

Conditions of Service.

34. Weekly hours.

Subject to the provisions of Section 37 of this Act, no worker shall be allowed or required to work at any place of work in the Building and Construction Industry for more than 48 hours in a week.

35. Daily hours.

Subject to the provisions of Section 37 of this Act, no worker shall be allowed or required to work at any place of work in the Building and Construction Industry for more than 8 hours of any day, excluding the day of rest.

36. Interval of rest.

No worker shall work for more than five hours before he has had an interval of rest for at least half an hour.

37. Spread-over.

The periods of work of a worker at any place of work in the Building and Construction Industry shall be so arranged that, inclusive of his intervals for rest, they shall not spread-over for more than 10½ hours in a day.

Provided the Central or the State Board, as the case may be, may, in writing, authorise the fixation of a spread-over for a period not exceeding 12 hours in respect of any particular place of work or class or classes of place of work for good and sufficient reasons to be recorded by the Board.

38. Extra wages for overtime.

1) A worker may be allowed or required to work for period in excess of the limits fixed under Sections 34 & 35 of this Act, if such period does not exceed six hours in any week or two hours on any day.

2) Where a worker in a place of work in the Building and Construction Industry is required to work in excess of the hours of work prescribed under Sections 34 & 35 of this Act, he shall be entitled ~~to~~ in respect of the said excess overtime work to wages at a rate, which shall be double his ordinary rate of wages.

39. Shift working.

1) More than one shift may be worked in any place of work or a part of the place of work in the Building and Construction Industry, in such manner and as per such procedure as may be prescribed.

2) If more than one shift is worked as aforesaid, the workers shall be liable to be periodically transferred from one shift to another, but such transfer shall normally be made after the weekly-holidays.

40. Notice of periods of work for adults.

1) There shall be prominently displayed at any work place in the Building and Construction Industry a notice showing the periods of work, the periods of rest and the total spread-over.

2) A copy of the aforesaid notice shall be sent to the Central or the State Board, as the case may be, and also to the specified Officer and the Inspector for the area concerned.

41. Restriction on Employment of Women.

No woman shall be employed in a place of work in the Building and Construction Industry after 7 p.m. and before 6 a.m., provided, however, for good and sufficient reasons a woman may be employed at such a work-place between 7 p.m. and 10 p.m. with the previous written approval of the Inspector for the area.

42. Hours of work for a Child.

1) No child shall be allowed or required to work at any place of work in the Building and Construction Industry for more than  $4\frac{1}{2}$  hours in a day and 27 hours in a week and no child shall be allowed or required to work after 10 p.m. and before 6 p.m.

2) No child shall be allowed or required to work at any place of work in the Building and Construction Industry,

where dangerous or hazardous operations are being carried out or proposed to be carried out.

43. Adolescent to work as adult.

1) No adolescent shall be permitted to do the work at a place of work in the Building and Construction Industry, which is ordinarily done or required to be done by an adult unless he has been examined by a Doctor specified by the Central or the State Board, as the case may be, and he has been granted a certificate of fitness to do the work of an adult.

2) An adolescent, who has been granted a Certificate of fitness to work as an adult as aforesaid, shall notwithstanding his age, be deemed to be a child for the purposes of this Act.

44. Weekly-Offs.

1) Every worker employed in the Building and Construction Industry shall be granted a paid week-off, after he has worked consecutively for six days.

2) Sunday shall normally be treated as a weekly-off day. Provided, however, if for any reason, it is not possible to treat Sunday as a weekly-off day any other day during the week be so treated, in consultation with the elected representatives of the workmen or the registered trade union, if any, which represents the majority of the workmen employed at a place of work, for all the workers or some of the workers employed at the place of work provided an intimation to that effect is sent to the Inspector of the area concerned.

Explanation:

Where on any day a worker has been prevented from working at a place of work by reason of tempest, fire, rain or other natural causes, that day, if the worker so desires, may be treated as his weekly-off day during that week.

45. Compensatory weekly-off.

If a worker is required to work on a weekly-off day, he shall be given a substituted weekly-off for a whole day on one of the three days immediately before or after the said day.

46. Paid National and Festival Holidays.

1) Paid holidays of all workers in the Building and Construction Industry shall be standardised.

2) Every worker in the Building and Construction Industry shall be allowed in a calendar year three paid National Holidays, viz.

1. 26th January (Republic Day)
2. 15th August (Independence Day)
3. 1st May (Labour Day).

and five paid festival holidays, as may be agreed to between the employer and the elected representatives of the workers at the place of work or the registered Trade Union, if any, which represents the majority of the workmen employed at the place of work, or as may be notified by the Central or the State Board, as the case may be.

47. Compensatory holiday.

If any worker is required to work on a National or Festival Holiday, fixed under Section 46. of this Act, he .

shall be given another paid substituted holiday, within two months from the date on which he has been deprived of the National or Festival holiday.

48. Compensation for loss of weekly-offs, holidays etc.

When a worker is required to work on his normal weekly-off day or any of the National or Festival holidays, he shall be paid for that day at twice his daily rate. In the case of a worker paid on monthly-basis, his daily rate shall be calculated by dividing the monthly rate by 30.

49. Leave.

The leave entitlement of every worker in the Building and Construction Industry shall be standardised, as under:

1) Every worker shall be allowed paid privilege-cum-casual leave of 30 days in a period of twelve months, provided he works for not less than 240 days in the said period.

2) Casual leave will be allowed for unforeseen circumstances, such as personal sickness for not more than 3 days at a time, sickness in the family for not more than three days at a time or for attending religious or social functions not exceeding three days at a time.

3) Leave beyond three days may be treated as extraordinary leave without pay, provided it is sanctioned by the employer.

4) A temporary or casual or 'badli' worker will be entitled to such privilege-cum-casual-leave at the rate of one day for every thirteen days of work.

5) A worker shall be entitled to accumulate his leave upto 90 days and he shall also be entitled to encash

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one-third of his leave, at the time of his actually taking the balance of such leave.

50. Compensation for standardisation of leave and holidays.

If as a result of standardisation of leave and holidays as aforesaid, a worker is prejudicially affected, he <sup>either</sup> shall be/paid adequate monetary compensation or allowed to enjoy the same leave and holiday facilities as he was enjoying before Standardisation.