

National Consultation on

Access to employment in the private sector, equal opportunity and Inclusion policies

India Habitat Centre, 5th September, 2013

Caste is still relevant today; it is the reason for economic, cultural, political and corporate powers that exist in India today. Most of the policies are governed and influenced by these Corporates and economic policies are driven by the interests of the private sector. Therefore looking at the present scenario of the market economy in India, Affirmative actions_ are needed to create equal opportunity and remove discriminations within the sector. Being at the bottom of the caste hierarchy, the former untouchables not only are poorer, they continue to be targets of discrimination, oppression, violence and exclusion. Thus, the affirmative action program in India is targeted at these communities, designed both to bring these groups into the mainstream and also to compensate them for centuries of discrimination.

This consultation helped to address the issue of discrimination and looking at ways to ensure equal opportunities also reach the marginalized or vulnerable communities of India.

Prof S K Thorat, ICSSR Chairperson

Reservation in private sector is still not a reality. Since the new company bill has passed, its mandatory for Companies to spend certain portion around 2 % of the total income under CSR. At present Industries want immediate result. If they provide Rs 1000.00 under CSR, their 1st query is what you will achieve in one day. What would be the visibility part. How will u show that? What are the challenges in private sector? Companies don't want to see the issue of CSR. How we are able to ensure inclusion in the very sector. Inclusion policy in Japan and in last 45 years they have able to overcome all the problems via the private sector.

IIDS has done very good research work on "private sector and inclusion policy" for the marginalized section. It's an extremely important issue. In 2006-7 government introduced some policy under the affirmative action for marginalized for education, self employment, quota in private sector and employability.

How are people educated and where they are employed. Private sectors can provide skill training to Dalits and Tribals to enhance the chances of employability in the market. Employment sectors like manufacturing, agriculture, service sector, private entrepreneur to get an idea where the SCs and STs are concentrated and the others are concentrated. Now we also have Dalit Chambers of Commerce developed with particular approach which promotes Dalits entrepreneurs and ownership of private enterprises among the SCs and what are their problems and the issues.

There is no data on the caste and the social background of the employees in private sector that can show the share of the SCs employees. There is a survey of medium, small and micro enterprise account for almost 65% of private enterprises in the country and they don't have social background of the owners. SC individuals does not have the right to property or land to start a private enterprise or to become an entrepreneur. The existing employment pattern in 2010-11 at an all India level is that in rural area 38 % of the households are engaged in agriculture which is maximum because of the rural area farming is the major occupation and self employed and those engage in non-form around 50 % farmers engaged in Non -farm produce. The employment data of central govt. agency like NSSO (National Sample Survey Organisation) used by Planning Commission of India to formulate policy to generate employment for the country's population.

Working age group population is between 15 to 59. How many have got formal training and how many did not have any kind of training. There is a very sad story if one goes to the Social Groups wise. Rate of unemployment among SCs is just 3.6 %, while the unemployment rate is 5.6 % . Unemployment by level of education in each group is 16% which is very high. In SCs the rate of employment among Graduate and above is 11.44 %

Suggested Point of Action under the Affirmative action-

1. Ensure Education
2. Increase employability as required by market
3. For the purpose of self employment grant credit and provide training
4. Increase the general education and training with technical education.

How does one enhance the access of higher education for SCs and STs. What are the situations and opportunities for SCs and STs in upcoming new job scenario. Skills which are in demand- new areas- in and by private sectors. Looking at the present scenario its out of reach for SCs and STs. Also possible for converting casual labour to salaried labour and also looking at need education and skill development.

Viraf Mehta, Social Anthropologist

The focus should be on the corporate, and right now is in a transition period, the question should be what is the responsibility and what is CSR and entrepreneurship. One can follow the European model and look at the issue of discrimination. What is important is for the communities to work with dignity and respect. Human Rights and business is not yet fully merged together. As per the guidelines only few companies in India have a separate set up and Human rights is not observed by companies which is a serious concern. There has to be a push for human rights and sensitive companies should also look for policy reporting. The good news is that now the guidelines are at government level and there are changes taking place which are positive. Earlier human rights was

never a topic of discussion for companies and CSR. In next 5 years no Indian companies would be kept away from the human rights guidelines and staggering contribution will be on HR in coming next 5 yrs. A Global Voluntary Initiative should also be taken into consideration.

Annie Namala- Director, CSEI

Centre for Social Equity and Inclusion has done micro study in Delhi and Hyderabad looking at budding women entrepreneurs and the inspiration behind young Dalit women. Migrant Dalit families do not find employment in the cities. Many who find space in jobs women who are unmarried and they can build a career within the job market but 12th grade is not enough to get jobs in the private sector and they need even more extra skill to excel in the jobs. Delhi is comparatively worse than Hyderabad in terms of Dalit women education. Another challenge in the private sector is that they don't keep caste wise data of employees as in Delhi they don't want to expose the caste but in Hyderabad its not a matter for them. One of the concerns is that the state has no policy regarding caste discrimination in Public Sector Enterprises. There needs to be an anti caste discrimination mechanism in all industries.

Amitabh Behar- Director, NFI

It's time to confront with the private sector with these issues. The primary idea is of social Justice and social Equality and along with social capital is equally important. Question of livelihood is a very big concern and 95 % workers are in the unorganized sector, how do we ensure the livelihood and opportunities regarding the same. As was the vision of Dr. Ambedkar is that if Social Justice does not percolate down in the arena of economic sphere particularly the land policy is a total failure. Post 1991- economic sphere is completely taken over by the larger corporations and there has be lot of focus on economic policies. But the core that every business should respect and promote Human Rights and support inclusive growth but doesn't include which caste, religion etc.

Mehwash Siddiqui- Empower Pragati

The national skill development corporation is working for the skill development of marginalized and looking at narrowing down discrimination. There has been a lot of development but still we talk about discrimination in this country. We offer skill development training as per the market requirement. Discrimination is not very much visible at the time of recruitment but some invisible things are there which can't be ignored.

Guidelines development through a tripartite Partnership

Case Sharing

A swift change took place in 1965 in the country Japan. There was a response to the growing discrimination and this started as one of the challenges especially in education and Employment. One point of the root cause of discrimination – each company had their own requirement system. Each company has to provide original workplace and the healthy and conducive work environment. These application forms were kept not only in high school but in lower level also. These lists with the details of the employees were circulated around all the companies.

Another outcome of the extensive campaign was the awareness among the company had increased and these companies started to address the issue of discrimination. The partnership for joint action between company and the movement were created. The platform that was created shared all the challenges to address among the Buraku of severe discrimination, what they want, what they care about and to compliment each other and work together. How private Company used to discriminate with the Buraku communities. 1960-70 was the time the state started asking companies to employ people from the Buraku community. To address this problem companies set a kind of mechanism between private sector and the Buraku community. This is very good example of how the private sector and public sector worked together to ensure that the Buraku community people were employed. Measure has been taken up by companies one by one- to address the discrimination. And each company has such mechanism. Every year they employ one person for the position.

CSR Guidelines Development through a tripartite partnership

In the process how to use this guideline, a research institute was established in 1968 in Osaka. Research work in education, discrimination was carried out. All companies are bound to do assessment as per the guidelines. The entire business or company has to follow these guidelines from procurement to the sale of the products. The guideline is used to do self assessment for the companies, individual and the research institute with collaboration with the very institute.

Inclusion Tool

The inclusion tool aims to provide assessment of your company on how inclusive the company is and that it practices no discrimination. It is well known that Indian society is primarily a caste based society and the identity of caste plays an important role in determining one's position in society. Those who occupy higher positions in caste hierarchy tend to discriminate/exclude others who have lower positions in caste system. They are discriminated/excluded in all spheres of life be it in the public or private spheres including markets. This tool is prepared to help companies to

check how inclusive they are for SCs and STs including women from these groups. The tool provides a simple list of questions that all compabues of various sectors can apply.

Uday Kumar,Secretary, MSME

From 2015-16 it will be mandatory for companies for procurements of goods, 20% from SCs and MSME enterprises. This is a land mark legislation on procurement but not disseminated properly among masses to map SCs-STs entrepreneurs. And the things should be taken care off. The Dalit entrepreneurs will have to enhance their expertise.

Amita Joseph, BCF

The global reporting initiative has been around for about 15 yrs. In Indian context being multilingual society such things should have been provided in the simple language to make it more feasible for the marginalized section. Industry certainly needs regulation. Occupational safety at work place- even in big companies is a issue of concern. If one looks at the global scenario- when it comes to the implementation of affirmative action policies, as they are like exemplary companies in their native place but once these companies start in India why such violation takes place. Like-coca cola, nike, adidas, other. Issue of domestic workers, other sectors workers like garment. Tea gardens, close tea gardens, recognize as sunrise industry but the exposure of social identity makes them more vulnerable to be implemented in hazardous work practice. Put tool like this on website in multilingual to make it accessible for everybody. Besides having all the guidelines the question is how the companies are going to take this. We have a 5yr Plan of development but what about the inclusive growth and in particular without inviting SCs how we will achieve this inclusive growth of the country. Whether it's under MSME or any other means. Why we are not able to focus on literacy rate of SCs and STs. Govt. enterprises invite SC but not the Private sector companies. How industry will come forward to ensure the inclusive growth including SCs and STs. What the data base information of SCs and STs entrepreneurs – the reason of not revealing the identity is there is no guarantee to ensure their business will survive after doing so.

In conclusion there these discussions focused on how private sector is making some efforts but it is almost nil as compared to the huge extent of the problem. The unfriendly recruitment policies are a big stumbling block to access of jobs in the private sector. Evolve more SC friendly recruitment policies. Some suggestions that emerged are:

1. The inclusion tool can be used to monitor various companies and is a self assessment and can also be used in developing a closer relationship to the private companies but also ensuring that discrimination is addressed.
2. Online sites for SC youth to access for jobs
3. Develop & Encourage more SC entrepreneurs by providing credit and technical know how

4. Establishing of a platform and SC agencies which can be used by the community to access these jobs.
5. An Anti-discrimination cell in every company