

To,
Honorable Minister
Labor and Employment
Government of India
Shram Shakti Bhuvan
Rafi Marg, New Delhi-110001

Dear Sri Gangwarji

Namaskar.

We all are under lockdown due to CORONO crisis that has given us an opportunity to think of the progress we are making.

You must be aware that today Bhabha hospital workers in Mumbai have gone on strike for their demand of PPE. News paper pages and news rooms of TV channels are busy discussing the problem of supply of PPE to the health care workers all over in India. Never before in the long history of labor movement in India have we heard of strike for PPE by health care workers. COVID-19 has drawn our attention to the very important aspect of protection of safety and health of health care workers.

As we all know, it is only on humanitarian, moral and ethical grounds that the employers in India are required to supply PPEs to the health care workers. It is yet not a legal binding. We have The Clinical Establishment Act (Registration & Regulation) Act, 2010 and Hospital standards have been developed. In this Act or the standards there is no clear provision to provide PPEs to the health care workers for their protection of safety & health at work. Under the HIV AIDS Act of 2017 Universal Precautions (which includes PPE by definition) have been mandated but there is no method of implementation or monitoring and very little information about this to the neither currently employed health staff nor training to those now being hired. In fact all persons handling body fluids are exposed to HIV. Now, after 73 years of independence health care workers should be given clear legal right for their protection.

In any big hospital you have several departments and each has their own specific hazards. The doctors and nurses get needle stick injuries. Among healthcare workers and laboratory personnel worldwide, more than 25 blood-borne virus infections have been reported to have been caused by needle stick injuries. You need to have laundry in the hospital where the workers handle the soiled clothes, bed sheets and other material to be washed. In each hospital you find at least one canteen where they cook and serve food and the workers there need to be protected from accidents. In each hospital you find maintenance department which includes electricians who need to be protected from electrical hazards. In each hospital you find radiology department where workers are exposed to radiations and they need to be protected. Each hospital has a laboratory to test various samples. Samples are tested using different chemicals and the workers and technicians need to be protected from the exposure to these chemicals. There are post-mortem and morgue workers and they are exposed to bio and other hazards. We have received complaint from anesthesiologist from Mumbai, working in a children's hospital that he was exposed to anesthetic gases for a long time and the gases adversely affected his health and had to be on treatment and leaves and then left the job. It was case of faulty ventilation in operation theater. And this is not a comprehensive list.

Apart from infections, we hear of fires in hospitals but we do not have any official data available on fires in the hospitals. Data help us frame policy and design strategies for prevention. Again accidents other than fires also take place and that may leave the victim injured and injury may be temporary

or permanent and total or partial. We again do not know the incidence or proportion because there is no legal provision to notify the accidents and there is no authority appointed to monitor accidents in the health care facilities. I believe that such a provision in Factory Act and Mines Act has helped to reduce accidents in factories as well as mines respectively.

In 2009 Government of India declared National Policy for safety, health and Environment at work. This policy gave lots of hopes that workers in all economic sectors shall be protected now but nothing has happened. ILO is encouraging its member states to ratify C.155 and this policy is first step in that direction. We now need to take second bold step in this direction and ratify ILO C.155 of 1981.

The Second labor commission appointed by NDA Government under Sri A.B.Vajpayeeji recommended enacting separate OHS Act to give legal protection to the workers in all economic sectors. Now your Government has put up OHS code in the Parliament which is pending. Unfortunately, even after this bill is passed, the health care workers shall not get a right to be protected at work. How long they will have to wait?

This is right opportunity and social environment is conducive for passage of such law in larger interest of workers. It will be real *Shradhdhanjali* to Sri Bajpayeeji.

Thank you

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