaps in policies and schemes are indicated below, in brief, for quick and easy reference.

Sector/Area	Policies/ Schemes	Gaps in Policies/ Schemes
Normative Gap		
Availability of Work	Buildings and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996	• The seasonality of construction works, forces women workers to have temporary jobs. There is no provision for unemployment allowances for construction workers.
Maternity		• There is no compensation provision for women having miscarriages during working at a construction site.
Child Care		<ul style="list-style-type: none"> • In the worksites, there is no provision to take care of these children despite the “Building and other construction workers Act, 1996”, that stipulates that if more than fifty female workers are employed, rooms should be provided for the use of their children. • It is difficult to find 50 women workers at a time in one construction site, particularly in rural area.
Skilling of Women Construction Workers	National Initiative for Promoting Upskilling of Nirman workers (NIPUN) - June 2022	<ul style="list-style-type: none"> • There is no specific focus on women construction workers for skill upgradation in this scheme. • There is no reservation for women construction workers.
	Recognition of Prior Learning (RPL) of construction workers'	<ul style="list-style-type: none"> • The RPL training is not sufficient for skill enhancement and getting an increase in wages. • The training is not regularly conducted in Maharashtra.

Sector/Area	Policies/ Schemes	Gaps in Policies/ Schemes
Implementation Challenges/ Gaps		
Financial Situation	Labour Code (Wage Code) – 2019	<ul style="list-style-type: none"> • Even though Government has fixed the wage rates, women workers generally get low wages and face exploitation at all levels. There is no easy-to-access grievance mechanism to address this issue.
	OSH Code (Occupational, Safety, Health and Working Conditions Code) - 2020	<ul style="list-style-type: none"> • Women workers in construction industry are not provided with sanitation facilities at work site. There is no monitoring mechanism to ensure this.
Violence at work site	The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013	<ul style="list-style-type: none"> • Although provisions are there but implementation gaps of these laws make women feel unsafe at the construction site. • There is no helpline number or quick grievance redressal mechanism to provide safety to women construction workers in remote areas.
Monitoring and Information Gap		
Social Security	The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996	<ul style="list-style-type: none"> • There is a lack of awareness (in general or regarding specific aspects of schemes) • Registration under the BOCW welfare board required workers to furnish a 90-day employment certificate from the employer. But for workers in a largely informal sector, acquiring this certification from a single employer poses a big challenge.

9. Consultation with Various Stakeholders

Multi-layer, multi-player and multi-sector stakeholders' consultations were organised in the states of Odisha and Maharashtra. The consultations included field functionaries, elected members of the locality, service providers, family members of construction workers apart from the primary stakeholders who are directed associated/ benefited from the Project Nirmanshree. Intensive interviews (structured as well as unstructured) were conducted with a few senior and experienced subject matter experts (from government, non-government and academic institutions) to solicit necessary feedback for adding value to the policy gap analysis, which helped to arrive at a few recommendations. Mainstreaming women in construction sector has however been noticed to be a major concern.

Simplifying registration process, inclusion of migrant workers, creating awareness of the existing policies protecting women rights and interests, enforcement of stringent labour law, enhancement of skills of women construction workers especially as masons and empowerment through women collectives, promotion of women entrepreneurs in housing eco-systems, are major inputs collected and compiled from the consultative process.

10. Recommendations

- **Registration of migrant construction workers:** A massive migrant unskilled and semi-skilled women workforce is engaged as construction workers in other states. These informal migrant workers have not been registered with the present working state's Building and Other Construction Worker's (BOCW) Welfare Board and hence remain in-eligible for any entitlements. Their non-registered identity makes them invisible, thereby being denied and excluded by various stakeholders. Their invisibility on paper renders them as one of the most vulnerable labour forces. Government of India may consider registering the migrant construction workers through providing them a one nation one identity card for this purpose. (Action- Ministry of Labour & Employment)
- **Safe and hygienic accommodation** for the women construction workers near the construction site can be provided in the nearby Government buildings. Government of India may take necessary steps in this regard. (Action- Ministry of Labour & Employment)
- **BOCW registration:** The Centre directed all states to take a call on allowing the self-declaration so as to speed up workers' registrations with the Board and ensure that they get all benefits. The Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996, clearly mentions the 90-days' work period as a criterion. But some of the state governments such as the Government of Maharashtra is yet to take a final call on whether 'self-declaration' after 90 days of work can be allowed for construction workers, rather than the later getting the same certified by a supervisor for registration with the Maharashtra Building and other Construction Worker's (BOCW) Welfare Board. The Government of India may consider this to simplify the process of registration. (Action- Ministry of Labour & Employment)
- **Stringent labour laws:** Welfare and legal services of Government may be extended to the women construction workers and regular follow up may also be ensured. Women Help Desks may be established in each district (or even at sub-district levels) with wider network among the local women self-help groups/women collectives, and Government institutions to actively and timely respond to issues of women workers at risk and need of support services. Stringent labour laws and gender-sensitive grievance redressal mechanism may be enforced for timely address the harassment related grievances of women. (Action- National Commission for Women)
- **Reservation for women masons:** Women construction workers may be graduated to masons after having practical on-the-job training as workers for a year with the male masons. The Government may introduce some provision of certifying these informally trained women so that they can get equal pay as to men in similar roles in all Government construction works. The Government may issue a directive to engage at least 30% of women masons in all Government construction works. (Action- Ministry of Skill Development and Entrepreneurship)
- **Unemployment allowances:** Seasonality in employment can be a major constraint for women in the construction industry, as it can make it difficult for them to find consistent work and support themselves and their families. Government is providing unemployment benefits under different programmes. Similar benefits may also be provided to women construction workers during the lean season. (Action- Ministry of Labour & Employment)
- **Skill development:** Government of India may develop training programmes specifically designed for women construction workers that focus on developing skills that are in demand year-round. This could include training in areas such as painting, plumbing, electrification, interior decorations, etc. (Action- Ministry of Skill Development and Entrepreneurship)
- **Women-specific benefit packages:** There is a need for reformulating women specific benefit packages. Provisions such as compensation for miscarriage, adequate number of days of wage compensation during pregnancy and after delivery may be included in the benefit package. (Action- Ministry of Labour & Employment).

Regular health check-up, provision of Nutrition and Health related education and supplementation of Iron Folic Acid (IFA) to pregnant and lactating women at the work site would help augmenting the efforts of Government in reducing malnutrition among mothers and children under its PoSHAN initiatives. Provision of safe drinking water at work site is a basic need that the construction workers

asked for. (Action- Ministry of Labour & Employment in convergence with Ministry of Health and Family Welfare)

- **Temporary creche:** Most of the times, children are brought to the to the construction site by women. At the worksite, children are at risk of injury due to falling objects, heavy machinery and ditches. The Government may consider to support women masons to use nearby anganwadi centres as a temporary creche/day care centre for 0-6 years' children of women construction workers. This will help in protecting health, nutrition and well-being of children while their mother working in the construction space. (Action- Ministry of Labour & Employment in convergence with Ministry of Women and Child Development)
- **Life and health insurance:** Construction workers in general and women in particular may be provided with life and health insurance coverage (as is recently done by Odisha for 50 categories of workers in unorganised sectors). (Action- Ministry of Labour & Employment)
- **Increasing awareness:** Woman should be made aware of her fundamental human rights and to lead a life with sense of pride, freedom and confidence. Mandatory display boards showing minimum and equal wages at work sites, transparent and digital transaction of wages to women's account, formation and engagement of women collectives to check, monitor and reduce discrepancies, if any, would help building their collective self-confidence and enhanced bargaining power. (Action- Ministry of Labour & Employment)
- **Subsidised loans:** Government may consider providing subsidised loans to women construction workers for starting small social enterprises related to housing ecosystem. (Action- Ministry of Micro, Small & Medium Enterprises)
- **Capacity-building of local Government:** Orientation and capacity building of front-line officials, creating awareness on existing policies protecting women rights and interests may be ensured by Government through convergence of multiple departments. A training module may be developed by Ministry of Labour and Employment in this regard. (Action- Department of Personnel and Training)
- **Women's collective:** Women construction workers may form women's collectives in the similar ways like the SHGs for enhancing their collective bargaining power. They may be imparted with soft skill training on leadership, group dynamics, effective communication and bargaining along with training on basic accounts and bookkeeping. (Action- Ministry of Women and Child Development through Mission Shakti Scheme)
- **Sustainability of women's collective:** Women collectives may also sell construction materials for which required financial as well as backward and forward linkages may be provided by the Government. Directives/circulars may be issued for executing agencies like BDO/ ITDA/ DRDA etc. to prioritise purchasing of branded and quality materials (cement, sand, chips metals, paints, plumbing and electric fittings, etc.) from such women collectives at district and Block levels. The collective may also provide their service support (a service market strategy) at various work sites from out of its database of skilled construction workers. (Action- Deendayal Antyodaya Yojana-National Rural Livelihoods Mission)

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