AN INTROSPECTION INTO AWARENESS OF MATERNITY BENEFIT ACT 1961 IN SEMI-URBAN AREA

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ABSTRACT

Drastic changes can be seen in the Indian workforce as there is a tremendous increase of women participation in the workforce and it’s important for the organization and government agencies to look into the issues that would make a woman's journey more smooth as she plays multiple roles from creator to nurturer of life. Time and again government has tried to alleviate the problems faced by the women in the organizations by passing various women friendly laws and giving requisite benefits to women. But is there any awareness regarding these laws and benefits amongst these women? This article tries to capture the awareness of women employees, especially in semi rural areas, about Maternity Benefit Act 1961.

Keywords: Labour Laws, Maternity Benefits Act 1961, Women.

Women constitute a major percentage of Indian population, almost one half of the total population. This has also lead to increase participation of women in the workforce. The modern Indian society has given freedom to women to a certain extent. Now women are allowed to pursue higher education and also to make career choices even after marriage. India had been very conservative when it came to women’s prerogative to chose career or working in organization. But
now there is a shift from primitive society to a very modern society. Women are encouraged by their family members, spouse, kids, in laws and society at large to work and provide income to their family. Indian Government always supports women labour force and has developed various social security and labour laws to facilitate women. Indian society has been very partial towards the men than women and this is visible even in the workplace. And government has always taken cognizance of issues related to gender inequality, social security, safety, health and hygiene at work place, unequal remuneration, maternity, leave, bonus etc. Government of India has constructed separate laws for benefitting the working class people called labour and industrial laws. Industrialization and Globalization has contributed highly in accelerating the status of women as a housewife to career women. With increasing globalization in India over a decade has necessitated increasing the competitiveness of Indian organization in the market through human resources, particularly workers. Labour legislation helps workers in enhancing their efficiency, effectiveness, competitiveness and productivity of workers. And when we take women workers in consideration, labour laws become highly important as women have to juggle between work and home, giving equal priorities to both aspects of her life.

LABOUR LAWS THAT PROTECT WORKING WOMEN IN INDIA

A woman has always found a special place in industrial laws in India. The laws are made keeping in mind working women and their responsibilities towards their family and children. Some of the labour laws were constructed during the British period and some after independence. The purpose of forming separate labour laws was to prevent exploitation of workers by industrialists and further prevention of women’s right in the then man’s world. Industrial and labour laws helps in regulating the conditions of worker by setting up standards for wages, safety, health, hygiene, working conditions within the premises, leave, working hours and all other aspects related to work.

Factories Act 1948

Factories Act was first enacted in the year 1881 under the British colonial rule. Since 1881 to 1948, Factories Act has undergone many changes. Factories Act 1948 has provisions for working time, health, hygiene, and child care and crèche facilities for women. Some of the measures provided under this act are

- Prohibition of employing females during night.
- Prohibition of employing women in hazardous occupation.
- Provision for crèche
- Provision for proper bathing and washing facilities
- Provision for fixation of daily work hours
- Provision for breast feeding for newly born babies every four hours and many more provisions.

Some of these provisions also find place in other acts like Plantations labour Act, Mines Act, Contract Labour Act and Beedi workers Act.

Employee State Insurance act 1948

Employee state insurance act 1948 is an important social security law that provides sickness benefits, disablement benefits, and medical benefits to the workers. This law also provides an additional benefit to women i.e. maternity benefits, and if the women dies at the time of giving birth to the baby than the benefits are given to the nominee so appointed by the women.
Equal remuneration act 1976

This act was implemented in order to give equal monetary compensation for similar kind of work irrespective of gender. This act was a major step taken by the government to regularize payment structure in organizations and remove the gender gaps. This act works on the principle of “Equal pay for equal work”.

Maternity Benefit Act 1961

Our constitution, in the Article 42, has the directives that there must be provisions for securing just and humane working conditions and maternity benefit. Maternity benefit act 1961 was a huge step taken by the government which gave every mother their right to work even after childbirth. worldwide, 51 per cent of nations provide leave period of at least 14 weeks as maternity leave which is also the criterion setup by ILO Maternity Protection Convention, 2000 (No. 183). Some of countries give 14 weeks of maternity leave or more than that. But there are some countries which gives less than standard 12 weeks of maternity leave.

In the year 1919, the first International Labour Conference (ILC) was held in which the first Convention on Maternity protection (Convention No. 3) was adopted. After which other two conventions followed: Convention No. 103 in 1952 and Convention No. 183 in 2000, which gradually extended the scope and entitlements of Maternity safety at work.

As per Maternity Benefit act 1961 every women employee working in the organization is entitled a leave of 84 days or 12 weeks. Out of the 12 weeks, not more than 6 weeks can be availed immediately before the date of delivery. A central government employee has been eligible to 180 days or six months’ maternity leave since 2008 (The Telegraph, March 21, 2012). There are private organizations which provide 180 days of maternity leave as ruled under sixth pay commission. Under this act the beneficiaries are provide with fully paid leaves and a medical bonus of Rs 3500 (as last amended). Medical bonus is entitled to changes with continuous amendments.

LITERATURE REVIEWS

According to survey it was found that maternity leaves and benefits and job protection after pregnancy increases labour participation of women in the workforce and researchers say that they find no negative impacts on the productivity of the organization but due to poor enforcement of law, many categories of women are not able to enjoy these benefits (ILO, 2011). Although maternity benefits is universally applicable but their actual implementation is questionable as women workers are not receiving proper benefits even they are statutory according to rules (Sharma, 2006). There is lack of awareness amongst women workers and non workers in rural areas. The rural women also lack in resources to claim benefits like lawyer fees, court fees etc. This is because of illiteracy of women in rural areas. (Singh et al, 2014) Employers consider maternity benefits as burden and so avoid recruiting females in the organization. It is suggested that maternity benefits should not be a burden to employers only and should be shared by government agencies as in other countries like Sweden (Bala, 2012).

These laws were enacted to protect the rights of women in the country. Now the question arise that arises is whether these laws are executed and implanted in the organization across the whole nation. The present research tries to find out whether the women working class of the nation is aware about the Maternity Benefit act 1961 and to what extent is they aware about the provisions and are they benefitting from this law?
OBJECTIVES

The objectives of the study are:

- To study the awareness of Maternity Benefit act 1961 amongst the women employees in the organizations.
- To study the extent to which organizations provide for Maternity benefit act in semi urban areas.
- To study how Maternity Benefit act 1961 affects the satisfaction level of the organization.

LIMITATION OF THE STUDY

There are certain limitations to the study

- This study was conducted in the semi urban area of Odisha and may not represent the whole nation.
- A small sample was taken for the purpose of the study.

RESEARCH METHODOLOGY

Description of Sample

The study was conducted among the married working women of the semi urban areas of Bhubaneswar, Odisha. A sample of 200 married working women was selected using Convenient Sampling. They were from semi-government schools. Since the study focused on the maternity benefits only on married working women, all the respondents were married with children. Questionnaires were distributed to the married working women, out of which only 91 questionnaires were received which were completely filled up. The data was analyzed using SPSS 17.0.

RESULTS AND DISCUSSIONS

1) Reliability Analysis: The data were subjected to Alpha tests of reliability and they had acceptable (0.717) Cronbach’s Alpha value which indicates a good level of internal consistency for the scale with the specific sample used for the study.

2) Profile of the Respondents: Among the 91 married working women, maximum number of respondents belonged to the age group of 30-40 (49.9%). And all respondents had children and had availed maternity benefits.

FINDINGS

It was found through this survey that only 28.09% of respondents were fully aware about Maternity Benefit Act 1961 and 68.09% were partially aware about it. And their source of awareness by mostly through company manuals and print media like newspapers, books and magazines. Only 5.04% respondents felt that their organizations completely provide for maternity benefits as prescribed under the act. A major share of 43.95% believe that their organization partially provide for maternity benefits. Around 36.05% believe that their organization does not provide any kind of maternity benefits to them. 39.56% had availed a leave of 12 to 16 weeks, which is the highest paid leave in private organization for mothers whereas 57.12% availed paid leave of 12 weeks or less than that. It was found that only 15 to 20% of respondents were fully satisfied with the maternity leave and cash benefits as provided by their organization. 56.04% of respondents were unsatisfied.
with the maternity leave. But 74.27% respondents felt there are less or no delays in receiving the benefits from their employers or organizations. 69 to 70 % of the respondents were partially or unaware of the maternity leave, cash benefits and other benefits like medical allowance, day breaks, crèche facilities as provided under the Maternity Benefit Act 1961.

CONCLUSION

Through this survey it was found that most women in the semi urban area are partially aware or unaware about Maternity Benefit Act 1961. The reason behind this unawareness could be less impactful awareness drive by the government as the source of awareness was mostly through company manuals or print media. Television, being the most used form of mass communication, should be used by the government to create awareness about the rights of women regarding maternity leave and child birth. It was also found that most of the women were partially satisfied or unsatisfied by the leave provided. Though central government employees avail a leave of 6 months as maternity leave, private organizations provide a leave of 12 weeks. But there are some private organizations which also provide leave for 6 months. Organizations and employers may view six months maternity leave a loss to the organization and may prevent themselves from employing women. But organizations should understand the needs of women and child for whom first six months after the child birth are very crucial. Hence organizations can provide flexibility to women by giving options of flexible work hours, part time work, and work from home or telecommuting.

REFERENCES