

Ordinance Summary

The Industrial Disputes (Himachal Pradesh Amendment) Ordinance, 2020

- The Industrial Disputes (Himachal Pradesh Amendment) Ordinance, 2020 was promulgated on July 6, 2020. The Ordinance amends the Industrial Disputes Act, 1947. The Act provides for investigation and settlement of industrial disputes in the country. It is a central Act which allows for certain state specific amendments to be made by the state government. The Ordinance amends the provisions of the Act related to strikes and retrenchment. Key features of the Ordinance are as follows:
 - **Strikes and lock-outs:** The Act lays down certain restrictions on the workers and employers in public utility services with respect to strikes and lock-outs. For example, the workers must give a two-week notice period to the employer before striking. The Public utility services include: (i) railways, (ii) postal services, (iii) industries supplying power or water to public, (iv) telephone services, among others. The Ordinance extends the same restrictions to non-public utility services.
 - **Compensation:** Under the Act, the employer is required to provide compensation to a worker at the time of his retrenchment. The compensation must be equivalent to fifteen days of the average pay of the worker (for every completed year of continuous service). The Ordinance increases the compensation amount to sixty days of the average pay.
 - **Applicability of certain provisions:** The Act specifies that provisions related to lay off, retrenchment and closure of establishments are not applicable to industrial establishments with less than 100 workers. The Ordinance increases this threshold limit to 200 workers.

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