

## Issues and Vulnerabilities Faced by Women amid COVID-19

Devanshi Sharma

Student of BA LLB (Hons), Seedling School of Law and Governance,  
Jaipur National University, Jaipur, Rajasthan, India

### ABSTRACT

Looking at every prevailing nature of female subordination, it can be clearly summarized that every aspect of life including the Coronavirus lockdown has had a gendered and demeaning impact on woman. UN-Women notes that during the pandemic, women migrant workers being in the position of the only breadwinner and care-taker are at an increased risk of experiencing sexual harassment and violence by family members, co-workers, employers, etc. The National Commission for Women has reported a notable upswing in the number of crimes against women namely of domestic violence, Marital Rape, Sexual Harassment within family, indecency, etc. ever since the lock down has been announced due to the pandemic. Amidst the era of masculinity of endurance and suffering, the power and resilience of migrant women appears to remain unworthy, where they suffered almost everything. The crisis of COVID-19 has driven an increased global awareness, and appreciation, of the vital role that women are playing during the pandemic, yet this does not end-up into improved working conditions for them. Women have covered the same distances and survived the same-yet-different indignities, humiliations and brutalities not only at the hands of police and bureaucrats as well the fellow citizens. The following article critically furnishes the burning difficulties of one of the most vulnerable being of society, i.e., Women, amid the worldwide pandemic.

*How to cite this paper:* Devanshi Sharma "Issues and Vulnerabilities Faced by Women amid COVID-19" Published in International Journal of Trend in Scientific Research and Development (ijtsrd), ISSN: 2456-6470, Volume-6 | Issue-1, December 2021, pp.742-746, URL: [www.ijtsrd.com/papers/ijtsrd47907.pdf](http://www.ijtsrd.com/papers/ijtsrd47907.pdf)



Copyright © 2021 by author(s) and International Journal of Trend in Scientific Research and Development Journal. This is an Open Access article distributed under the terms of the Creative Commons Attribution License (CC BY 4.0) (<http://creativecommons.org/licenses/by/4.0>)



### INTRODUCTION

The COVID-19 pandemic has dramatically reformed the societies and labour markets. In a matter of weeks, severe constraints on mobility were imposed via border and business closures, by way of lockdowns, quarantines and movement restrictions<sup>2</sup>. The pandemic and subsequent restrictions upon movement have acutely exposed the front-line nature of work carried out by migrant workers, by exposing the ways in which economic, social and structural inequalities impact upon some groups of workers and migrants more than others. Gender is one of such distinguishing factor. The impacts and implications of the COVID-19 were different upon men and women and have created greater inequalities for people who are in vulnerable positions, such as migrants.

The media was flooded with the news and the print media reported many articles regarding the migrant workers on the road. The workers and the migrants were on a seemingly endless journey mostly on foot, pushed by hunger, unemployment and homelessness and with a ray of hope that a home is waiting for them at the end of it, and amid this struggle, the news reports reported the unfortunate deaths and accidents of some of these migrant workers. The migrants being the essential service providers went through the traumatizing experience, and here, needless to say, migrant women workers belong to the even lower echelons when it comes to the visibility of their trauma. The lack of hygiene and sanitation, hungry children and toddlers latching on to their exhausted bodies not forgetting the fact that some of them were pregnant, suffering the menstrual pains– become a problem of higher magnitude for women migrant workers on the road than men. To be a woman who embarked on a journey back home on one of those 40

<sup>2</sup> By 22 April 2020, 68 per cent of all workers lived in countries with recommended or required workplace closures (ILO, 2020a)

'lost' Shramik trains where the toilets must not have been cleaned for over weeks, is beyond our imagination<sup>3</sup>. It is not like this gendered, classed and casteist silences and invisibilities are just the result of pandemic, these exist very prominently in the usual discourse of life but in the face of such humanitarian crisis that the COVID-19 led to in India, these differences came up quite evidently.

### SEEN, YET UNSEEN

Migrating women workers as a whole remain in the shadows of the dominant sector and vulnerable conditions. The women workers in the organized sectors have some basic rights at least on paper, whereas the women in the unorganized sector remains unregulated by even by the labour laws. For instance, most paid domestic work is performed mostly by migrant women. Then finally the 'returning home' is also a gendered experience – men are welcomed but women, especially of younger age group are viewed with suspicion because of patriarchy and caste-based oppressive codes of honor. Some of the very regular social inequities are as discussed below:

#### Domestic Violence

Gender-based violence during the time pandemic only exacerbates the tensions with reference to security, money and health conditions. Within the locked doors and confined spaces living conditions for certain families are not healthy and therefore, lead to violence against the vulnerable members of the household. So many women are stuck with their perpetrators, who are none other than their husbands and the family members, in the lockdowns imposed and helpline numbers have a limited scope due to restrictions on relocation or mobility. The instances of domestic violence against women and young girls have increased with a drastic number, across the world but more specifically in India<sup>4</sup>.

Communities which have a trend to take alcohol, lack of access to alcohol leads to violence due to withdrawal symptoms like frustration and aggression. In single-income households where the women are sole breadwinners, are now unable to get the money, even when employers are empathetic and paying. That lack of money leads to more violence. Then there are senior women facing domestic violence and because the immunity is compromised and getting out of the house is not an option. Even the households

<sup>3</sup> "Migrant Women Workers On The Road: Largely Invisible And Already Forgotten" Posted by Nisha Thapliyal; Feminism in India; 26<sup>th</sup> June, 2020

<sup>4</sup> "Covid-19 Pandemic & The Socio-Economic & Political Impact On Women" Posted by Kanksshi Agarwal and Anjali G Sharma; Feminism in India; 29<sup>th</sup> April, 2020

where there were no signs of violence, has a chance of converting into emotional and physical abuse in such circumstances are high. New cases of violence are being reported within the different sectors of work, which are being predisposed to violence, and the same have marked a recognizing increase. Work from home due to lockdown has not proved a success for many people, and further lead to mental health issues.

#### Unpaid Care and Unequal Share in Domestic Responsibilities

Over the past few years, India has witnessed a considerable decline in its female labour force participation. From 31.2 percent in 2011-12, the number stood at 23.3 percent in 2017-18<sup>5</sup>. Besides, 90% of the total population of the women labour is engaged in low-paying jobs, in the informal sector in a country like India, without adequate coverage through labour legislations and access to social protection.

The ongoing pandemic has made conditions even worse as it has unreasonably affected the women workers, depriving them of access to social protection and decent work.

Recently, according to that Ministry of Labour and Employment carried out labour reforms for simplifying the provisions of 44 labour legislations into four codes.

According to a recent survey, it was estimated that 51.9 percent women were engaged as self-employed workers, 31.7 percent were helpers in households, and 27.9 percent were engaged in casual labour. In urban areas, 34.7 percent women were self employed, 23.7 percent engaged in own account work, and 13.1 percent working as casual labour<sup>6</sup>.

By taking a closer look at the migrant women of the urban economy based on estimates derived from the PLFS reflected that women in urban areas are mostly engaged in community, social and personal services, manufacturing and trade, hotels and transport and communication which are also the worst hit areas of occupation due to the pandemic.

By tolerating emotionally detached husbands, women are shouldering more than their share in this pandemic. They are not only taking care of the family but also earning for them. The time which might seem unproductive and non-functional to the world is most exhaustive for women in households. The weight of the underpaid industry of house-helps, for instance, nannies, cooks, housekeepers, teachers/tutors, who

<sup>5</sup> According to the National Sample Survey Office

<sup>6</sup> Periodic Labour Force Survey (PLFS) 2017-18

are now out-of-work, have automatically geared towards women.

### Inadequate Awareness

According to the Census of 2011, around 45 million migrant workers out of which 7 million were women migrant workers have migrated for work, employment, or business. Since most of these workers are generally excluded from the contributory social insurance schemes, either by lack of education or by lack of awareness, the loss of livelihood during the COVID-19 has further pushed them to poverty and misery. On 7 April, 2020 it was estimated that in India, 400 million workers in the informal economy are at the risk of falling deeper into poverty during the crisis<sup>7</sup>.

According to a delivery app<sup>8</sup>, pregnancy kits, condoms, contraceptives, and sanitary napkins were the top four products being ordered and delivered during the period of lockdown. The division of class paints a darker picture for the women who do not even have the awareness, means and knowledge to access these services, and under normal circumstances would have been taken the helps provided by government.

However, the persisting fear of lockdown norms and catching viruses in the hospital have kept many of them away from accessing these services. In many households, products of women menstrual are not even thought as the essential supplies. For instance, the beautiful relief packages were given in Kerala, but sanitary pads were not available as part of the relief package.

### Economic Regression

According to a calculated estimate, COVID-19 could cause 25 million jobs to be lost globally, with women migrant workers particularly vulnerable.<sup>9</sup> Due to the pandemic, 8.5 million women migrant workers indulged in domestic work are on insecure contracts are with a 100% risk facing income loss and much greater risks of abuse and exploitation of all kinds, particularly those who cannot return home owing to travel bans and border controls.

Compared to men, women usually earn less, are able to save barely and are mostly engaged in contractual, temporary, unorganized and insecure jobs as per the availability of jobs in the market offered to them. In

<sup>7</sup> The International Labour Organization Monitor: COVID-19 and the World of Work

<sup>8</sup> DUNZO: an Indian company that provides delivery services

<sup>9</sup> International Labour Organization: Almost 25 million jobs could be lost worldwide as a result of COVID-19, says ILO, 18 March 2020.

the post-pandemic world, women are predicted to be comprising of a major-share in lay-offs by corporations. Women getting back to work after the unlock happen to face an impact because of the cut in jobs and budgets, a shift in employer's attitude and inclination towards hiring a male employee due to obvious reasons of ROI<sup>10</sup>.

Many cases where the women have decided not to take the WFH<sup>11</sup> option as, because the entire domestic burden of domestic work is on their shoulders happen to be seen. They are not in the position to opt for such an option. A tendency of women was to be seen where they were dropping out of work and then facing issues in up-skilling to get back to work. There were instances where women continued to work from home. There are no such confirmed statistical data, but there are reasons to believe that there will be a greater impact on women in such a situation. The Migrant Workers Convention, 1975<sup>12</sup>, states that migrant workers, who have resided legally in the territory for the purpose of employment, shall not be regarded as being in irregular situation for the mere fact that they have lost their employment (as in the case of the economic impact of the COVID-19).

### Differently-Abled Migrant Women

When a prominent disability rights advocate, Anita Ghai made a point while saying that "*the heterogeneity of disability is often ignored in terms of governance and policymaking.*"

Again the women who are differently-abled form one of the most vulnerable sections in society. And to understand the struggle of these differently-abled migrant women in India we better take a close look at the political economy and their social deprivation or the treatment they get from society.

Differently-abled migrant women face the larger disproportionate brunt of lockdown. Apart from the migration crisis, women also become 'Invisible Victims of Sexual Violence'<sup>13</sup>. Violence can range from physical violence, the threat of abandonment, verbal abuse, and so on. Even though several sexual harassment reforms have been amended and still in process to get the amendment on paper, their lack of enforcement has prevented women from easy access to justice in some way or the other.

It was noted by a migrant worker that to even read Braille signage they need to constantly touch things which will therefore put them in the place of high risk

<sup>10</sup> Return on Investments

<sup>11</sup> Work from Home

<sup>12</sup> Supplementary Provisions

<sup>13</sup> The Human Rights Watch

for contracting the virus, and hence unlike most of us, differently-abled migrant women cannot work virtually and earn for them or their families. As there is a dearth of information focusing on these differently-abled women migrants, their grievances are not even considered by mainstream media, so it is hard to expect any rapid change in government policy or amendments to the existing acts.

Though there are policies existing, but there are loopholes regarding their implementation. The political economy of disability needs the attention to be understood. By taking a look upon perspective of the government seems to be that if they invest in infrastructure for persons with disability, there would be no monetary returns.

The government, therefore, need to create an effective door to door delivery mechanisms of essential items for the people who are differently-abled. Now that the nation is through the phases of unlocks and the restrictions in most of the states have been removed, the government must take all the necessary steps to make sure that people get back on their feet and are provided with essentials.

After going through the above contentions, the question which arises and upon which even the government relies that there are labour reforms for such labours to protect and simplify their lives. Also recently, the Ministry of Labour and Employment carried out labour reforms for simplifying the provisions of 44 labour legislations into four codes. But again,

### Can Labour Reforms Help?

The OSH Code, 2019<sup>14</sup> seeks to regulate health and safety conditions of workers in establishments with 10 or more workers. And hence, it leaves behind many migrant workers, particularly indulged in domestic helps, home-based workers, and self-employed women workers, whose employment does not fall within the ambit of the establishment.

Although the code has immense potential for protecting the rights of migrant workers, there are even significant gaps that are need to be addressed. Like for instance, the chapter on migrant workers has been merged with that of contract workers. But the same have not proved to be beneficial for most of them.

<sup>14</sup> Occupational Safety, Health and Working Conditions Code, 2019 proposed to make it a must for every employer to ensure that a workplace is free from hazards which cause or are likely to cause injury or occupational disease to employees.

While presenting its report on 11 February 2020, the Standing Committee of Parliament on Labour informed the government about the gaps in the code, justifying the need for having a separate chapter on migrant workers.

And again with regard to women workers, the code does not have any special provisions. For instance, there's a lot of vagueness with regard to provision of crèche facilities, as it is considered to be the liability of the employer, and despite the Maternity Benefit Amendment Act, 2017 whose provisions mandates the establishment of crèches for organizations with 50 employees. It was pointed out by the Standing Committee that in case of small-scale industries, providing the facility of crèches is expensive for them, and so the government needs to step in.

So now it's the time when the code is to be revisited, particularly in the context of the pandemic and its impact on women migrant workers. The scope has automatically widened for expanding the definition of the occupational disease, and including all the biological hazards caused by viruses and other harmful bacteria that affect people adversely while they are at work as proposed by international labour standards.

The code needs to be more gender sensitive – it needs to protect the rights of women migrant workers who are facing loss of income, loss of residence, psychological distress, and almost every other vulnerability and are deeply affected by the crisis.<sup>15</sup>

“Safe City” initiatives to make city spaces safe and inclusive have been started by NGOs like Jagori<sup>16</sup>, and are being undertaken by the government across the major urban centers of the nation. The specific experiences of migrant women in the city across the intersections of geographies and occupations need to be integrated by more of these and similar initiatives.

### CONCLUSION

This article was an attempt to steer the gaze towards migrating women in question in the wake of the COVID 19 situation.

One set of women are the wives while the other one is accompanist, the cooks, the cleaners, and the co-workers in construction sites or family units working in brick-kilns the piece-rate worker are at the lowest rung of a global supply chain, in an overwhelmingly male phenomenon of mobility. There were pregnant migrant women who were forced to give births on

<sup>15</sup> “Can Labour Reforms Help Women Migrant Workers during COVID-19” by Dr. Ellina Samantroy; The Quint; 5<sup>th</sup> June, 2020

<sup>16</sup> Supported by UN WOMEN

highways and who were solely relying on cloth and ash to deal with their menstrual cycles without any medical aid and essential healthcare mechanisms. Giving birth to a child while the mother is malnourished and dehydrated was a risk many women took. These are women who were still captured in the camera lens as walking with their husbands and children. However, the single women migrants while being a ubiquitous part of our daily existence were completely invisible from the gaze of media<sup>17</sup>.

Solidarity initiatives were local, and mostly spontaneous. The much reviled NGOs, independent groups and associations, and localized political forces came forward to help the people in need. Gender-responsive transport policies also had the far-reaching implications for migrant women. While working towards a larger goal of making public transport inclusive and safe, intermediate steps were included, designated as 'women's-only' transport for migrant women who are willing to return were to be considered. And no Labour Law or any amendment in any of the acts would be fruitful until and unless it will help those women or mostly those vulnerable sections of the society which is usually ignored and for whom the change has been brought.

#### REFERENCES:

- [1] "Not Just the Media, Organized Politics Too Failed India's Migrant Workers" by Ranabir Samaddar; The Wire; 1<sup>st</sup> July, 2020.
- [2] Guidance Note on "Addressing the Impacts of the COVID-19 Pandemic on Women Migrant Workers"; UN Women; 18<sup>th</sup> September, 2020
- [3] "A Long Look at Exactly Why and How India failed its Migrant Workers", by Jawhar Sircar; The Wire; 29<sup>th</sup> May, 2020
- [4] "Can Labour Reforms Help Women Migrant Workers during COVID-19" by Dr. Ellina Samantroy; The Quint; 5<sup>th</sup> June, 2020
- [5] "Why don't we see the Women? The Untold story of COVID-19 Migration" by Ipshita Sapra; The Indian Express; 25<sup>th</sup> April, 2020
- [6] "Migrant Women Workers On The Road: Largely Invisible And Already Forgotten" Posted by Nisha Thapliyal; Feminism in India; 26<sup>th</sup> June, 2020
- [7] "Covid-19 Pandemic & The Socio-Economic & Political Impact On Women" Posted by

<sup>17</sup> "Why don't we see the Women? The Untold story of COVID-19 Migration" by Ipshita Sapra; The Indian Express; 25<sup>th</sup> April, 2020