

India streamlines labor laws; however, business bills grow

“India’s new labor architecture is not just a compliance reform, it is a long-term bet on human capital, formalization, and productivity” – MOFSL.

- On 21st Nov’25, the Govt. of India (GoI) implemented four Labor Codes — Codes on Wages, Industrial Relations, Social Security, and Occupational Safety, Health and Working Conditions (OSHC), replacing 29 legacy labor laws. This is the most sweeping labor reform. However, these reforms come with higher costs for IT/ITES, QSR, tech, textiles, MSMEs, and electronics and semiconductor firms that have higher contractual positions. While the companies would incur higher wage costs, increased social protection could support worker loyalty and reduce churn, improving operational stability.
- **Benefits:**
- **Workers:**
 - A national floor wage ensures that no one falls below a basic standard, while mandatory appointment letters bring clarity and fairness to employment.
 - Gig and platform workers, long operating in legal limbo, now enter the formal economy with access to provident funds, maternity benefits, and more.
 - Fixed-term employees, too, get a major boost – they now become eligible for gratuity after just one year, rather than five.
 - On the safety front, uniform health checks, safety committees, and formal registers help create workplaces that are not just productive but humane.
- **Businesses:**
 - **Simplicity:** A single registration, a single license, a single electronic return –streamlined compliance.
 - **Flexibility:** With the layoff-approval threshold raised from 100 to 300 workers, firms can adapt more nimbly to market cycles.
- **Inclusivity:**
 - Migrant laborers, platform workers, and informal-sector employees now have a safety net; women gain the right to work night shifts (with safety protections), and pay parity is more clearly enforced.
- **Global Impact (cross-country comparison detailed on page 5):**
 - Clarity and predictability of a unified labor regime make India far more compelling for foreign investors.
 - Combined with formal social protections, the reform strengthens India’s “China + 1” proposition in global supply chains.
 - In an ESG-conscious world, these labor reforms help elevate India’s “S” credentials — making Indian firms more attractive to global capital sensitive to social governance.
- **Risks:**
 - Trade unions have sounded the alarm: several have called the reform “anti-labor,” citing worries over easier retrenchment and diluted bargaining power. Simply put, union discontent could spark industrial tensions.
 - Small firms may struggle with the cost of social security and safety compliance.
 - State governments will need to notify detailed rules quickly or risk patchy adoption.
 - Fiscal costs might increase for the government for the Social Security Fund. The Union Budget 2026 could emphasize skilling/reskilling funds and reskilling for retrenched workers.
- **Outlook:** The enforcement of India’s four Labor Codes marks a historic leap in labor governance. It has various positive structural implications:
 - (1) Enhanced consumption potential from formalization.
 - (2) Higher productivity across sectors with improved social security standards.
 - (3) Elevated attractiveness for both domestic and international capital.
- However, the real test lies in implementation. The way states operationalize rules, how MSMEs absorb compliance costs, and how the social security fund scales will determine the magnitude of the long-term gains.
- For sectors such as IT/ITES, QSR, tech, textiles, MSMEs, electronics and semiconductor firms that have higher contractual positions, the wage cost will increase due to changes in salary structure, health requirements, and compliance.

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Key reforms and their economic implications

- We summarize below the most important dimensions of the new labor codes and assess their impact.

Exhibit 1: New labor codes and their implications

Codes	Major reforms	Economic implications
Code on Wages (2019)	<ul style="list-style-type: none"> ❖ Unified definition of “wages” ❖ National floor wage ❖ Timely payment and non-discrimination ❖ Overtime paid at double rate 	<ul style="list-style-type: none"> ❖ Cost pressure: A broader wage definition likely raises PF, gratuity, and social security costs. ❖ Consumption boost: Formal sector workers are better off; more predictable income may support consumption. ❖ Formalization: Universal minimum wages and electronic payments reduce informality.
Industrial Relations Code (2020)	<ul style="list-style-type: none"> ❖ Higher layoff/retrenchment threshold (from 100 to 300 workers) ❖ Legal recognition of fixed-term employment ❖ Digital dispute resolution and standing orders ❖ Strike definition and notice requirements. 	<ul style="list-style-type: none"> ❖ Greater flexibility for firms: Easier workforce restructuring may encourage investment in labor-intensive sectors. ❖ Trade-off: Less restrictive IR may undermine union bargaining power; risk of more precarious employment if fixed-term contracts proliferate. ❖ Efficiency: Streamlined resolution could reduce time lost in industrial disputes, boosting productivity.
Code on Social Security (2020)	<ul style="list-style-type: none"> ❖ Social security extended to gig, platform, and unorganized workers ❖ National Social Security Fund ❖ Gratuity eligibility is reduced to one year ❖ Portability of benefits 	<ul style="list-style-type: none"> ❖ Inclusion & equity: Huge expansion of coverage; gig workers join formal safety nets. ❖ Fiscal implications: Implementation will require fund commitments and potential demands on public budgets. Long-term stability: A more secure workforce may lower turnover, boosting institutional productivity.
OSHC Code (2020)	<ul style="list-style-type: none"> ❖ Consolidates 13 existing safety and welfare laws ❖ Single license, single registration, single return ❖ Safety committees, migrant worker protections, and night-shift rules for women 	<ul style="list-style-type: none"> ❖ Compliance simplification: Reduced bureaucratic burden encourages formal compliance. ❖ Improved safety: Better working conditions may lower accidents and health costs. ❖ Employer cost: Upfront investments in compliance and safety infrastructure, especially in MSMEs and hazardous sectors.

Source: PIB, MOFSL

A comparison of the labor ecosystem, before and after the implementation of the Labor Codes:

Exhibit 2: Macro changes

	Pre-labor reforms	Post-labor reforms
Formalization of employment	❖ No mandatory appointment letters	❖ Mandatory appointment letters to all workers. ❖ Written proof will ensure transparency, job security, and fixed employment.
Social security coverage	❖ Limited Social Security Coverage	❖ Under the Code on Social Security, 2020, all workers, including the gig and platform workers , will receive social security coverage. ❖ All workers will get PF, ESIC, insurance, and other social security benefits.
Minimum wages	❖ Minimum wages applied only to scheduled industries/employments; large sections of workers remained uncovered	❖ Under the Code on Wages, 2019, all workers would receive a statutory minimum wage payment . ❖ Minimum wages and timely payment will ensure financial security.
Preventive healthcare	❖ No legal requirement for employers to provide free annual health check-ups to workers	❖ Employers must provide all workers above the age of 40 with a free annual health check-up . ❖ Promote a timely preventive healthcare culture.
Timely wages	❖ No mandatory compliance for employers' payment of wages	❖ It is mandatory for employers to provide timely wages . ❖ Ensuring financial stability, reducing work stress, and boosting the overall morale of the workers.
Women's workforce participation	❖ Women's employment in night shifts and certain occupations was restricted	❖ Women are permitted to work at night and in all types of work across all establishments, subject to their consent and required safety measures. ❖ Women will get equal opportunities to earn higher incomes in high-paying job roles.
ESIC coverage	❖ ESIC coverage was limited to notified areas and specific industries; establishments with fewer than 10 employees were generally excluded, and hazardous-process units did not have uniform mandatory ESIC coverage across India	❖ ESIC coverage and benefits are extended pan-India – voluntary for establishments with less than 10 employees while they are mandatory for establishments with even one employee engaged in hazardous processes. ❖ Social protection coverage will be expanded to all workers.
Compliance burden	❖ Multiple registrations, licenses, and returns across various labor laws	❖ Single registration, pan-India single license, and single return . ❖ Simplified processes and reduction in compliance burden.

Source: PIB

Sectoral and competitive implications

Manufacturing- and labor-intensive industries

- The higher layoff threshold (300) gives firms more leeway in staffing, which may boost investment in labor-intensive sectors (textiles, apparel, MSMEs, etc.).
- With formalization, wage costs will rise, but labor productivity may also increase via safer working environments and lower turnover.

Gig economy and platforms

- Formal recognition under the social security code is a landmark. Gig and platform workers (e.g., delivery, ride-sharing) now qualify for provident fund, gratuity, and other benefits.
- While platforms incur higher costs, increased social protection could support worker loyalty and reduce churn, improving operational stability.

Infrastructure/Construction/Hazardous sectors

- OSHWC mandates safety standards, migrant worker protections, and registers working conditions, raising the bar for construction, mining, and other high-risk industries.
- The single license/return system lowers compliance complexity, but the capex for safety equipment may rise.

Services/IT/Media

- All workers must receive formal appointment letters.
- Extended protections (e.g., maternity, health checks, etc.) may raise HR costs but also improve employer brand and retention.

Social & labor market implications

- **Welfare enhancement:** Coverage of social security for unorganized and gig workers significantly improves economic security for vulnerable segments.
- **Gender equity:** Women can now work night shifts (with consent and safety), and equal pay for equal work is codified.
- **Formalization:** One registration, one return, and digital inspections reduce informality and friction.
- **Worker rights vs. flexibility:** While workers gain formal protections, trade unions have raised concerns. Some argue the codes weaken strike rights and embolden hire-and-fire.
- **Health & safety:** Mandatory medical checkups, compensation mechanisms, and standardized OSH practices could reduce workplace illness and injury.

Union Budget 2026 and policy outlook

From a **Union Budget 2026** lens, several implications emerge, such as:

- **Higher social spending:** The Social Security Code's expansion will likely require fiscal outlays — funding for the Social Security Fund and employer incentives for compliance, particularly in high-informal sectors.
- **Incentives for MSMEs:** The government may announce targeted support (e.g., tax credits, matching contributions) to help MSMEs absorb the cost of compliance.
- **Skilling push:** With fixed-term employment and portability, Budget 2026 could emphasize skilling/reskilling funds, reskilling for retrenched workers, and wage-linked incentives.
- **Productivity link:** The reform supports the “Make in India” and “Atmanirbhar Bharat” agendas — more flexible labor markets, safer workplaces, and formal employment can make India more attractive in global value chains.

- **Regulatory support:** The Union Budget may allocate funds for digital infrastructure (e.g., portals, compliance systems) and state capacity building, since states also need to operationalize the codes.

Global comparison: how India measures up

- To assess how transformative this reform is, we compare India's new labor architecture with key global economies.

Exhibit 3: Cross-country labor code comparison

Dimension	India (New Codes)		Germany	United States		
Social security coverage	❖	Extended to gig, platform, and unorganized workers	❖	Very high (healthcare, pension, unemployment)	❖	More fragmented; gig workers often lack benefits
Minimum wage	❖	National floor wage; timely payment enforced	❖	€12.82/hour (recent update)	❖	No federal minimum wage increase recently; state variation
Industrial relations	❖	Easier layoffs (approval threshold raised to 300), fixed-term jobs, and digital dispute resolution	❖	Strong worker participation via works councils; co-determination model	❖	Flexible labor market, but fewer statutory protections; unions are less centralized
Worker safety & OSH	❖	Unified OSH code across sectors; single license/return; migrant & contract worker protections	❖	Robust health and safety laws with strong enforcement via joint bodies; EU-aligned standards	❖	OSHA (federal), but variation across states; enforcement challenges in small firms

Source: Trade Flock, Ministry of Labour & Employment, Worklaw® Network, King Stubb & Kasiva, Media Articles, MOFSL

Interpretation:

- **India's reforms bring it closer to the comprehensiveness of European labor systems** (e.g., Germany), particularly in social security and safety, though without the same level of union co-determination.
- **Compared to the US, India is moving in the opposite direction of deregulation: instead of reducing protections**, it is broadening social security, formalization, and safety, while maintaining flexibility for employers.

Risks and challenges

While transformative, the reforms carry execution risks:

- **State-level implementation:** Although central codes are in force, state rules need to be notified to operationalize many provisions. (
- **Compliance burden:** Smaller firms (especially MSMEs) may struggle with compliance costs, audits, safety infrastructure, and social security contributions.
- **Union backlash:** Labor unions have already voiced strong opposition, citing erosion of rights (e.g., strike limitations, hire-fire flexibility). The risks of industrial action or legal challenges remain.
- **Fiscal strain:** The social security fund and associated benefits could stretch public finances, especially if uptake is high and contribution flows are weak.
- **Monitoring and enforcement:** Effectiveness will depend on inspector capacity, digital infrastructure, and the balance between guidance and punitive enforcement.

Implications for India's competitiveness landscape

- **FDI and global supply chains:** The simplification and predictability of labor regulation boost India's attractiveness for foreign investors. A unified licensing/registration system (pan-India) lowers regulatory friction for multinationals.
- **'China + 1' play:** With labor reforms in place, India strengthens its case as a viable alternative to China for manufacturing. Safer working conditions, social security, and a formal workforce make it more credible in global value chains.
- **Domestic capital markets:** Indian companies, particularly in manufacturing, infrastructure, and gig-based sectors, may see higher costs. But if these reforms are perceived as enhancing long-term stability and productivity, it would be positive for markets over the medium term.
- **Social stability and human capital:** Broader protections can reduce worker grievances and turnover, improve skills, and contribute to a more resilient, future-ready workforce.
- **Sustainability credentials:** A modern labor code bolsters India's "S" credentials— making its companies more attractive to ESG-conscious investors.

Our view

The enforcement of India's four Labour Codes marks a historic leap in labor governance. It has various positive structural implications:

- Enhanced consumption potential from formalization.
- Higher productivity across sectors with improved social security standards.
- Elevated attractiveness for both domestic and international capital.

However, the real test lies in implementation.

The way states operationalize rules, how MSMEs absorb compliance costs, and how the social security fund scales will determine the magnitude of the long-term gains.

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Registration details of group entities.: Motilal Oswal Financial Services Ltd. (MOFSL): INZ000158836 (BSE/NSE/MCX/NCDEX); CDSL and NSDL: IN-DP-16-2015; Research Analyst: INH000000412 . AMFI: ARN : 146822. IRDA Corporate Agent – CA0579. Motilal Oswal Financial Services Ltd. is a distributor of Mutual Funds, PMS, Fixed Deposit, Insurance, Bond, NCDs and IPO products.

Customer having any query/feedback/ clarification may write to query@motilaloswal.com. In case of grievances for any of the services rendered by Motilal Oswal Financial Services Limited (MOFSL) write to grievances@motilaloswal.com, for DP to dp@grievances@motilaloswal.com.