RAILWAY SERVANTS (HOURS OF WORK & PERIOD OF REST)RULES,2005

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RAILWAY SERVANTS(HOURS OF EMPLOYMENT) RULES' 1961 have been amended by introducing RAILWAY SERVANTS(HOURS OF WORK & PERIOD OF REST) RULES 2005 by the notification (GSR NO.75)dt. 28.02.05 in exercise of powers conferred by section 136 of the Railway Act'1989(24 of 1989)

These rules may be called the RAILWAY SERVANTS (HOURS OF WORK & PERIOD OF REST) RULES'2005.

It shall come in to force from the date of publication In the gazette i.e . dt. 28.02.2005

AIMS & OBJECT

* To regulate the hours of employment

* To regulate the period of rest

* To regulate the payment of overtime for extra hours performed beyond hours of employment

APPLICATION OF RULE

This rule applies to all non gazetted Employees working in the railways except the followings

A. RPF staff

B. Staff governed under Factory act, Indian shipping corporation act,Mining act.

C. Casual labours governed under Minimum Wages act.

CLASSIFICATION OF STAFF

* INTENSIVE (I)

* ESSENTIALLY INTERMITTENT (EI)

* CONTINUOUS (C)

* EXCLUDED (EX)

DEFINITIONS

(1) HOURS OF EMPLOYMENT

Means period during employment consisting of—

Period of action

period of inaction

Period of handing over & taking over of charge

Contd...

(2) PERIOD OF INTERVAL

Period between spells of duties during which employee can leave duty place.

(3)FULL NIGHT—Period between 10.00 PM to 6.00 AM

(4) NIGHT DUTY– Duty between 10.00 PM to 6.00 AM

(5)ROSTER-

Means a document which shows the hours that Rly. Servant is expected to be on duty everyday, daily as well as weekly rest & break between spells of duty in day besides other particulars.

(6) LONG ON

- Means period of duty over
- # 8 hours in Intensive roster
- # 10 hours in Continuous roster
- # 12 hours in EI roster

SHORT OFF

Means period of rest which is—

1. In the case of Intensive worker

A. Less than 12 hours in a roster of 6 hour duty.

B. Less than 14 hours in a mixed roster of six and 8 hrs. duty.

2. Less than 10 hours in the case of continuous worker.

3. Less than 8 hours in the case of EI worker

SUSTAINED ATTENTION :

This implies mental effort, when a Railway servant is called upon to display high levels of concentration and or physical activity.

For example , a Pointsman waiting for the arrival of a train after setting points is required to give sustained attention . Similarly a SM/ASM is required to pay sustained attention from the time of line clear till the arrival of the train etc.

SPLIT DUTY :

It means duty in two or more spells with intervening breaks each of half or more hour necessitated by exigencies of work and when the employee is free to leave his place of duty. Intervals for rest and Meals shall not be breaks for the purpose of split-duty

COMPETENT AUTHORITY FOR CLASSIFICATION OF EMPLOYMENT

* PRESCRIBED AUTHORITY

- The powers to declare the employment of railway servant as INTENSIVE, ESSENTIALLY INTERMITTENT or CONTINUOUS are vested with the Head of Railway Administration. He can delegate the power to CPO.

- APPEAL AGAINST CLASSIFICATION LIES TO RLC WITH IN 90 DAYS OF DECLARATION AND THEN SECRETARY TO GOVT. OF INDIA IN THE MINISTRY OF LABOUR

HOURS OF WORK IN DIFFERENT CLASSIFICATIONS

1. INTENSIVE (I)

(A) NATURE OF WORK :-

STRENUOUS NATURE OF WORK INVOLVING CONTINUOUS MENTAL OR PHYSICAL ATTENTION WITH LITTLE OR NO PERIOD OF RELAXATION.

(B) PERIOD OF IN-ACTION:-

(I) DO NOT AGGREGATE ONE HOUR OR MORE IN A SHIFT OF 8 HOURS. OR

(II) DO NOT AGGREGATE 6 HOURS OR MORE IN A CYCLIC ROSTER OF 24 HOURS.

(C) WEEKLY ROSTERED HOURS – 42 HOURS

(D) STATUTORY LIMIT – 45 HOURS

(E) HOURS OF WEEKLY REST-30 HOURS

2. ESSENTIALLY INTERMITTENT (E.I)

(A) NATURE OF WORK :-

PRESENCE AT DUTY PLACE IS ESSENTIAL BUT IT IS NOT NECESSARY THAT WORKER PERFORMS OR DISPLAYS ANY PHYSICAL ACTIVITY OR SUSTAINED ATTENTION

(B) PERIOD OF IN-ACTION:-

AGGREGATE 6 HOURS OR MORE DURING 12 HOURS DUTY INCLUDING ONE PERIOD OF ONE HOUR OR 2 PERIODS OF HALF AN HOUR OF INACTION.

(C) WEEKLY ROSTERED HOURS –

(A) STAFF WHO ARE POSTED ON ROAD SIDE STATIONS AND PROVIDED WITH HOUSING FACILITIES WITHIN 0.5 KM- 72 HOURS OTHERWISE 60 HOURS.

(B) STAFF WHO ARE POSTED OTHER THAN ROAD SIDE STATION-60 HOURS

(D) STATUTORY LIMIT – 75 HOURS

(E) HOURS OF WEEKLY REST :- 24 HOURS INCLUDING " NIGHT IN BED"

3. CONTINUOUS (C)

(A) NATURE OF WORK

NOT SO BUSY LIKE "INTENSIVE" WORKER AND NOT SO RELAXED LIKE " EI" WORKER– AVERAGE WORK LOAD

(B) PERIOD OF INACTION :-

NOT MORE THAN 2 HOURS DURING 8 HOURS DUTY.

(C) WEEKLY ROSTERED HOURS

– 48 HOURS

- 40 HOURS FOR MINISTERIAL STAFF WORKING IN ADMINISTRATIVE OFFICES OR BIG UNITS

(D) STATUTORY LIMIT- 54 HOURS.

(E) HOURS OF WEEKLY REST – 30 HOURS

4. EXCLUDED (EX)

EXCLUDED IS THE CATEGORY FOR WHICH NO PROVISIONS HAVE BEEN MADE IN RESPECT OF " HOURS OF EMPLOYMENT", PERIOD OF WEEKLY REST AND PAYMENT OF OVER TIME ALLOWANCE

THE FOLLOWING STAFF COME UNDER EXCLUDED CATG.

(1) ALL SUPERVISORS

(2) STENOGRAPHERS, CA/PA

(3) CIPHER OPERATOR

(4) MATRONS, SISTER-IN-CHARGE, MIDWIVES, LADY HEALTH VISITORS , F. P. FIELD WORKERS, NURSES CUM MIDVIVES

(5)PROJECTIONISTS

(6) RAIWLAY SCHOOL TEACHERS

(7)INSTRUCTORS WORKING IN TRAINING CENTRES

STANDARD DUTY HOURS FOR VARIOUS CLASSIFICATION

Classification	R/Hrs.	P&C	S/Hrs.	Rest	Aver.Period
INTENSIVE	42	3	45	30 Hrs	14 days
ESSENTIALLY INTERMITENT	60 72	4.5 3	64.5 75	24 Hrs Incl. Full night	07 days
CONTINUOUS	48	6	54	30	14 days
EXCLUDED	-	-	-	48/24	

Principle of Averaging and Payment of Overtime Allowance

Principle of Averaging :

The hourly rate of OT will be worked out on the basis of rostered hours over the period of averaging. The period of averaging will be: two weeks in the case of workers in the intensive, and continuous classification and one week in the case of EI workers.

The principle of Averaging will apply to the following categories.

a) Running Staff,
b) Operating Staff,
c) Shift workers &
d) those whose work is connected with the work of above three categories.

Payment of Overtime:

Where Railway servant is required to render extra hours of duty beyond the rostered hours, he shall be paid overtime for such extra hours of work.

- For excess hours of work rendered by a Railway Servant beyond rostered hours upto statutory hours payment of OT shall be made at one and half times the ordinary rate of pay.
- For excess hours rendered beyond statutory hours, Payment of OT shall be made at twice the ordinary rate of pay.

CALCULATION OF OVERTIME:

The hourly rate of overtime shall be worked out on the basis of rostered hours over the relevant averaging period as under.

(i) Hourly rate of Pay (for staff governed by Averaging Principle	Period of averaging No. of rostered hours of work in the averaging period	X	1/30 of monthly ordinary rate of pay.
(ii) Hourly rate of pay (for those not governed by Averaging Principle)	No. of daily rostered Hours of work	X	1/30 of monthly ordinary rate of pay

Periodical rest

(1) R.S. who belongs to intensive or Continuous category shall be granted every week commencing on a Sunday, Rest of not less than 30 consecutive hours and whose employment is EI, shall be granted rest of not less than 24 hrs. consecutive hours including a full night.

(2) No R. S. classified as "I" "C" or E.I shall be called on duty unless he has had a rest of not less than 12,10,8, consecutive hours respectively through the Rest givers.

(3) Locomotive/Traffic Rg staff shall be granted each month a rest of at least five periods of not less than 22 hrs. or a rest of at least four period of not less than 30 hrs. including full night. The hours of shall be calculated from "signing on" to "signing of".

(4) The locomotive and traffic running staff shall not normally be away from Hqtrs. For three or four days at a stretch and the periodic rest for such staff shall be given at Hqtrs. which shall include a night in bed, and as far as possible be once in every 10 days.

Compensatory period of the Rest

No Railway Servant in respect of whom in exemption has been made under rule 9 shall be require to work for more than fourteen days without a period of rest and shall be provided with compensatory rest within this period.

DUTY HOURS OF LOCO AND TRAFFIC RUNNING STAFF

(1) The running duty should not ordinarily exceed ten hours at a stretch

(2) Such staff is entitled to claim rest after performing 12hrs of duty provided they have given 2 hrs notice to the controller.

(3) The duty at a stretch should be computed from actual departure of the train for purpose computing duty of 10 or 12 hrs.

(4) For the purpose of overtime payment ' the hours of work shall be calculated from "Signing on" to Signing off"

(5) Night duty should not normally be performed by R.G. Staff For more than 6 night at a stretch.

Rest to loco and Traffic Running Staff.

1 Rest at Head quarters

a) For running duty of less than 8 hrs….12 hrs..

b) For running duty of 8 hrs. or more…. 16 hrs..

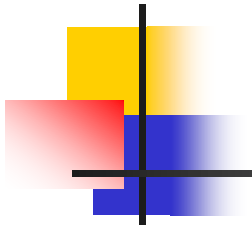
Note: R.G. staff shall not be called upon to go out before availing 6 hrs. rest unless it is absolutely necessary in the case of accidents and breakdowns.

Rest to loco and Traffic Running Staff.

(2) Rest of Out stations:

For running duty of 8 hrs or more …8hrs.

(3) The interval between short trips shall be treated as duty, it is equal to or less than one hour plus time allowed for train or engine attendance after the trip and before the trip.



THANK YOU