

Important Clarifications On Working Hours O.T. & Shift Working In Factories

(Reference Factories Act & Rajasthan Factories Rules)

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Q. How many working hours can be in a day (including break).

Ans.: Maximum working hours in a day including break can be of 9 hours and 48 hours in a week in routine. Duty hours are to be so arranged that workman get at least 1/2 hour rest after continuous working of 5 hours maximum.

In case of urgent repairs of factory equipments/machinery, your Unit is exempted to get work from workmen to a maximum of 10 hours in a day. This exemption also applies on work performed for attending engines/boilers/generators/electric motors/electrical/mech lifts.

Q. How many hours of O.T. can be performed on any day?

Ans. : All working hours can not be more than 10 hours a day.

Q. How may Hours of O.T. be able to be performed in a week?

Ans. : Total working hours in a week including O.T. shall not be more than 60.

Q. In which situation shall O.T. be performed or is allowed?

Ans. : Only in case of urgent repairs/machinery equipment, without which manufacturing process may come to halt, O.T. can be performed.

Q. How many hours of O.T. can be performed in any Quarter?

Ans. : O.T. will not be more than 50 hours in a Quarter.

Q. What is compensatory off and difference with weekly off?

Ans. : Compensatory off is a holiday given to workman in lieu of weekly off. In case Govt. exempts any unit from Sec. 52, and due to which workman is deprived of his weekly off as directed under Sec. 52, he will be entitled to compensatory off, which has to be given to him within the month in which holidays were due to him or within 2 months immediately after that month.

Q. If any employee has worked on weekly off, when weekly off in lieu of that should be given?

Ans. : Weekly off should be given either preceding or succeeding three days of weekly off. It will be termed as substituted holiday.

Q. If any employee in any department is on leave, can O.T. be performed by other employee in previous shift? If yes, how many hours a day?

Ans. : Only in case of urgent repairs and in continuous process, O.T. can be performed and not otherwise.

Q. What would be called a Quarter?

Ans. : Quarter would mean starting from 1st Jan, 1st April, 1st July and 1st Oct. in a year.

Q. If there is a continuous process and employees are required to work on declared weekly off, would they be given O.T. or weekly off in lieu there of?

Ans. : They would be given compensatory off in such a case and not O.T.

Q. How many Continuous days can a person work?

Ans. : Nine days only. Tenth day would be his off.

Q. In which situation a person be working for 10 days?

Ans. : In case of urgent repairs or management decide in general interest to substitute weekly off by holiday on their request.

Q. How and when can staggered off be given?

Ans. : Staggered off can be given to workmen, when the plant works in shifts and workman work in ABC shifts. Their weekly off will be staggered in such case.

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Chapter VI of Factories Act 1948 & relevant Rajasthan Factories Rules made there under deal with

daily working hours, weekly hours, weekly off, compensatory off, rest interval and spread over etc. As per these rules applicable on the factory:

1. Maximum normal working hours on any day for a worker cannot be more than 9 hours.
2. Maximum normal weekly working hours cannot be more than 48 hours.
3. Workman has to be given at least $\frac{1}{2}$ hour rest after maximum of continuous working of 5 hours.
4. Maximum stay of any worker in the factory cannot be more than ten and half hours including rest intervals.
5. Workman can be required to work on overtime over and above 9 hours to a maximum of 50 hours in a quarter which means workman is allowed to work on overtime for approx. Four Hours extra in a week.

Exemptions Available Under The Act:

1. **Manager, Assistant Manager**, Labour Officer, Welfare Officer, Head of the Deptt. and Assistant., Engineers and Assistant Engineers, Head Storekeeper, Boiler Attendants, Technical Experts, Head Electrician, Forman, Inspectors, Charge-man and Workshop Overseers.

are not covered under the chapter 6 of factories Act., Which means the persons with the these Designations holding the Managerial or Supervisory position are at liberty to work in the factory as Management wish. Overtime provision is also not applicable on them.
2. In case of **urgent repairs** of machinery and plant, workmen are exempted from the provision of weekly hours, daily hours, weekly holiday, spread over and notice of period. Management has to inform the factory Inspector about such work within 24 hours and probable period of duration. Weekly statement of workers involved in such work, worked more than 9 hours or 48 hours in a week has to be submitted to factory Inspector.
3. Workers on **loading unloading** work are exempted from provisions of weekly hours, daily hours, weekly holiday, spread over and notice of period.
4. Work on automatic equipment engaged in **galvanizing, anodizing** and enameling, wire platening, packing hot drop is exempted from provisions of weekly hours, daily hours, weekly holiday, spread over and notice of period. For this kind of work total working hours with O.T. in a week cannot be more than 60 hours. Daily working hours cannot be more than 10 hours with spread over of 12 hours. Quarterly O.T. limit remains same as 50 hours.
5. **Telephone Operators** are exempted from provision of rest intervals.
6. Workers on **Engines/Boilers/Generators/Mill Gearing/Electric Motors/Switch Gear/Department Boilers/Mechanical/ Elec. lifts** are exempted from the provisions of weekly hours, daily hours, weekly holiday, spread over and notice of period. On this kind of work workers are not allowed to work more than 54 hours in a week. At least 2 weekly off should be given in a month. And in case of working on remaining 2 holidays, they will not be allowed to work for more than 6 hours in a day.
7. Work on lighting/ventilating humidifying apparatus, steam of water pipes/pumps is exempted from the provision of weekly hours, daily hours, rest intervals and spread over.
8. On certain **specific grounds** chief Inspector of Factories can grant **exemptions** relating to daily working hours which shall not be more than 12, spread over 13 hours, weekly hours which shall not be 60 including over time and quarterly over time will not exceed

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75 hours. But these exemptions are solely depend on the discretion of the chief Inspector of factory and are rarely granted as exceptional cases for a short period. It cannot be a regular feature in any Industry.

In-Spite Of All Exemptions Available, Under The Rules Following Is The Maximum Limit:

1. Male adult worker cannot be allowed to work for more than 10 hours a day.
2. Spread over will not be more than 12 hours including rest intervals in a day.
3. Above normal working hours O.T. hours cannot be more than 50 in quarter.(quarter start from Jan., April, July, Oct.)

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