

GENDER DISCRIMINATION



EMPLOYEE LEGAL RIGHTS EQUALITY. DIGNITY. JUSTICE.

Gender discrimination is any unequal or unfair treatment of employees based on sex or gender identity — in recruitment, wages, employment conditions, benefits, or workplace safety. Under India's consolidated Labour Codes (2019–2020, effective 2026), it is treated as both a **violation of equality** and a **statutory employment rights breach**, exposing employers to liability and entitling employees to reinstatement, compensation and escalation before labour courts or tribunals.

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EQUAL RIGHTS
EQUAL OPPORTUNITIES
EQUAL FUTURE
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LEGAL FRAMEWORK



Code on Wages, 2019 – prohibits discrimination in hiring and mandates equal pay for equal work regardless of gender.



Industrial Relations Code, 2020 – treats retaliatory termination or adverse action against employees raising gender-based grievances as wrongful dismissal.



Social Security Code, 2020 – safeguards maternity benefits and ensures equal access to social security schemes without bias.



Occupational Safety, Health and Working Conditions Code, 2020 – obligates employers to provide a safe, dignified workplace free from harassment, aligning with the POSH Act, 2013.



LEGAL REMEDIES



Reinstatement and back wages – Labour Courts/Industrial Tribunals can order reinstatement with back wages and continuity of service for discriminatory termination.



Compensation and damages – for wage loss, mental distress, and career harm, including punitive damages for willful or malicious discrimination.



Equal pay enforcement – claiming wage parity and recovering arrears under the Code on Wages, 2019.



Maternity and social security protection – reinstatement, benefits, and damages under the Social Security Code, 2020 for women denied maternity benefits or dismissed due to pregnancy.



Workplace safety and harassment remedies – escalation under the OSH Code, 2020 and POSH Act, 2013, with ICC powers to recommend compensation, transfer, or termination of the harasser.



Regulatory escalation – complaints before the Labour Commissioner, State Labour Department, or Industrial Tribunals, with writ jurisdiction before High Courts under Articles 14, 15, 16, and 21.



HOW WE CAN HELP



Legal advisory – guidance on rights under the Labour Codes and POSH Act.



Complaint filing – drafting and submitting complaints to ICC, Labour Commissioner, or Tribunals.



Representation before labour courts and regulatory bodies.



Equal pay and benefits – claims for wage parity, arrears, and maternity benefits.



Workplace safety – support in harassment cases and ensuring safe work conditions.



Litigation and remedies – pursuing reinstatement, compensation, and damages.



Negotiated settlements – securing fair outcomes without prolonged disputes.



Awareness training – educating employees on rights and compliance safeguards.



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This pamphlet is for general informational purposes only and does not constitute legal advice. Please consult with our team for guidance specific to your circumstances.

