

GOVERNMENT OF TELANGANA
ABSTRACT

Labour, Employment, Training & Factories Department – Ease of Doing Business – Business Reform Action Plan 2022 – Telangana Shops and Establishments Act, 1988 (Act No.20 of 1988) – Allowing women to work in night shifts – Exemption from section 23 of the Act in Telangana State – Notification – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (LAB-I) DEPARTMENT

G.O.Rt.No. 476

Dated: 13-10-2022.

Read the following:-

1. D.O.Lr.No.15/2022/1555798/EoDB-2022, Industries & Commerce Department, Govt. of Telangana, dt: 21.06.2022.
2. From the Commissioner of Labour, Telangana, Hyderabad, Lr.No.C2/2566/2015, dt: 12.10.2022.

In the circumstances reported by the Commissioner of Labour, Telangana, Hyderabad in the letter 2nd read above, Government after careful examination of the matter hereby decided to exempt all Establishments in Telangana State from the provisions of Section 23 of the Telangana Shops and Establishments Act, 1988, subject to certain conditions.

2. Accordingly, the following notification shall be published in an extraordinary issue of Telangana Gazette dated: 17.10.2022:

NOTIFICATION

In exercise of the powers conferred by sub-section (4) of section 73 of the Telangana Shops and Establishments Act, 1988 (Act No.20 of 1988), the Government of Telangana hereby exempt all Establishments in Telangana State from the provisions of Section 23 of the Telangana Shops and Establishments Act, 1988 (Act No.20 of 1988) from the date of publication of this notification, to allow women employees to work in night shifts between 8.30 pm – 6.00 am under Ease of Doing Business, subject to the following conditions:

1. Consent of women employees shall be obtained in writing to work in night shifts;
2. The establishment shall provide transport facilities from the residence of the woman employee to the workplace and back, free of cost and with adequate security. Such transport facility shall have GPS for tracking and monitoring;
3. Employment of women employee shall be on rotation basis;
4. The safety and security measures shall include provision of shelter, rest rooms, lunch rooms, night crèches and ladies toilets, adequate protection of their privacy, dignity, honour and safety, protection from sexual harassment, employment of at least five (5) women employees together.
5. The said relaxation shall not apply to a woman employee during the period of sixteen (16) weeks before and after her childbirth, of which at least eight (8) weeks shall be before the expected childbirth, and for such additional period, if any, as specified in the medical certificate stating that it is necessary for the health of the woman employee or her child.
6. Adequate number of security guards shall be posted during night shift;

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7. Transport & Safety:

- a) The establishment shall obtain Bio-data of each driver and conduct pre-employment screening of the antecedents of all drivers employed.
 - b) The Schedule of route of pick-up and drop shall be decided by the supervisory officer of the company only. In case of exigencies, change of drivers/ routes/shifts shall be allowed only with the prior knowledge of supervisory officers/employees;
 - c) The personal details, particularly mobile phone numbers, email ID and address of the women employees shall not be disclosed to unauthorised persons;
 - d) Careful selection of routes shall be made in such a way that no women employees shall be picked up first and dropped last;
 - e) The company shall provide security guards at work place and night shift vehicles when women employees are being picked up first or dropped last;
 - f) The designated supervisors of the company or service provider shall randomly check the vehicles on various routes as far as possible;
 - g) The establishment shall have a control room/travel desk for monitoring movement of vehicles;
 - h) The Company shall maintain the records and furnish returns as prescribed by the State Government within time.
8. If any establishment fails to comply with the above conditions, it may lead to cancellation of the Registration Certificate and /or withdrawal of the above exemption in respect of such establishment.
9. The exemption granted under this order may be revoked at any time without any prior notice.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

I.RANI KUMUDINI,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing and Stationery & Stores purchases,
Hyderabad (with a request to publish the notification
in an extraordinary issue of Telangana Gazette and supply 50 copies)
The Commissioner of Labour, Telangana, Hyderabad
Copy to:
The P.S. to Minister (Labour & Employment)
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER