

# Bill Summary

## The Factories (Karnataka Amendment) Bill, 2023

- The Factories (Karnataka Amendment) Bill, 2023 was introduced in the Karnataka Legislative Assembly on February 22, 2023. It seeks to amend the Factories Act, 1948 (Central Act) in its application to Karnataka. The Act regulates working conditions for factory workers which include daily working hour limits, weekly working hour limits, provision for overtime, and night shifts. The Bill seeks to modify certain regulations regarding work hours. Key features include:
  - **Increase in daily working hours:** The Act limits the daily working hours of an adult worker (above 18 years of age) to nine hours and weekly working hours to 48 hours. The Bill empowers the state government to increase the daily working hour limit to 12 hours (inclusive of intervals for rest), while maintaining the weekly 48-hour limit. This may be done through a notification for any group or class of factories.
  - **Intervals for rest:** Under the Act, workers are entitled to at least half an hour break after every five-hour work interval. The Bill adds that for any class or group of factories, the state government may extend the working interval to six hours to provide flexibility in working hours.
  - **Wages for overtime:** The Act provides for overtime wages to any factory worker who works for more than nine hours a day or more than 48 hours a week. Overtime wages are paid at twice the ordinary wage rate. The Bill restructures the overtime payment threshold. Overtime will be paid when a worker works: (i) more than nine hours a day for six days a week or more than 48 hours a week, (ii) more than 10 hours a day for five days a week or more than 48 hours a week, (iii) more than 11.5 hours a day for four days a week, or (iv) works on paid holidays.
- **Exemption from fixed working hours:** The Act empowers the state government to exempt workers from the fixed (daily and weekly) working hours, subject to certain conditions. Conditions for granting exemptions include: (i) daily working hours must not exceed 12 hours, (ii) weekly working hours should not exceed 60 hours, and (ii) overtime work in a quarter must not exceed 75 hours. The Bill increases the quarterly overtime limit to 145 hours. It also adds the condition that workers may work overtime only after providing written consent.
- **Restrictions on working hours of women:** The Act places certain restrictions on working hours of women. These include: (i) daily working hours to not extend beyond nine hours, (ii) work to only be carried out between 6 am and 7 pm, and (iii) shifts to change only after a weekly holiday or any other holiday. The Bill changes this to allow women to work between 7 pm and 6 am, subject to certain conditions. These conditions include: (i) having at least 10 women in each night shift batch, (ii) provision of proper lighting and CCTV inside and outside the factory, (iii) ensuring at least one-third of supervisors during night shifts are women, and (iv) providing transport facility and security guard to women workers. Working in night shifts will not be compulsory for women workers. Women workers must provide written consent for working in night shifts.

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