

To  
Secretary to Government,  
Labour Department,  
Vikasa Soudha,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru

**Subject:** Feedback and Recommendations on Karnataka Domestic Workers (Social Security and welfare) Bill, 2025

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We write to you on behalf of the Centre for Labour Studies (“CLS”) at the National Law School of India University, Bengaluru (“NLSIU”), regarding the recently released The Karnataka Domestic Workers (Social Security and welfare) Bill, 2025 on domestic workers by the Karnataka Labour Department. At the outset, we wish to commend the Hon’ble State Government’s proactive engagement with issues concerning domestic workers and their initiative in framing the current bill. A separate legislation for domestic workers will mark a historic breakthrough, and the Karnataka Labour Department’s initiative to draft a Bill and consult stakeholders is laudable.

While we welcome the Karnataka Domestic Workers (Social Security and welfare) Bill (**Karnataka Bill**), we believe that certain labour protections deemed core labour standards by the International Labour Organization (**ILO**), and which have been secured by domestic workers globally, have unfortunately been missed in the current text of the Karnataka Bill. Through this representation, we are presenting both our substantive and procedural concerns to the Karnataka Bill, with the hope that these objections will receive necessary attention from the State Government, and that the Karnataka Bill will be suitably modified.

We also wish to highlight that Karnataka will be among one of the first states in the country to pass a separate legislation on conditions of work of domestic workers in recent years. Therefore, the Karnataka State Government has a significant responsibility to ensure that a well-thought-out and exhaustive legislation, with the best interests of workers at its core, is enacted.

We also look forward to continued engagement with the Labour Department on the Karnataka Bill and stand ready to provide further technical assistance to ensure that the forthcoming law serves as a model for domestic worker protection across the country.

The following are the recommendations of the Centre for Labour Studies on the Karnataka Bill:

Title and Preamble: Title should reflect right to decent conditions of work

We recommend revising the title to read “The Karnataka Domestic Workers (Right to Decent Conditions of Work, Social Security and Welfare) Bill, 2025” to make explicit the rights-based nature of the legislation. The preamble should likewise be amended to commit to safeguarding domestic workers’ working conditions, for example: “A Bill to provide for right to decent condition of work, contributory social security and welfare of domestic workers in the state of Karnataka and for matters connected therewith or incidental thereto.”

Section 2(e): Definition of domestic work should Include a non-exhaustive list of tasks

The definition of “domestic work” should be expanded to include a non-exhaustive list of typical tasks such as brooming, sweeping, washing utensils, cooking, dusting, swabbing, mopping, child care, and elderly care, to reduce uncertainty about the scope of domestic work and capture the range of activities performed by domestic workers. The list will help to clarify the types of tasks commonly understood as domestic work, reducing ambiguity for both workers and employers. At the same time, because it will be non-exhaustive, it will avoid restricting coverage only to listed items.

Section 2(k): Definition of Family should adopt Employees’ State Insurance Act definition

Adopt the definition of “family” from the Employees’ State Insurance Act, 1948 (ESI Act), which is more comprehensive and clearer. Since the Bill envisages the extension of various social security benefits, similar to those provided under the ESI Act, using the ESI Act’s definition of family will ensure consistency in benefit entitlement and administration between regimes.

Section 2(l): Forced Labour: Broaden the definition to include trafficking, bonded labour and non-payment of minimum wages

The current definition of ‘forced labour’ in the Bill is unduly narrow and should be broadened. We recommend amending it to explicitly include instances of trafficking, bonded labour, and situations where workers are paid less than the applicable minimum wages, as stated in the case of *People’s Union of Democratic Rights v Union of India* by the Supreme Court of India.

The revised definition may be as “Forced labour” means compelling a person to offer his/her services as a domestic worker against his/her will and includes trafficking, bonded labour and non-payment of minimum wages.

Section 2 (u): The definition of placement agency must be expanded to include placement agencies that send migrant workers to Karnataka.

The Bill must expand the definition of “service provider” and the Explanation of “Placement Agency” to expressly include placement agencies that recruit or send migrant domestic and care workers to Karnataka. This will ensure accountability for cross-state placement practices and protect migrant workers entering the State. Admittedly, Section 1 of the Bill states that it “applies to recruitment agencies and other service providers including platforms based out of Karnataka and who provides domestic and other care workers within the state.” However, the absence of an explicit reference to out-of-state placement agencies that recruit or send migrant domestic and care workers to Karnataka in the definition of ‘service provider’ leaves space for ambiguity.

Section 2 (z): Definition of wages should be amended to provide clarity on the status of bonus, rent allowance, overtime wages and any other

The definition of wages in Section 2 (z) of the Bill covers “all remuneration which are earned by a domestic worker while on duty or on leave in accordance with the terms and conditions of his/her employment “but does not include any bonus, rent allowance, overtime wages and any other allowance.”

It is understandable that for the purpose of calculating contributions towards the welfare fee, the definition of wages may exclude bonus, rent allowance, overtime, and other similar allowances. However, exclusion of such ‘bonus, rent allowance, overtime, and other similar allowances’ from the definition of wages for the purpose of a complaint of non-payment is inadvisable since this may create a barrier against enforcement of contractually mandated bonus and allowances. Accordingly, it is recommended that the definition of ‘wages’ must include a clause stating that for the purpose of any complaint on non-payment, wages will include all bonus, rent allowance, overtime, and other allowances payable under the terms and conditions of employment.

Section 3: Inclusion of a clause on language in employment agreement

Section 3 of the Bill states that no domestic worker shall be employed without an agreement in writing entered into between the employer and the worker, and that the agreement must follow the minimum labour standards laid down in the model employment agreement that will be prescribed under the rules. While the inclusion of such a provision is very laudable and will go a long way in standardizing the terms and conditions of employment, there is a need for another clause which states that a copy of the employment agreement must also be drafted in a language understood by the domestic worker to ensure meaningful consent and comprehension of terms.

Section 4: Imposing Responsibility on the Employer for Registration of Domestic workers

This provision should be amended to clarify that the responsibility for registering a domestic worker, regardless of whether they are illiterate or migrant, rests also with the employer. The

provision must state that the employer shall ensure that the domestic worker's Unique Identification Number (UIN) is mapped and that the worker is duly registered on the portal, if not already registered.

Additionally, the provision should explicitly state that registration must be facilitated through an app-based digital portal to ensure easy and accessible registration for all workers.

#### Section 6: Registration of employers through an app-based portal

Section 6 which governs registration of employers should be amended to require that the employer be registered through an app-based digital portal.

#### Section 8: Renewal of registration certificates by a domestic worker, etc

The legislative requirement for domestic workers to renew their registration certificate every three years is onerous and may work against their interests.

We recommend instead that only the employer be required to update the worker's employment status every three years, confirming whether the worker continues to be employed at the workplace.

#### Section 9: Intimation about change of employer, employment, place

The legislative requirement for domestic workers to provide information on a change of employer is burdensome. We recommend that this responsibility instead be placed on the employer, who should update the app whenever a worker joins or leaves their service.

#### Sections 10 and 11: Rights of domestic workers

Sections 10 and 11 which seeks to guarantee certain rights at work and regulate working conditions for domestic workers should be completely recast to explicitly enumerate the rights accruing to domestic workers at their workplace. The current provision is vague, confusing, and lacks sufficient detail. We recommend that the following rights be clearly included as entitlements for domestic workers:

- Working Hours: -Live-in working hours must be subject to an 8 hours limit daily, in addition to the 48 hour weekly limit provided in Section 11. Special care must be taken to ensure that live-in workers are not made to work beyond the stipulated hours of work. Any work done by domestic workers beyond the stipulated working hours or tasks as per

the contract must be compensated through payment of overtime wages, which must be double the rate of wages payable under the contract.

- Minimum Wages: -The government must notify both time rate and piece rate wages for domestic workers, with separate rates for live-in workers taking account of the specialized nature of their work. The piece rate must correspond to the standard time taken to complete a task. The wage rates must correspond with the principles laid down by the Supreme Court in the Reptakos Brett judgment taking into account their nutrition, housing, children's education and other needs.

A Technical Committee must be set up to determine the wages to determine wage rates for different tasks like cleaning, cooking, tasks completed during festive days etc keeping in mind the Reptakos Brett principles.

- Right to Annual Bonus: Workers who complete one year of service must be entitled to one month's wages as an annual bonus.
- Wage Security: Every contract must contain a provision for annual increment of wages.
- Provision of Pay Slip: Workers must be compulsorily issued payslips which contain details of wages paid, hours of work. Pay slips must also be uploaded by the employer on the portal/app.
- Notice for Termination: One-month notice must be provided prior to termination or wages in lieu of it, alongside 15 days wage payment.
- Basic Amenities: Workers must be provided with basic amenities including safe drinking water, food, first aid and access to washrooms. Workers must be given access to common areas including lifts, restrooms in apartment complexes.

As far as live-in workers are concerned, rules concerning the quality of accommodation, medical access and other requirements must be provided for in detail in the Rules.

- Social Security: Social security entitlements that workers are entitled to must be explicitly mentioned in the legislation and must not be left to delegated legislation. The social security entitlements for domestic workers must at a minimum cover:
  - Health care coverage including check-ups,
  - Maternity benefit,
  - Accident compensation and Disability benefit

- Provident fund
- Life insurance

## Section 12: Constitution of the Karnataka State Domestic Workers Social Security and Welfare Board

Section 12(3) should be amended to explicitly specify the composition of the Welfare Board within the primary legislation itself. Leaving the constitution of such a critical body to delegated legislation undermines transparency and accountability. While the Bill mentions that the Board shall be a tripartite Board which will consist of equal representations and members from among the officials from the state government, domestic workers' trade unions, domestic workers, employers, service providers including platforms and representatives from resident welfare associations, it does not specify the total number of members of the Board. A minimum quota for domestic worker representatives should be mandated to ensure meaningful participation and representation.

## Section 14: Strengthening the Role of Labour Inspectors

Section 14 currently limits the role of inspectors to conducting inquiries under sub-section 14(2). This is insufficient for ensuring compliance and enforcement. The section must be expanded to include routine and periodic monitoring of employment conditions, verification of employment agreements, inspection of workplaces, and audits of wage and welfare contributions, particularly with respect to service providers.

## Section 15(2): Clarification on ESI Coverage and Overlapping Benefits

Section 15(2) extends Employees' State Insurance (ESI) coverage to domestic workers, including on health coverage, but not limited to maternity benefit. However, other subsections of the same provision also separately provides for maternity/paternity benefits, funeral assistance, and other entitlements already covered under the ESI Act. This creates redundancy and confusion. The legislation must explicitly clarify whether all provisions of the ESI Act apply to domestic workers. If full ESI coverage is intended, separate provisions for overlapping benefits should be removed to avoid duplication and administrative inefficiency.

## Section 17: Contribution towards Social Security

Section 17 of the Bill merely states that the funds towards meeting the expenditure of the social security and welfare provisions of the registered domestic workers in the state of Karnataka shall

be through grants and appropriations made through the annual state budget into the head of account of the Karnataka State Unorganized Workers Social Security Board established under section 6 of The Unorganised Workers Social Security Act, 2008.

The provision creates no binding obligation on the state to allocate any specific amount of funds. The phrase "through grants and appropriations made through the annual state budget" leaves funding entirely discretionary, subject to annual political priorities and fiscal constraints. This creates profound uncertainty for domestic workers who cannot rely on consistent benefits. Workers might register expecting social security protections only to find them unfunded or severely underfunded in practice.

#### Section 18: The Domestic Workers Social Security and Welfare Fund

There is a direct conflict between Section 18(1) and Section 17(1). Section 18 establishes a dedicated fund under the Karnataka Domestic Workers Board's control, while Section 17(1) appears to route funding through a completely different entity, the Karnataka State Unorganized Workers Social Security Board established under a separate 2008 Act. This creates confusion about the entity actually controls the funds, existence of two parallel funding mechanisms and coordination between the two Boards.

Further, the usage of the term 'welfare fee' in the section may give rise to litigation on the contribution to be collected from the employers, service providers and placement agencies. Fee' and 'tax' are two different concepts in tax law. Fee is regarded in taxation law as a payment for a specific, identifiable service or facility rendered by the government to the payer. The essential element is quid pro quo or a direct correlation between the payment and a specific service or benefit received by the individual payer. In this instance, contributions payable by the employers and service providers and placement agencies are not in fee since it is not being provided in exchange for services provided to them. Therefore, the usage of the term 'fee' may be inappropriate. This terminological error ought to be fixed else it may give rise to litigation. Instead, the phrase 'contribution' as used in Employees' State Insurance Act 1948 and Employees' Provident Funds and Miscellaneous Provisions Act 1952 may be more appropriate.

#### Section 22: Grievance Redressal Mechanism and Procedural Safeguards

The legislation currently lacks specificity regarding the types of complaints that may be brought before the grievance redressal committee. These categories must be explicitly defined and should include wage disputes, harassment, denial of leave, unsafe working conditions, and termination without notice. Furthermore, unless rules are framed under Section 22(3), District Committees are not bound by any operational timelines. The Act should mandate time-bound grievance resolution procedures to ensure accountability.

Additionally, the legislation must require that domestic workers receive a dated acknowledgment receipt upon submission of a grievance. This procedural safeguard is essential for transparency and follow-up. Finally, the Act must incorporate a clear appeal mechanism, allowing workers to challenge decisions of the grievance redressal committee before a higher authority such as the State Board or an appellate tribunal.

#### Additional Provision on Occupational and Health Safety Standards

The legislation lacks provisions that extend occupational, safety and health protections (OSH) to domestic workers. ILO lists OSH in its framework of fundamental rights and principles applicable to workers around the world. The legislation must therefore explicitly extend OSH rights to workers, and must at a minimum include:

- Protection from surveillance from intrusive bag and body checks and from apps including the MyGate app and other surveillance technology including CCTVs.
- SoPs and Protocols for addressing violence and harassment for domestic workers must be spelt out including reinvigorating and expanding the number of Local Complaints Committee under the Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 to be able to comprehensively and credibly address grievances related to sexual harassment and gendered violence.
- Safety rules to handle cleaning tools, chemicals, ventilation, hygiene.
- Workmen's Compensation Act 1923 to domestic workers.

#### Additional Provision on Worker Facilitation Centers

- For workers to meaningfully benefit from the legislation and access its full range of entitlements, they will need institutional support that not only disseminates information about the law but also assists them in navigating and securing its benefits. To this end, we propose the establishment of **Worker Facilitation Centres (WFCs)**.
- Given that the Unorganised Workers' Social Security Act already mandates the creation of such centres, the new legislation should build on this obligation and strengthen it by assigning WFCs the following responsibilities:
  - a. Assist workers in registering under the law. Special attention must be paid to registering specially vulnerable groups of domestic workers including migrant workers and live-in workers. Mobile registration camps must be set up in migrant colonies to facilitate registration of migrant workers.
  - b. Assist workers with filing grievances under the law.

- c. Disseminate information to workers on their rights and entitlements under the law.
- d. Provide assistance of domestic workers in enrolling them in social security schemes
- e. Pay special attention to the interests of migrant workers and their needs, including linguistic and cultural support like translation services and legal aid for migrant workers during registration and grievance redressal
- f. Assist in filing criminal complaints with police in cases of forced labour, trafficking etc.

#### Additional Provision against Discrimination at Work

- Given that domestic work has long been framed as “care” and “women’s work,” it has been systematically undervalued and underpaid compared to other forms of labour. It is therefore essential that the legislation recognise the distinct nature of domestic work and explicitly adopt the principle of **equal pay for work of equal value**.
- The law must also incorporate strong non-discrimination provisions, prohibiting bias based on gender, caste, ethnicity, or religion in recruitment, conditions of employment, wage payments, and other aspects of work. Discriminatory practices such as requiring domestic workers to use separate elevators or designated entry and exit points should be expressly outlawed.

In conclusion, while the Karnataka Domestic Workers (Social Security and Welfare) Bill, 2025 represents a landmark step toward recognizing and protecting the rights of domestic workers, it requires further strengthening to align with international labour standards and the lived realities of workers in the state. The recommendations outlined above are intended to ensure that the legislation is comprehensive, enforceable, and capable of delivering meaningful protections. By incorporating these changes, the Bill can move beyond symbolic recognition and become a robust framework that guarantees dignity, fair treatment, and social security for one of the most vulnerable segments of the workforce.

We respectfully urge the Karnataka Labour Department to consider these suggestions in the spirit of collaboration and shared commitment to justice. The enactment of a progressive and well-crafted law will not only set a precedent for other states but also demonstrate Karnataka’s leadership in advancing labour rights in India.

The Centre for Labour Studies at NLSIU remains committed to supporting the Government in this endeavour and stands ready to provide technical assistance, research inputs, and continued

dialogue to ensure that the final legislation truly serves as a model for domestic worker protection across the country.

Regards

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