
THE ROLE OF LABOUR LAWS IN ADDRESSING TOXIC WORK ENVIRONMENT IN INDIA

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INTRODUCTION

A toxic work environment is a deplorable state of a workplace where exploitation and harassment of workers take place. The exploitation can be in several ways like burdening workers with loads of tasks, overtime work, discrimination on basis of caste, religion, gender, race, etc, payment of least number of wages and many more. A toxic workspace is a predicament in the modern workplace, having horrendous effect on the mental and physical health of workers, productivity levels, and overall job satisfaction. Indian labour laws are instrumental in curbing such harmful conditions by ensuring equal treatment, legal options for redressal, and a healthier work environment. Though numerous legal tools in India deal with various dimensions of workplace misbehaviour, discrimination, harassment, and employee well-being, the ongoing prevalence of poisonous work cultures indicates the shortcomings in their implementation and effectiveness. This research paper discusses the role of Indian labour laws in preventing and regulating poisonous work cultures, with special reference to their implications for employees and organizations.

The research study aims to address what do labour laws in India do about toxic workplaces and provide redressal to the workers who are negatively impacted and how do the laws protect the workers without compromising organizational stability and compliance. To achieve these objectives, this research employs a qualitative research methodology, examining existing legal provisions, judicial rulings, and academic literature to assess the level of legal protection for workers in the context of toxic work environment.

The legislative framework guiding working conditions within India is, at its core, rooted in constitutional guarantees and statute law enactments. Indian Constitution, ensuring a healthy work environment, and enunciating the right to life and dignity. Substantially important judicial precedents have also framed critical pillars for employee rights, notably related to bonded labour and sexual harassment scenarios. Further statutory acts like the Factories Act of 1948,

Equal Remuneration Act of 1976, Occupational Safety, Health, and Working Conditions Code of 2020, and the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act of 2013 work towards creating uniform treatment and workplace safety together.

Despite the presence of these legal protections, workplace toxicity still occurs in so many different forms, including overwork, harassment, pay inequities, and discriminatory treatment. The literature has extensively studied labour law and workplace safety; however, it has generally ignored the insidious effect of toxic organizational cultures on the mental well-being and productivity of workers. This study tries to fill these gaps by exploring the larger socio-legal implications of toxic workplaces and evaluating the effectiveness of India's present labour law in addressing these issues. Through an analysis of the enforcement machinery, institutional response, and policy suggestions, the paper attempts to present a complete picture of the operation of Indian labour laws in dealing with poisonous workplaces. In the process, it attempts to pinpoint the reforms required to promote greater employee protection, promote healthier workplaces, and promote better enforcement of legal standards. Through such analysis, the research hopes to contribute to the discussion on the issue of labour law reforms and promote a more integrated and employee-centric approach towards regulating workplaces in India.

RESEARCH QUESTIONS

1. What is a toxic work environment and how do labour laws address such situation to provide redressal in India?
2. How do labour laws provide protection to workers and the organisation in the toxic work environment in India?

RESEARCH OBJECTIVES

1. To provide explanation about toxic work environment and the role of labour laws in addressing such situation in India.
2. To provide explanation about the role of labour laws in providing protection to the workers and the organisation in a toxic work environment in India.

RESEARCH METHODOLOGY

The research study adopts qualitative research style to analyse the role of labour laws in addressing toxic work environment in India. The research study explores the current Indian legal structure, articles, case laws and books to understand the reasoning behind existence of toxic work environment and role of labour laws in addressing such situations.

LITERATURE REVIEW

1. “Outside the Realm of Protective Labour Legislation: Saga of Unpaid Labour in India¹”

The article provides elaborative explanation about the unorganised economy where plethora of workers are still in the category of unpaid labours. The article also explains how there has been exploitation of women labours in terms of non-payment of their work because of their gender. The article provides esteemed reports of National Commission on Self-Employed Women to validate its claims. Although, the article explores exploitation of unpaid labours it fails to address the situation of toxic work culture faced by workers. The article does not explicitly mention discrimination faced by workers at workplace. The research study fills those gaps and show various aspects of toxic work culture and how workers are affected.

2. “GLOBALIZATION AND LEGAL PROTECTION OF LABOUR IN INDIA²”

The article explains about the impact of globalization on workspace, job creation and legal protection of labours in India. The article delves into the elaborative explanation about legal framework and policies relating to labour protection. The article also explains how globalization has influenced Indian employers to create a safe working space for the employees. The article also advocates for dignified life of labours and its necessity. Although the article provides elaborative explanation about legal protection of labours in terms of overburden of work in India, it fails to address the toxic work culture where

¹ Swaminathan, Padmini. *Outside the Realm of Protective Labour Legislation: Saga of Unpaid Labour in India*. ECONOMIC AND POLITICAL WEEKLY 44, NO. 44, 80–87 (2009): <http://www.jstor.org/stable/25663737>.

² Pandey, Rajendra Prasad. *GLOBALIZATION AND LEGAL PROTECTION OF LABOUR IN INDIA*. THE INDIAN JOURNAL OF POLITICAL SCIENCE 71, NO. 1, 133–44 (2010). <http://www.jstor.org/stable/42748374>.

workers are employed. The research study explains about those aspect with respect to global influence.

3. “Toxic Decision Processes: A Study of Emotion and Organizational Decision Making³”

The article provides elaborative and critical explanation about decision making which takes place in an organisation based on emotions. The article further addresses how decision making in an organisation is influenced by toxic and negative emotions. The article bestows emphasis on behaviour of the decision makers of the organisation and the cause of trigger of negative and toxic emotions of such decision makers. The article shows the importance of a healthy and stress-free state of mind of decision makers to make rational decision. The article on the other hand, fails to explain the same scenario in Indian workspace. The article relies on European and American data. The research study addresses such concerns in Indian workspace context as well.

4. “Identifying TOXIC LEADERSHIP & Building Worker Resilience⁴”

The article explains the impact of toxic leaders have on their respective organisations. The article explains how the toxic leaders divert the organisational goals and create deplorable working conditions. The article also explains how actions of such leaders make it difficult for the workers to perform their respective tasks in such toxic working conditions. The article provides direction for the management to identify the root cause of origin of such toxic leaders and how management should endeavour to eliminate those hurdles. The article heavily relies on observations of U.S. Army and sideline Indian workspace. The research study provides elaborative observations regarding toxic leaders in Indian work environment.

5. “Corporate Culture in India⁵”

The article discusses about the current scenario of corporate culture in India and the toxic

³ Maitlis, Sally, and Hakan Ozcelik. *Toxic Decision Processes: A Study of Emotion and Organizational Decision Making*. ORGANIZATION SCIENCE 15, NO. 4, 375–93 (2004). <http://www.jstor.org/stable/30034744>.

⁴ Winn, Gary L., and Ava C. Dykes. *Identifying TOXIC LEADERSHIP & Building Worker Resilience*. PROFESSIONAL SAFETY 64, NO. 3, 38–45 (2019). <https://www.jstor.org/stable/48689974>.

⁵ Panini, M. N. *Corporate Culture in India*. ECONOMIC AND POLITICAL WEEKLY 23, NO. 35, M86–94. (1988) <http://www.jstor.org/stable/4378958>.

working culture associated with it. The article also discusses how traditional Indian workers are adapting to the western corporate culture. The article explains how Indian workers are discriminated at corporate workspace because of unavailability of information about technological advancements taking place in their respective organisations. The article explores how the sociological impact of such discrimination of workers and their performance. The article only provides information about the corporate offices and not government organisations. The research study provides elaborative explanation about employees' hurdles in government offices as well.

ANALYSIS OF LABOUR LAWS ADDRESSING TOXIC WORK ENVIRONMENT IN INDIA

Labour laws have a pivotal role in safeguarding workers' rights and ensuring a healthy workspace. The laws safeguard the workers from workspace predicament like discrimination, overburden work, mental and physical harassment and deplorable working conditions. There are various Articles in Indian Constitution which safeguard workers' rights and protect them from toxic work environment. There are other relevant laws as well which safeguard workers from a toxic work culture, promote fairness and allow them to work in a positive workspace environment. Below are the various aspects of protection of workers from toxic work environment and rights provided to them at their respective workplace.

BASIC RIGHTS OF THE WORKERS

Indian Constitution protects rights of the workers and provide vigorous framework. As per Article 14 of the Indian Constitution⁶, all workers are equal before the law. Workers cannot be discriminated in terms of getting safe work environment and unfair treatment.

Article 19(1)(g) of the Indian Constitution⁷ bestows right to citizen to practice any kind of profession or get indulge in any sort of legal trade with the compulsion of creation of safe working environment. This provision makes sure that the workers perform their work in a safe work environment.

⁶ INDIA CONST. art. 14

⁷ INDIA CONST. art. 19, §1, cl. g

Article 21 of the Indian Constitution⁸ bestows workers right to life and personal liberty which implicitly provide right of workers to have right to work and safe workspace. The article also protects workers from exploitation and provide them dignified status at workplace. In the case of *Bandhua Mukti Morcha v. Union of India*, 1984⁹, the court held that the right to life amount to right to live with dignity which includes working in a safe workspace without any hazardous circumstances.

PROTECTION OF WORKERS AGAINST HARASSMENT AT WORKSPACE

In the Case of *Vishaka & Ors V State of Rajasthan*, 1997¹⁰ the court laid down several guidelines for the prevention of sexual harassment at workplaces. The landmark judgment proved to be a shield for women employees and established a mechanism for their safety. In *Medha Kotwal Lele v. Union of India*, 2012¹¹, the court mandated for every workspace to implement Vishaka guidelines and posed penalty and rigorous action for not complying the guidelines.

Section 4 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013¹² makes it compulsion for the employers to constitute Internal Complaints Committee which is indulged in the investigation and complaints regulation of sexual harassment at workspace. Section 4¹³ allows women to work in a safe working environment with the surety of their protection against any sort of harassment.

Section 9 of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013¹⁴ allows an aggrieved women by providing procedure to file a complaint to the committee within 3 months of harassment incident and then the further action is taken in form of investigation.

⁸ INDIA CONST. art. 21

⁹ *Bandhua Mukti Morcha v. Union of India*, (1984) 3 SCC 161

¹⁰ AIR 1997 SC 3011

¹¹ *Medha Kotwal Lele v. Union of India* (2012) 1 SCC 367

¹² Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 4, No. 14, Acts of Parliament, 2013 (India).

¹³ *Id.*

¹⁴ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, § 9, No. 14, Acts of Parliament, 2013 (India).

Section 6 of The Occupational Safety, Health, and Working Conditions Code, 2020¹⁵ lays down the responsibility of the employer to create a workspace which is safe from danger that harm the workers. Section 6¹⁶ advocates for safe space for employees and hazardless working conditions without any threat. Safe working conditions create stress free working environment for the workers indulged in comparative dangerous tasks.

Section 23 of The Occupational Safety, Health, and Working Conditions Code, 2020¹⁷ directs guidelines for workers to follow the safety work protocols as per formulated by the central government. The section also covers basic availability of working necessities like cleanliness, clean drinking water, ventilation and washrooms for workers for every gender.

BALANCED WORK AND ADEQUATE PAY

Section 51 of the Factories Act, 1948¹⁸ prohibits all factory workers of 18 years or above age to work more than 48 hours in a week. It is regulated as per the prescribed standard working hours in India. Though, overtime work is allowed with the compulsion of extra monetary benefits in form of compensation.

Section 54 of the Factories Act, 1948¹⁹ sets a limit of 9 hours of work per day. The limit of 9 hours can be extended after obtaining approval from the Chief Inspector to regulate different shifts of work. The limit of per day work protects the workers from cumbersome work.

Section 55 of the Factories Act, 1948²⁰ states that the maximum period of work for an adult shall not exceed 5 hours before interval takes place. The section also provide that the minimum time for interval for the purpose of rest shall be half an hour. The existence of interval rest breaks allow workers to have sufficient leisure which is essential for a healthy mind and body.

Section 59 of the Factories Act, 1948²¹ makes the workers entitled to the extra wages for working more than 9 hours in a day and 48 hours in a week. The calculation of wages is based

¹⁵The Occupational Safety, Health, and Working Conditions Code, § 6, No. 37 of 2020, Acts of Parliament, 2020 (India).

¹⁶ *Id.*

¹⁷ The Occupational Safety, Health, and Working Conditions Code, § 23, No. 37 of 2020, Acts of Parliament, 2020 (India).

¹⁸ The Factories Act, No. 63 of 1948, § 51, Acts of Parliament, 1948 (India).

¹⁹ The Factories Act, No. 63 of 1948, § 54, Acts of Parliament, 1948 (India).

²⁰ The Factories Act, No. 63 of 1948, § 55, Acts of Parliament, 1948 (India).

²¹ The Factories Act, No. 63 of 1948, § 59, Acts of Parliament, 1948 (India).

on the twice the rate of regular wages of the worker. The reward numeration works as not only a source of motivation but also boosts morale of workers due to the appreciation of their respective work.

PROTECTION AGAINST DISCRIMINATION AMONG WORKERS

Section 4 of the Equal Remuneration Act, 1976²² mandates the employers to provide equal payment to both male and female employees for performance of same work. This section prohibits discrimination of remuneration on the basis of gender and averts oppression of women workers. Equal remuneration creates a healthy work environment because it bestows equal status to employees irrespective of the gender.

Section 5 the Equal Remuneration Act, 1976²³ mandates the employers to not discriminate against women in the process of recruitment, job promotion or transfer. The section solidifies the agenda of no discrimination on basis of gender which establishes an organisation a healthy work environment.

FAIR TREATMENT OF WORKERS

Section 9C of the Industrial Disputes Act, 1947²⁴ mandates industries to constitute Grievance Redressal Committees (GRC) to settle dispute arising among employers and workers. It is mandatory for a GRC to have same number of members from employers and workers. GRC settles the disputes which are generally individual matters. Rapid resolution of such matters makes an organisation dispute free which helps it in the long run.

Section 12 of The Code on Wage, 2019²⁵ states that a workers hired on piece work competition basis shall not be paid less than the minimum time-based wage system. This section ensures workers are not exploited by offering them very less or inadequate wages.

Section 18 of The Code on Wage, 2019²⁶ mandates that there shall be no unauthorized deduction of money from the wages of the workers until it has been mentioned under the act

²² The Equal Remuneration Act, No. 25 of 1976, § 4, Acts of Parliament, 1976 (India).

²³ The Equal Remuneration Act, No. 25 of 1976, § 4, Acts of Parliament, 1976 (India).

²⁴ The Industrial Disputes Act, No. 14 of 1947, § 9C, Acts of Parliament, 1947 (India).

²⁵ The Code on Wages, No. 29 of 2019, § 12, Acts of Parliament, 2019 (India).

²⁶ The Code on Wages, No. 29 of 2019, § 18, Acts of Parliament, 2019 (India).

like fines, unavailability of worker at work or damages made to the property of the company. The unnecessary deduction of wages saves workers from exploitation.

CONCLUSION

Labour law is the bedrock of work-place regulation which safeguards employees against noxious work environments while fostering equality and responsibility. This research has analyzed the legal framework in India regarding work-place toxicity, including constitutional provisions, statutory enactments, and milestone judgments which safeguard employees from harassment, discrimination, and exploitation. This research finds that India has come a long way in legislative progress in building a healthier work culture. However, issues of non-enforcement, poor levels of awareness, and age-old work-place prejudices continue to undermine these legislations.

A negative work culture not only impacts individual employees but also has long-term implications on organizational productivity as a whole, economic output, and mental health. The provisions of the Indian Constitution, specifically Articles 14, 19(1)(g), and 21, ensure the basic rights of the workforce by ensuring equality, freedom of profession, and dignity in the workplace. Judicial dicta, specifically in *Vishaka v. State of Rajasthan* and *Bandhua Mukti Morcha v. Union of India*, have also strengthened such protections by making it mandatory to establish grievance redressal forums. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act of 2013 and the Occupational Safety, Health, and Working Conditions Code of 2020 also demonstrate a progressive scheme of law and attempt to ensure a safe and healthy workplace.

Apart from the minimum legal frameworks, the study also focuses on proactive employer policies, effective grievance redressal systems, and a culture of change within an organization. A policy that achieves the correct balance between strict enforcement of the law and corporate accountability is essential in preventing workplace toxicity. Furthermore, workers must be empowered with information regarding their rights as well as access to effective and impartial means of redress. While the current legal environment offers a good platform for dealing with poisoned workplaces, loopholes exist as much in terms of enforcement and inclusivity. Most workplaces, especially in the informal sector, continue to function with utter disregard for these protections. Gender-based discrimination, pay differences, overworking, and ineffective redress mechanisms are also still obstacles to achieving a just work culture. All of this calls for

an integrated approach, with greater policy enforcement, improved workplace inspections, and increased judicial oversight.

In conclusion, Indian labor laws play a critical role in curbing workplace toxicity and upholding workers' dignity. Legislation, however, will not bring about actual change unless it is followed by strict enforcement, employer accountability, and a healthy work culture that prioritizes employee welfare above everything else. Any future lawmaking efforts aimed at reforming the labour laws must be designed to seal loopholes in the current laws, raise employer compliance, and develop a workplace culture that is inclusive and just. It is only through these comprehensive measures that India can pragmatically achieve a workplace culture that is just, productive, and conducive to the welfare of all its workforce.