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WORKER RIGHTS · INDIA

Working in India: Your Rights

What every worker should know, in plain language. No legal jargon.

Read this first — India's labour law was rebuilt on November 21, 2025. Four Labour Codes now govern: the Code on Wages, the Industrial Relations Code, the Code on Social Security, and the Occupational Safety, Health and Working Conditions Code. The 29 older Acts are repealed — but their rules, notifications, and schemes continue where they do not conflict with the Codes, until replaced. So the Codes are the law, and much of the machinery you meet day to day still runs on the saved rules underneath them. This guide is for workers based in India.

General information only — not legal advice.
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The Frame: Four Labour Codes

- The four Labour Codes came into force nationwide on November 21, 2025, rationalising 29 older labour laws. Central Rules under the Codes followed on May 8, 2026. States frame their own rules — as of Parliament's July 2026 answers, most States had finalised or pre-published theirs, and a few were still finalising.
- Code provisions that do not require rules are already in force. Saved rules and schemes under the repealed Acts continue where they are not inconsistent with the Codes.
- Headline changes the Ministry itself announces: an appointment letter is mandatory for every worker; the statutory right to a minimum wage now covers ALL workers, not only scheduled employments; fixed-term employees receive benefits equal to permanent workers; women may work at night and in all types of work, with their consent and with safety measures; and workers above 40 get a free annual health check-up.

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Minimum Wages

- There is no single Indian minimum wage. The Centre sets wages for its own sphere, and each State sets them for most private employment. No floor-wage figure under §9 of the Code on Wages has been notified — so this guide prints no national floor number, and neither should anyone else.
- DELHI — the April 2025 order (Delhi Labour Department order dated April 15, 2025, dearness allowance effective April 1, 2025; the last Delhi revision verified at an official source): unskilled ₹18,456 a month (₹710 a day); semi-skilled ₹20,371 (₹784 a day); skilled ₹22,411 (₹862 a day); clerical and supervisory staff, graduate and above, ₹24,356 (₹937 a day).

Hours, Overtime, and Leave Eligibility

- Working hours are capped within an 8-to-12-hour day and a 48-hour week. Overtime is consent-based and paid at NOT LESS THAN TWICE your normal rate of wages (Code on Wages, §14).
- Annual-leave eligibility now arises after 180 days worked in a calendar year.
- You may hear about a '4-day week.' It is flexibility inside the 48-hour cap — longer days, fewer of them — never a right to a shorter week.

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Getting Paid

- Monthly wages must be paid before the 7th day of the following month — uniformly, for every establishment (Code on Wages, §17). Daily-paid workers are paid at the end of the shift; weekly-paid workers on the last working day of the week.
- If you are dismissed, retrenched, resign, or lose the job to a closure, your wages are due within TWO WORKING DAYS.
- Deductions from wages are limited to authorised heads and capped at 50% of your wages in a wage period (§18).

Provident Fund (EPF)

- In establishments with 20 or more employees, you contribute 12% of your wages (basic pay plus dearness allowance plus retaining allowance) to the Employees' Provident Fund, and your employer contributes another 12% — of which 8.33% goes to your pension (EPS), 3.67% to the EPF — plus 0.5% toward EDLI insurance.
- THE CEILING CHANGED: the wage ceiling for mandatory coverage rose from ₹15,000 to ₹25,000 a month on September 17, 2026. At the new ceiling, that is ₹3,000 a month from you — and from your employer, ₹2,083 to EPS, ₹917 to the EPF, and ₹125 to EDLI.

EPFO's older web pages still show ₹15,000. They are stale. The ceiling is ₹25,000.

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State Insurance (ESI)

- Under Employees' State Insurance, you pay 0.75% of your wages and your employer pays 3.25% — rates in force since July 1, 2019. Workers averaging up to ₹176 a day are exempt from the employee share. Both shares are payable within 15 days of the month's end.
- Under the Codes, ESIC coverage extends across India. It is voluntary for establishments with fewer than 10 employees, and mandatory even for a single employee in hazardous processes.

Gratuity

- After five years of continuous service, you are entitled to gratuity: fifteen days' wages for every completed year of service — or part of a year over six months — at your last drawn wage. The standard computation is: last monthly wages × 15 ÷ 26 × years of service. The five-year condition does not apply on death or disablement.
- Fixed-term employees qualify on a pro-rata basis — framed by the Ministry as gratuity after one year. The operative ceiling is ₹20 lakh.

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Maternity Benefit

- Maternity benefit is 26 weeks at your average daily wage — no more than 8 of those weeks before the expected delivery. A woman with two or more surviving children receives 12 weeks.
- An adopting mother, and a commissioning mother, receive 12 weeks. A crèche is required at establishments with 50 or more employees. Work from home after the benefit period may be agreed where the nature of the work allows.

Bonus

- In establishments with 20 or more employees, a worker who has worked at least 30 days in the accounting year is entitled to a bonus of at least 8.33% of wages (or ₹100, if that is higher) — payable whether or not the employer has an allocable surplus — up to a maximum of 20%.

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Retrenchment and Disputes

- A worker with at least one year of continuous service may be retrenched only with one month's written notice, with reasons, or wages in lieu — plus compensation of 15 days' average pay for every completed year of service, and notice to the Government.
- In establishments with 300 or more workers, lay-off, retrenchment, and closure additionally need the Government's prior permission, and the retrenchment notice there is three months. (The threshold rose from 100 under the old Act.)
- On retrenchment, your employer also credits 15 days of your last-drawn wages to the Worker Re-Skilling Fund for you.
- Every covered establishment must have a Grievance Redressal Committee. After conciliation, you may approach the two-member Industrial Tribunal directly. Workers can raise claims for pending dues up to 3 years back.

Children at Work

- The Child and Adolescent Labour Act stands outside the Codes and remains in force. Employment of children below 14 is prohibited in ALL occupations — with narrow exceptions for helping a family enterprise after school hours or in vacations, and for child artists, under conditions. Adolescents aged 14 to 18 are barred from hazardous occupations and processes.
- Report child labour on the Ministry's PENCIL portal (pencil.gov.in) or on Childline 1098.

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Sexual Harassment (POSH)

- The POSH Act 2013 also stands outside the Codes. Every employer with more than 10 employees must constitute an Internal Committee. Districts maintain Local Committees for smaller workplaces, and for complaints against the employer.
- Complaints may also be filed centrally on the SHe-Box portal (shebox.wcd.gov.in), which routes them to the committee concerned.

If Something Goes Wrong

- Central-sphere workers (railways, mines, central undertakings) file on the SAMADHAN portal (samadhan.labour.gov.in) — industrial disputes and claims for gratuity, minimum wages, maternity benefit, equal remuneration, and payment of wages — online, via the UMANG app, or through Common Service Centres.
- Most private-sector workers go to their State Labour Department or Labour Commissioner. EPF matters go to EPFO and its EPFiGMS grievance portal. ESI matters go to ESIC.

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