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India

Restrictions on Work Hours and Holidays Relaxed for Oil and Gas Mines

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Restrictions on work hours and holidays prescribed under the *Mines Act 1952* ("Mines Act") with respect to persons employed in exploration and production of oil and gas mines ("Eligible Employees"), have been relaxed under a notification, dated June 30, 2014¹ ("Notification") issued by the Indian Government.

The notification exempts employees from the restrictions under sections 28, 30 and 35 of the Mines Act, which prohibit employees from working in a mine more than six days in any one week, more than 48 hours in any week, or more than nine hours (or ten hours inclusive of overtime) on any day, subject to their employer's compliance with certain conditions.

The conditions with which an employer must comply are:

1. the employees should not be deployed for more than twelve hours on any one day;
2. the employees should not be deployed for more than 21 days at a stretch;
3. for every 21 days of work, employees need to be provided a rest interval of the same number of days as the work period("on-and-off work pattern");
4. employees working an 'on-and-off' work pattern be provided with standard accommodation and welfare amenities or facilities at the work site, including free board and lodging, transportation, recreation and medical health facilities, and appropriate hygiene and sanitation;
5. the adoption of the flexible 'on-and-off' work pattern must be agreed to in writing between the workers' and employers' organisations; and
6. Employees working an 'on-and-off' work pattern must be provided with allowances and facilities of at least an equivalent value to the extra wages or overtime which would otherwise have been payable to them under the provisions of the Mines Act and any other applicable legislation or regulations.

¹http://labour.gov.in/upload/uploadfiles/files/latest_update/what_new/53c37f601a8aeGK.pdf