

Marginal workers in tamilnadu

Introduction:

Who Are the Marginal Workers? José Castro, an undocumented immigrant from Mexico, worked in a plastics factory in south Los Angeles from May 1988 to early 1989. In fact, “José Castro” is probably not his real name, but that was the name on the birth certificate he used in order to obtain employment at Hoffman Plastic Compounds, Inc.¹ Three years earlier, in 1986, the U.S. Congress passed an amnesty program for undocumented immigrants, and for the first time outlawed the hiring of unauthorized workers.

Nevertheless , Castro found employment relatively easily, although he did have assistance from a friend who helped him fill out the paperwork to get a job with Hoffman.² Castro was also helped by the de-unionization of the manufacturing industry in Southern California that put immigrant labor in much greater demand.³ Castro’s story would be unexceptional in many urban areas over the last 40 years had it not been for the fact that he became involved in organizing a union, resulting in an unfair labor practice case that went to the U.S. Supreme Court. After being laid off by Hoffman for supporting the United Steelworkers Union, Castro and the union sought redress from the National Labor Relations Board (NLRB), the federal agency dedicated to protecting the right of all employees to form unions and bargain collectively . The NLRB decided to prosecute Castro’s case as a retaliatory firing in violation of the federal law protecting the right to join unions, the National Labor Relations Act of 1935 (NLRA). The Hoffman case sits at the intersection of immigration and labor law. After the case worked its way through the administrative and court systems , the U.S. Supreme Court was to decide whether Castro, indisputably an “employee” within the broad definition of that term

under the NLRA, nonetheless should be denied the statutory remedies because of his unauthorized immigration status. Although he was an employee owed protection under the statute (because the definition of “employee” in the NLRA does not distinguish between documented and undocumented workers), the Supreme Court held in a 5-4 decision that Castro nevertheless was not entitled to the standard NLRB remedy of back pay because granting the remedy would “unduly trench upon the federal immigration policy of preventing unauthorized employment.”⁴ The Court rejected the NLRB’s argument that denying back pay would actually encourage employers to hire undocumented workers because the cost of violating workers’ rights would be so low it would offset the small risk of fines being brought by the government to enforce immigration law. In 2002, for example, the federal government prosecuted only 25 criminal cases against employers for hiring undocumented workers.⁵ As Justice Stephen Breyer wrote in a dissenting opinion for three other justices, employers will hire illegal labor with “a wink and a nod” and then get off “scot-free” when they violate “every labor law under the sun.”⁶ The Court, in an opinion by the late Chief Justice William Rehnquist, replied that the employer does not get off scot-free—the employer is still subject to contempt proceedings if it engages in similar conduct again, and must post a notice to employees promising compliance with the law.⁷ Castro was caught in the margins of two different statutes, and his story is emblematic of marginal workers. In the chapters that follow, there are more examples of the ways in which courts have construed bodies of statutory law against the interests of workers. These cases raise a basic question about the efficacy of protective labor legislation, and whether or not a different approach to workers’ rights needs to be emphasized. I will pursue that question, and find common threads in

recent efforts to put fundamental workers' rights above the political processes of statutory change. Here, I describe how statutory protections have failed to protect many workers besides undocumented workers, typically through judicial misconstruction . The weakness of labor law remedies for all employees has been documented in labor law scholarship.⁸ I recount the stories of workers whose protection is compromised by clashing statutory objectives. Castro, for example, was caught between a protective labor law statute that protects employees regardless of their immigration status, and immigration law which requires authorization to work in the United States. The fact that Castro was undocumented further marginalizes him, since undocumented workers are less...

Problem definition:



The project involves analyzing the demographic characteristics of marginal workers in Tamil Nadu based on their age, industrial category, and sex. The objective is to perform a socioeconomic analysis and create visualizations to represent the distribution of marginal workers across different categories. This project includes defining objectives, designing the analysis approach, selecting appropriate visualization types, and performing the analysis using Python and data visualization libraries.



Designing and thinking:

Project Objectives: Define objectives such as analyzing marginal worker demographics, understanding age and gender distribution, and exploring industrial categories.

Analysis Approach: Plan the steps to extract, clean, and analyze the dataset to derive insights.

Visualization Selection: Determine suitable visualization types (e.g., bar charts, pie charts, heatmaps) to represent demographic distributions effectively.

Dataset Link: <https://tn.data.gov.in/catalog/marginal-workers-classified-age-industrial-category-and-sex-census-2011-india-and-states>

Main Workers			Marginal Workers		
M	F	P	M	F	I
b	/	8	9	10	
615742	2413	102244	6013	95598	
29637	2880	7110	172	5370	
5816	862	9723		8840	
6550	869	12314		11634	
7623	614	13490		13010	
7158	90	11774		11404	
7217	574	11736		11540	
1238	2320	19487	857	630	

Framing Workers' Rights The Legal and Theoretical Underpinnings for the Protection of Marginal Workers:

Framing Workers' Rights The Legal and Theoretical Underpinnings for the Protection of Marginal Workers To many, the proposition seems uncontroversial: "workers' rights are human rights." To others, and not just those who favor business interests over workers, this proposition is subject to debate. While this question may not preoccupy workers who are just trying to get by, the larger questions about the source of rights at work have preoccupied scholars and also the leaders of the labor movement. Even though people have worked since the beginning of time, legal protections for workers are an innovation of the twentieth century. While there may be few who debate the humanity of workers, the issue of "rights" in the workplace has often engendered debate. And the debate about rights is not limited to the workplace area. A focus on rights to protect marginalized people has been a subject of discussion in legal scholarship since at least the 1960s. In 1973, political scientist Stuart Scheingold explored the "myth of rights" in his study of public interest lawyers. He called the myth of rights "the idea held by some activist lawyers that rights can provide salvation for dispossessed peoples." Mark Tushnet critiqued the myth of rights in 1984 in "An Essay on Rights." He called rights talk "probably unhelpful, and possibly harmful " to the cause of justice.¹ From a different political perspective, Mary Ann Glendon in 1991 decried the impoverishment of political discourse in her book *Rights Talk*.² Glendon points out that the language of rights has sometimes worked to undermine collective rights. "[I]n labor law," she writes, "where Congress firmly committed the nation in the 1930s to *Framing Workers' Rights* 15 a policy of promoting employee organizational activity and protecting collective bargaining, court decisions have elevated individual rights to erode that policy. Judicial adroitness in

applying the constitutional principles of liberty and equality is rarely matched by a corresponding skill in implementing the congressionally endorsed principle of solidarity.”³ Glendon is not alone in questioning whether the emphasis on individual rights has affected the interest of workers to organize for their own interests. Indeed, the U.S. Supreme Court has in numerous cases privileged so-called individual rights at the expense of collective solidarity.⁴ Labor law scholars have recently had occasion to debate the place of human rights talk in protecting workers, particularly with the increase in human rights litigation and advocacy in service of worker rights.⁵ Skeptics of “rights dialogue” argue that rights can be disempowering at a time when more solidarity is needed.⁶ At the same time, human rights advocates argue that a new rights dialogue is necessary to better protect workers’ rights.⁷ In this chapter, I will look at the framing of workers’ rights, and why it matters for the protection of marginal workers.

Connections between Workers’ Rights and Constitutional Rights

There is a historic connection between workers’ rights and constitutional rights and liberties. Civil liberties are fundamental to the functioning of a democratic society. These include freedom of speech and freedom of association. Courts have held that these rights are fundamental, which basically means they can only be abridged when the government shows a compelling reason for doing so. Civil liberties were essential to the forming labor movement. Some of the earliest cases granting First Amendment protection, such as the 1939 Supreme Court decision in *Hague v. CIO*, arise in the context of labor organizing. Though the First Amendment freedoms of speech and assembly apply only to actions by federal and state governments, employers’ repression of the right to organize has relied upon the cooperation of police forces, such as in the historical cases in West Virginia, Ludlow, Colorado, and the general strike in San Francisco in 1934. This

sympiotic relationship has led some to question whether the complicity between employers and state law enforcement may indeed give rise to a constitutional claim.⁸ There is only one part of the Constitution that applies to both public and private employment. The Thirteenth Amendment prohibits slav- 16 Framing Workers' Rights ery or involuntary servitude whether it is carried out in the private or public sectors. A growing body of scholarship argues that the Thirteenth Amendment can be a powerful basis for the right to organize and bargain collectively. James Pope has explicated the Thirteenth Amendment as an alternative to the Commerce Clause, as a constitutional basis for legislating protection of union organizing.⁹ Pope shows that basing the NLRA...

	% Reserve forest to total forest	% Forest to geographical area	% Villages with forest to total village	% Population of villages with forest to total population	% Rural population to total population	% Marginal workers to total population	% Non-workers to total population	Change in forest area (1997-1999)	% Change per year
% Area of plantation area to total forest	0.2781	- 0.8101**	- 0.4685*	- 0.5583**	- 0.4330*	0.4510*	0.3996*	0.2182	0.2540
% Reserve forest to total forest		- 0.0936	- 0.0416	- 0.1188	- 0.0542	- 0.0739	- 0.1142	0.1095	- 0.0506
% Forest to geographical area			0.7077**	0.6924**	0.3404	- 0.6492**	- 0.3969*	- 0.3540	- 0.4314*
% Villages with forest to total village				0.8539**	0.1445	- 0.7203**	- 0.4437*	- 0.2710	- 0.4073*
% Population of villages with forest to total population					0.4050*	- 0.6842**	- 0.4558*	- 0.1968	- 0.3621
% Rural population to total population						- 0.1615	- 0.0712	- 0.0452	- 0.1169
% Marginal workers to total population							0.2314	0.2998	0.4330*
% Non-workers to total population								- 0.0940	0.1696
Change in forest area (1997-1999)									0.8942**

Notes: * significant at $p < 0.05$; ** significant at $p < 0.01$

Python program for Marginal workers in tamilnadu:

```
import pandas as pd
```

```
# Read the dataset from the URL
```

```
url = "https://tn.data.gov.in/catalog/marginal-workers-classified-age-industrial-category-and-***-census-2011-india-and-states?"
```

```
dataset = pd.read_csv(url)
```

```
# Display the first few rows of the dataset
```

```
print(dataset.head())
```

```
# Perform some basic operations on the dataset
```

```
total_rows = len(dataset)
```

```
total_columns = len(dataset.columns)
```

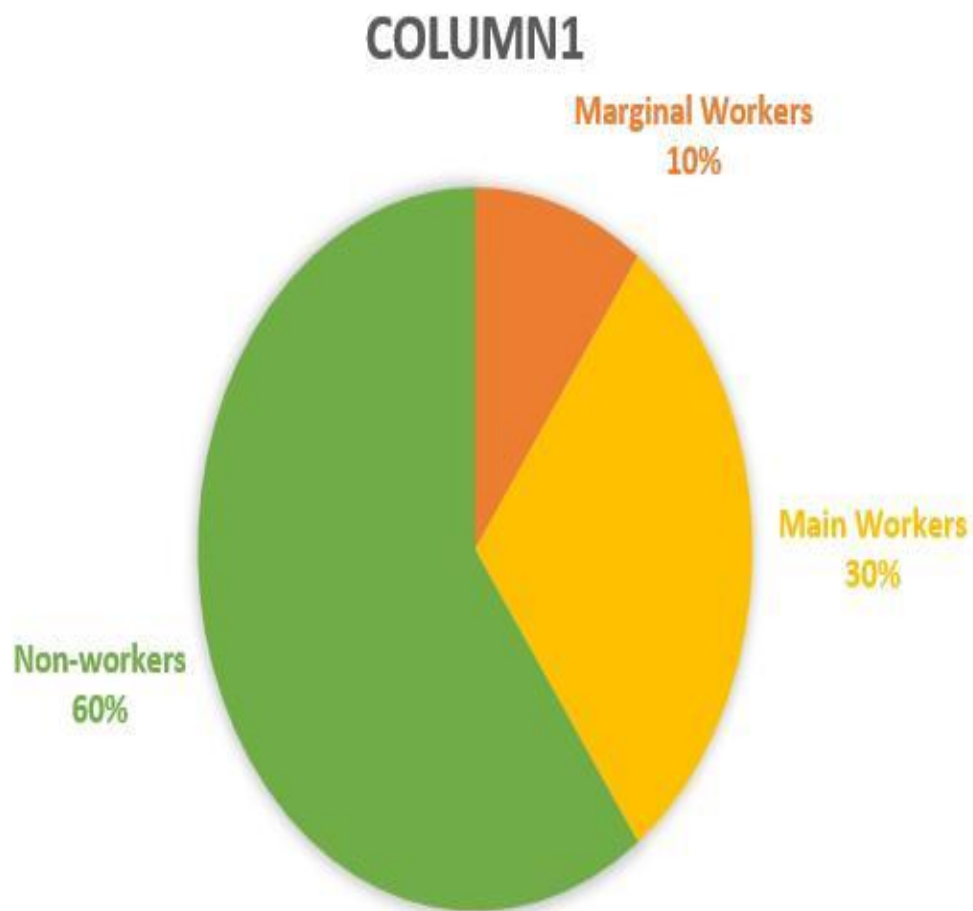
```
unique_states = dataset['State'].unique()
```

```
# Display the results
```

```
print("Total rows:", total_rows)
```

```
print("Total columns:", total_columns)
```

```
print("Unique states:", unique_states)
```



Python program for Marginal workers in tamilnadu males who worked for 3 months or less than 6 months:

```
import pandas as pd
```

```
# Load the dataset from the provided URL
```

```
url = "https://tn.data.gov.in/catalog/marginal-workers-classified-age-industrial-category-and-***-census-2011-india-and-states?"
```

```
data = pd.read_csv(url)
```

Filter the data for marginal workers in Tamil Nadu

tamilnadu_data = data[data['State'] == 'Tamil Nadu']

Filter the data for males who worked for 3 months or less than 6 months

**filtered_data = tamilnadu_data[(tamilnadu_data['Gender'] == 'Male')
& (tamilnadu_data['Duration of Work'] >= 3) &
(tamilnadu_data['Duration of Work'] < 6)]**

Print the filtered data

print(filtered_data)



Python program for Marginal workers in tamilnadu females who worked for 3 months or less than 6 months:

Import pandas as pd

Load the dataset from the provided URL

url = [https://tn.data.gov.in/catalog/marginal-workers-classified-age-industrial-category-and-*-census-2011-india-and-states?](https://tn.data.gov.in/catalog/marginal-workers-classified-age-industrial-category-and-***-census-2011-india-and-states?)**

Data = pd.read_csv(url)

Filter the data for marginal workers in Tamil Nadu

```
Tamilnadu_data = data[data['State'] == 'Tamil Nadu']
```

```
# Filter the data for females who worked for 3 months or less than 6 months
```

```
Filtered_data = tamilnadu_data[(tamilnadu_data['Gender'] == 'Female') & (tamilnadu_data['Duration of Work'] >= 3) & (tamilnadu_data['Duration of Work'] < 6)]
```

```
# Print the filtered data
```

```
Print(filtered_data)
```

Python program for Marginal workers in tamilnadu males who worked for less than 3 months:

```
import pandas as pd
```

```
# Load the dataset from the provided URL
```

```
url = "https://tn.data.gov.in/catalog/marginal-workers-classified-age-industrial-category-and-***-census-2011-india-and-states?"
```

```
data = pd.read_csv(url)
```

```
# Filter the data for male workers who worked for less than 3 months
```

```
filtered_data = data[(data['State'] == 'Tamil Nadu') & (data['Gender']  
== 'Male') & (data['Duration of Work'] < 3)]
```

```
# Print the filtered data
```

```
print(filtered_data)
```

Python program for Marginal workers in tamilnadu females who worked for less than 3 months:

```
import pandas as pd
```

```
# Load the dataset from the provided URL
```

```
url = "https://tn.data.gov.in/catalog/marginal-workers-classified-age-  
industrial-category-and-***-census-2011-india-and-states?"
```

```
data = pd.read_csv(url)
```

```
# Filter the data for male workers who worked for less than 3 months
```

```
filtered_data = data[(data['State'] == 'Tamil Nadu') & (data['Gender']  
== 'Female') & (data['Duration of Work'] < 3)]
```

```
# Print the filtered data
```

```
print(filtered_data)
```


Python program for Marginal workers in tamilnadu who are cultivators:

```
import pandas as pd
```

```
# Load the dataset from the provided URL
```

```
url = "https://tn.data.gov.in/catalog/marginal-workers-classified-age-industrial-category-and-***-census-2011-india-and-states?"
```

```
data = pd.read_csv(url)
```

```
# Filter the data for cultivators
```

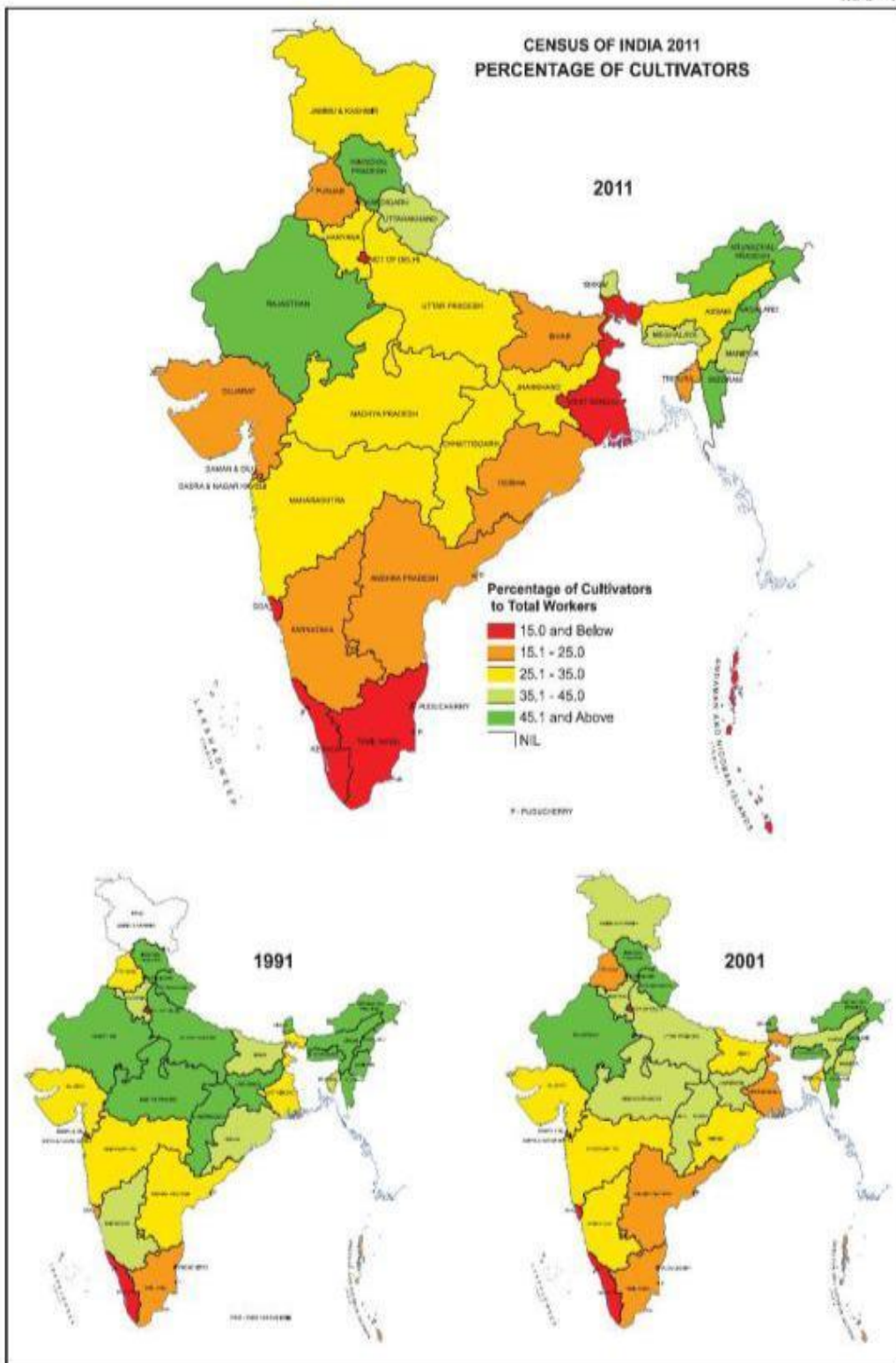
```
cultivator_data = data[data['Industrial Category'] == 'Cultivator']
```

```
# Get the count of cultivators
```

```
num_cultivators = len(cultivator_data)
```

```
# Print the number of cultivators
```

```
print("Number of cultivators:", num_cultivators)
```



Python program for Marginal workers in tamilnadu who are agricultural labours:

```
import pandas as pd
```

```
# Load the dataset from the provided URL
```

```
url = "https://tn.data.gov.in/catalog/marginal-workers-classified-age-industrial-category-and-***-census-2011-india-and-states?"
```

```
data = pd.read_csv(url)
```

```
# Filter the data for agricultural laborers
```

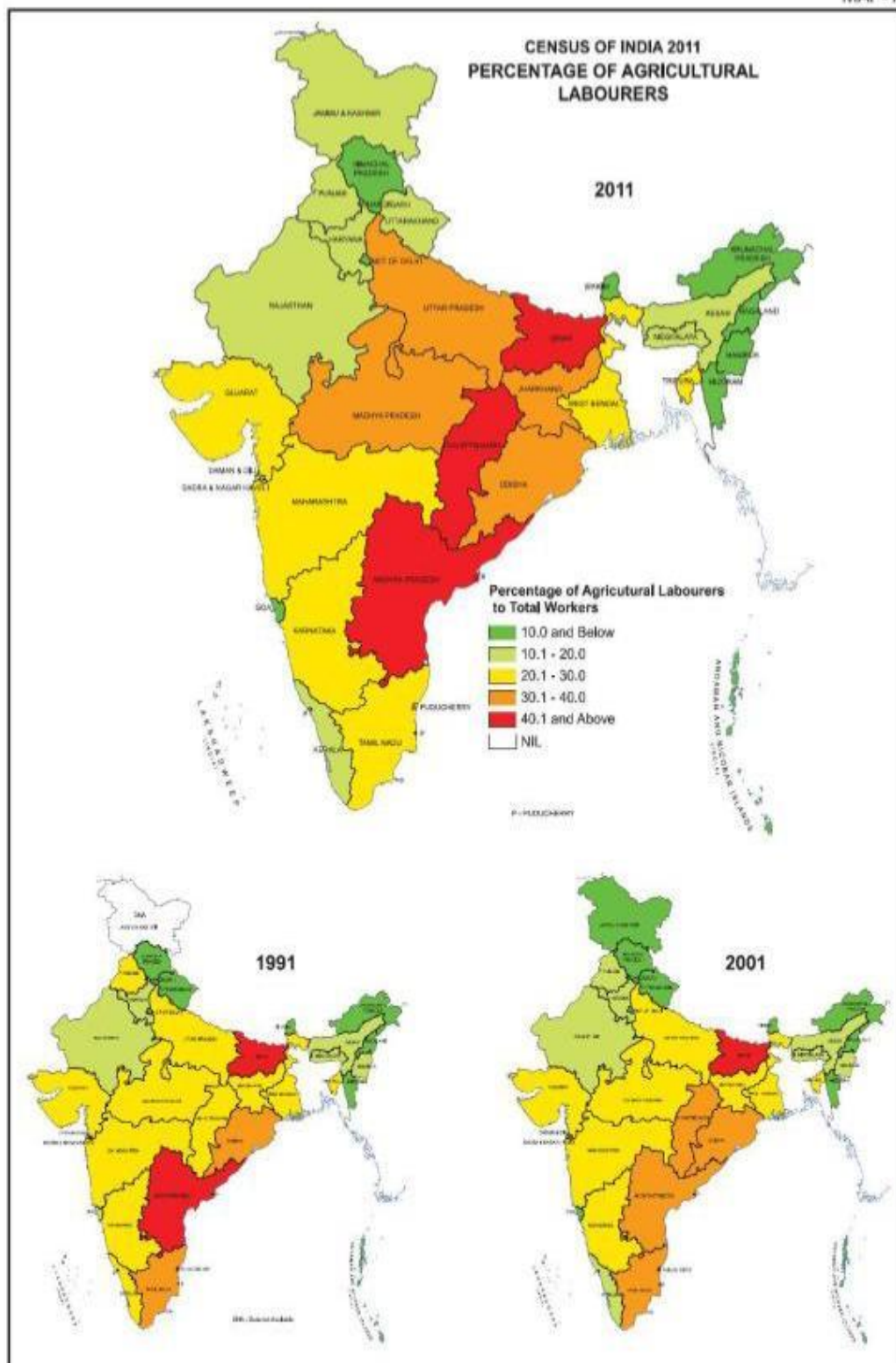
```
agricultural_laborer_data = data[data['Industrial Category'] ==  
'Agricultural Laborer']
```

```
# Get the count of agricultural laborers
```

```
num_agricultural_laborers = len(agricultural_laborer_data)
```

```
# Print the number of agricultural laborers
```

```
print("Number of agricultural laborers:", num_agricultural_laborers)
```



Conclusion:

Assesment of marginal workers in tamilnadu will helps a lot to the private, public, government and economic side to understand how Marginal workers are differ from main workers and their struggles over decades