

POLICY BRIEF

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Opening Kerala's Factory Floors to Women



Centre for Public Policy Research

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Opening Kerala's Factory Floors to Women¹

1. The issue in brief

The Factories Act 1948 and the Kerala Factories Rules 1957 barred women from night shifts (7 PM–6 AM) and from work classed as "dangerous". The Occupational Safety, Health and Working Conditions Code 2020 (OSH Code) has replaced the 1948 Act, and Kerala has drafted its own Rules under it (Draft Rules 2021, or DR 2021). The night-shift ban is lifted, but only with heavy conditions on employers, and many "dangerous operation" restrictions on women remain. This brief identifies those gaps and proposes specific amendments.

2. Why it matters

- **Low participation:** Kerala's female work participation is low despite high education: only about 29% of women were employed in 2023–24, against 92% female literacy. This rose to roughly 33% in rural areas and 30% in urban areas by 2025 (PLFS). Manufacturing contributes 13.08% of Kerala's real GSVA (2024–25), and only 16% of women workers are in the secondary sector, the same as the national share. Kerala women work mainly in services (61% in 2025).
- **Courts have spoken:** The Madras High Court (*R Vasantha v Union of India*, 2001) and the Kerala High Court (*Treasa Josfine v State of Kerala*, 2021) held that the State must make it safe for women to work at all hours, rather than shut them out because of their gender.
- **Growth sectors are closed off:** Kerala's emerging and expanding sectors are not uniformly accessible to women. While women are relatively well represented in feminised activities such as food processing and apparel, their representation remains very low in

¹ Condensed brief on the Kerala Draft OSH Rules 2021 · Based on CPR Policy Brief



machinery, basic metals, automobiles, transport equipment and other technical manufacturing. In 2020–21 in Kerala, women accounted for only 8.4% of directly employed workers in machinery and equipment, 9.1% in basic metals, 12.2% in motor vehicles and 4.6% in other transport equipment. Similar barriers are evident in construction, transport and logistics, where worksite conditions, mobility, shift requirements and occupational stereotypes can constrain women's entry into higher-productivity jobs. Chemicals, refined petroleum, rubber and plastics account for 18.82% of Kerala's employment share and are expanding. In refineries, women make up only around 20% of the workforce, mostly in administrative roles.

- **Knock-on effects:** In three-shift factories, the night restriction reduces women's chances of getting even day-shift jobs. CPPR fieldwork found that women's unavailability for night work has pushed promotions towards men.
- **The untapped talent pool:** This gap is not due to a lack of qualified women. In 2026, 99.22% of girls passed the SSLC, and 86.89% passed Plus Two against 68.41% of boys. In higher education, Kerala's female GER is 46.9 against 31.8 for men, and nearly 1.63 lakh women graduated in 2022–23, compared with about 92,000 men (AISHE 2022–23). As of June 2024, Kerala had 464 ITIs, including 16 exclusively for women, plus one women's National Skill Training Institute. Kerala's women-only ITIs trained 2,648, 2,492 and 2,665 women over three years, as of 2022. Women make up 63.89% of registered job seekers in Kerala, showing the scale of educated women who are seeking work but not finding it.
- **Why it matters for investment.** Kerala's large pool of educated, job-ready women is an underused asset in attracting investment. Opening higher-productivity manufacturing and logistics jobs to women would widen the skilled labour pool available to investors. It would also ease the skill shortages often cited for technical sectors and strengthen Kerala's case as an investment destination. Measures such as safe transport, worksite facilities, flexible shift policies and targeted technical training could therefore support both women's employment and the state's investment climate.



3. Key problems in DR 2021

- **Dangerous operations.** The Schedules bar women from 13 categories, including electroplating, battery manufacture, glass, lead, printing, pottery, cashew processing, solvent extraction, pesticides, and coir and fibre. Two categories are new (high-noise manufacturing and chrome processes). The 1957 Rules did not restrict women in high-noise manufacturing at all. Technology has made many of these processes safer; for example, coir factories now use water-based dyes. Yet the restrictions remain.
- **Night-shift conditions.** Rule 44 permits night work only if the employer obtains consent, provides doorstep transport, and meets a range of conditions on staffing ratios, security, dormitories, women supervisors and grievance meetings. Many of these are vague, duplicate existing laws, or are costly enough that employers may simply hire men instead.

5. Recommendations

Area	Current provision in Draft OSH Rules 2021	Recommended change in Draft OSH Rules 2021
Dangerous operations	Women barred from 13 categories in the Schedules	Limit restrictions to pregnant and lactating women and adolescents. Hiring notices should detail the job role and informed consent should be taken at the appointment.
Consent for night shifts	Consent required, with no defined method	Make consent gender-neutral and record it in the appointment letter (Rule 7), revisable after the annual medical examination.
Transport	Doorstep pick-up and drop-off are compulsory.	Providing "adequate" transport. Allow shared or pooled transport and the use of employees' own vehicles.
Sexual harassment	Rules 44(h)–(o) repeat POSH Act provisions	Keep Rule 44(g), which requires POSH Act compliance. Delete 44(h)–(o) to avoid duplicate committees.



Area	Current provision in Draft OSH Rules 2021	Recommended change in Draft OSH Rules 2021
Minimum women per shift	"2 out of 5" ratio, which is unclear and impractical	Require at least three women or one-fourth of night-shift workers, whichever is lower.
Security	"Sufficient" women security, undefined	Require women security personnel and CCTV at entry and exit points.
Accommodation	Dormitory "if required", with no clear trigger	Remove it.
Women supervisors	One-third of supervisors "wherever applicable"	Remove. It is not workable where few women supervisors exist.
Grievance day	Unclear frequency (monthly or every 8 weeks); separate forum	Remove it. Use the common committees under the Industrial Relations Code and the POSH Act.
State OSH Advisory Board	No mandated women members	Require adequate representation of women employers and employees. Rule 12 must include a sub-clause "the Board constituted under Section 17(1) shall contain adequate representation of women from employers and employees in their Composition." Rule 12 must include another sub clause "The Technical Committee and advisory committee constituted must meet atleast once in 6 months to advise the Board to revise the safety guidelines and restricted dangerous activities under Schedules"



5. Conclusion

Kerala excels in women's health and education in India; however, this has not resulted in economic parity. The regulations ought to permit any eligible individual to seek employment in a factory, contingent upon their informed understanding of the associated risks, rather than imposing restrictions on women as a whole. A mere removal of the nighttime prohibition will be insufficient, as the financial burdens of compliance are imposed on employers. The government ought to provide incentives to businesses that employ women and serve as a facilitator and equitable regulator instead of a barrier. The objective should be to establish secure environments for all, devoid of gender-based discrimination.





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