

## Stress Management: An Urgent Need in nation

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### Abstract

A young worker for a multinational corporation recently passed away too soon because of the extreme stress she was experiencing at work. This is only one of the events that have caught many people's attention, yet it happens every day right in front of us. This paper's goal is to examine the stress that occurs in a professional setting and the potential effects it may have on an individual's productivity. The study will also examine whether India's numerous rules governing stress management are enough for mental health. One of the main causes of stress is the work environment. Labor laws outline the responsibilities of employers with regard to their workers' mental health. Any tension inevitably necessitates discussing work regulations as well. Furthermore, stress is a phenomenon linked to an individual's mental health. The article attempts to provide an answer to the topic of whether stress is indeed a mental illness. The answers to these questions will take into consideration the observations made by the courts in various case laws. Since stress negatively impacts a person's entire life, it falls under the Constitution's protection of fundamental rights, including the right to life.

Keywords: Efficiency, labour laws, mental health, stress, and workplace

### Introduction

Because of the fast pace of industrialization, society has become a factory, and the residents are now workers. To make money for their employer, they are supposed to labour without constantly grumbling. However, this comes at a cost to the workers in the form of despair, physical health problems, shattered families, etc. Among these, the most prevalent negative consequence of excessive workload at work is stress or burnout. The state of anxiety or tension brought on by a challenging circumstance is known as stress. (Organisation, Stress, 2023) It is a natural human reaction to difficult circumstances. Individual differences may exist in the amount of stress that a person experiences and coping mechanisms. However, this stress can occasionally lead to serious burnout if it is not properly channelled or addressed. Burnout is a syndrome that arises from prolonged workplace stress that has not been effectively controlled. (Organisation, Burn-out as an "occupational phenomenon": International Classification of Diseases, 2019) Burnout's consequences include diminished professional efficiency, unfavourable feelings toward one's work, and energy depletion. Employees have occasionally had to endure hardships because of the demanding work environment. In the business world, it has become commonplace that if an employee is paid "x," the corporation should have the right to demand that they do at least as much work, which is considerably more in practice. On the surface, this appears to be reasonable

given that businesses are not charitable institutions and have every right to require work that supports the wages they pay their staff. Nonetheless, it is impossible to ignore the truth that societies are essential to the very existence of businesses. They are given access to all resources by society, which guarantees their survival. Therefore, even at the expense of a tangible profit, businesses must uphold societal ideals, which include protecting the general well-being of their workforce. Even though stress harms a person's mental health, laws have not sufficiently addressed this issue. Given the potential harm stress can cause to a person's physical and mental health in the future, the World Health Organisation has deemed stress to be a "worldwide epidemic." Stress has negative effects on mental health, such as sleeplessness, aggression, memory loss, and exhaustion (Organisation, Task Shifting: Rational Distribution of Tasks among Health Workforce Teams, 2007). Stress has negative effects on physical health, such as elevated blood pressure, an increased risk of heart problems, back or neck pain, etc. (Cross, 2020).

### **India's legal situation**

Depending on the type of work the employee or worker is doing, India's laws governing employer-employee interactions can be split into two groups. The first group includes both skilled and unskilled workers who get daily pay from their employers. The type of work they perform typically requires more physical exertion than mental effort. Furthermore, education for this type of work is either not necessary or very basic education is enough to carry out these tasks. The employment laws here have direct control over the workforce. On the other side, the workers involved in complicated operations that need higher education and require the application of intellect include IT experts, bankers, etc. These positions are primarily governed by the provisions of the parties' contract as well as the internal policies and procedures of the employer; they are not covered by labor legislation.

### **Labor law regime**

To streamline India's labor regulations, the government has consolidated the many labour laws into four labor codes. These labor laws include the 2020 Occupational Safety, Health, and Working Conditions Code (OSHWC), the 2019 Code on Wages (CoW), the 2020 Code on Social Security (CSS), and the 2020 Industrial Relations Code (IRC). Even though these labour laws were recently passed and modified to meet the demands of contemporary society, they do not refer whatsoever of the stress that workers endure. However, a deeper examination of these laws reveals provisions intended to lessen or limit the stress that employees experience. Employers are required by Section 24 of the OSHWC to maintain specific facilities for the benefit of their workforce. (India, The Occupational Safety, Health, and Working Conditions Code, 2020) This includes restrooms for men, women, and transgender employees, sitting areas, canteen facilities, health examinations at regular intervals, and temporary housing for employees based on their needs and job. Additionally, section 25 restricts the employees' maximum working hours. There can be no more than eight hours of work each day and no more than six working days in a week. A maximum number of working hours must be limited because numerous studies have shown a clear link between stress and working hours. Employees who work ten or more hours a day may experience a direct rise in mental stress. Furthermore, under section 27, a worker cannot be

required to work overtime without his or her agreement and will be compensated twice his or her regular salary for doing so. The code provides for paid leaves to guarantee that an employee has enough time off to attend to his health and completely recover from work-related burnout. Additionally, according to the code, a worker is entitled to one day of leave for every twenty days of labor. These leaves can also be paid at the end of the year or carried over to the following year. This information must be kept in a register and reported to the relevant government agency to guarantee strict adherence to these rules and forbid any type of circumvention. Employee stress levels will be impacted by the welfare measures recommended by the code, even if the word "stress" is not used in this section.

### **Central government mental health policy**

The Indian government has implemented a policy for workplace health and safety because it understands how important these issues are. (Employment, 2009) This policy is significant in this context because it shows the executive's commitment, even though it may not have legal force. The policy's objective is to act as a roadmap for implementing the right to work. At the same time, it seeks to implement some basic concepts, including:

- The equal right of all people, regardless of gender, to adequate means of subsistence.
- That workers' health and strength, both male and female, as well as children's young ages, are not mistreated, and that people are not compelled to choose careers that are inappropriate for their age and physical capabilities due to financial necessity.
- That the state had to set up procedures for guaranteeing the right to work.
- That maternity leave and other fair and humane working conditions should be guaranteed by the state.
- That the government should try to guarantee a fair salary and suitable working conditions to maintain a respectable quality of living.
- That the government ought to encourage employees to take part in running institutions and organizations.

The policy offers a road map for carrying it out successfully. To do this, the policy recommends making sufficient provisions for loans and subsidies, and labor inspection teams will oversee this program. Additionally, it suggests that other countries' best practices be implemented as well, guaranteeing global consistency. It was proposed that regular audits might also be carried out to gauge compliance levels and identify any gaps. Section 135 of the Companies Act of 2013 provides for corporate social responsibility, which can also encourage businesses to enhance worker safety, health, and the environment. Furthermore, the implementation of cutting-edge technology can guarantee the health and safety of employees, particularly in situations when the workplace is hazardous (India, The Companies Act, 2013). Mines, explosive factories, chemical enterprises, etc. are included in this. Since this problem affects the interests of several societal stakeholders, they must participate in consultations before making any further choices. These parties may include businesses, labor unions, non-governmental organizations, and so on. Furthermore, to ensure better knowledge, public discussions on these issues should be held at a bigger scale. International organizations with specific objectives that are in line with worker health and safety can also get engaged. All things considered; these rules aim to lessen employee stress without specifically mentioning the topic.

### **The Mental Health Act of 2017**

The legislature passed the Mental Health Act to guarantee the availability of mental health services and to protect those individuals' rights while such services are being provided. Most significantly, the Mental Health Act of 2017 in India outlines what constitutes a "mental illness." "Any severe disorder in mood, perception, thinking, or memory that significantly impairs an individual's behavior and judgment to assess reality or the capacity to fulfill the normal demands of life" is the definition of mental illness. Furthermore, stress is not mentioned in the Act as a critical component of mental health. Additionally, the Act asserts that everyone has the right to access government-run mental health healthcare facilities. This right includes having access to reasonably priced medical care that is available to everyone, regardless of location, and free from discrimination based on factors like caste, creed, gender, or religion. It is not true, however, that the Act ignores the impact of stress on mental health. According to Section 115 of the Act, a person who has attempted suicide must be recognized as a victim of extreme stress and all appropriate steps must be taken to treat and rehabilitate them. This stance differs from the previous one, when attempting suicide was considered a crime and the offender was required to serve time in prison as stipulated by the criminal statutes. Even if there hasn't been much discussion of the impact of stress in this section, it is still evident that extreme stress can be a motivating factor for suicide. In situations such as these, the government is tasked with making sure these people are safe. The courts have also continuously upheld the idea that people with mental illnesses ought to be treated with respect and receive treatment. The court acknowledged the negative effects stress can have on a person's life, including encouraging him to take his own life, in the 1986 case of Maruti Shripati Dubal v. State of Maharashtra. The court did not declare stress to be a type of mental condition in and of itself, even though it classified stress as one of the contributing elements along with mental disorders like schizophrenia.

### **The Impact of Stress**

No one is unaware of the consequences of unfavorable working circumstances. Stress is frequently seen as the silent killer that is the leading cause of death for young people. It is the state in which an individual's workload surpasses their physical capabilities. No matter the job profile, mental stress can happen in any workplace. Nonetheless, it is generally accepted that it is more common in occupations that mostly require sitting and need extensive use of technology and devices like computers, machines, etc. Exercise and physically demanding jobs have been shown to lower cortisol levels, which are hormones that cause stress, and generate feel-good chemicals called endorphins, which lower stress levels and make people happier. (School, 2020) The exercise frequently takes a backseat here because an individual is confined to the office space for a significant portion of their day, with a sword hanging above their head to fulfill the targets. Although its negative effects are usually apparent, "stress" as such cannot be quantified in the medical world. This covers conditions including hair loss, acne, irregular menstruation, high blood pressure, and stomach issues, among others. In the meantime, according to International Labour Organisation data, stress, and overtime at work cause over 2.8 million fatalities annually. Suicidal fatalities and deaths from other causes, such as heart attacks, which are directly linked to work-related stress, are included in this figure (Nations, 2019). When



someone leaves the office area, the tension that occurs at work does not go away. In actuality, the tension frequently affects his relationships and is mirrored in them as well. A research analysis claims that there is a direct link between divorce cases and occupational stress. According to these studies, one of the main causes of strained relationships is stress combined with extended work hours. Additionally, business trips, the practice of night shifts, and the ability for employees to work from home exacerbate the problems where an individual may not be physically bound to the office but is emotionally confined there.

### Conclusion

The report goes into detail about the complexities of workplace stress and its effects on health. The goal of the article is to examine the regulatory framework (if any) and any shortcomings in it. India lacks adequate regulatory mechanisms to protect white-collar jobs, or what we call professionals, despite having strong labor laws protecting blue-collar jobs. Stress at work can sometimes be a result of the office environment, but other times it can be a kind of harassment brought on by the actions of coworkers and superiors. The issue with Indian legislation is that, despite growing awareness of mental stress, they do not adequately address it. Laws such as Sexual Harassment at Workplace acknowledge that mental stress can occur in the workplace, but they are not as severe as the consequences of sexual harassment, and only women are eligible to receive the remedy under this Act. Despite the removal and codification of the outdated labour laws into four labour codes, the topic of employee mental stress has received little attention. Employees are primarily at the mercy of their employment contract, which is typically standard in form and signed by parties with unequal bargaining power. Additionally, the Mental Health Act of 2017 protects the rights of people who are mentally incapacitated. Therefore, it is imperative that the appropriate steps be made in this area to shield our youth from falling into this professional stress trap and eventually giving in to the pressure. It is necessary for the government to include this in the laws as well as for businesses to take the necessary steps to provide an environment that is friendly to employees. This includes treating people who experience mental stress as though they have a mental illness, allowing them to take all necessary steps to improve their health, and making it a crime to cause mental stress to anyone who poses a threat to their lives. Furthermore, government action is necessary to enable those who suffer from mental stress to receive reasonably priced treatment. Corporates should also be required to encourage a stress-free workplace culture and regularly implement the required workshops to help employees cope with stress. The adage "a healthy mind resides in a healthy body" is accurate, but if our minds are not in good health, neither can our bodies.

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