

PUNJAB LABOUR POLICY 2018



Government of the Punjab

Punjab Labour Policy 2018

Labour Policy 2018

An Executive Summary

Significance and dire need of a well-focused, thought provoking and result-oriented Labour Policy has always been kept at a pedestal by both the developed as well as emerging democracies of the world. As such, a Labour Policy plays a pivotal role in transforming conceived goals into a real success story in that it is the key policy document to address all the issues related to the welfare of labour force. Foregoing in view, the role of a labour policy must invariably be acknowledged if we intend to survive with honour and dignity in the comity of nations. Since a Labour policy identifies policies concerned with relations between employers and workers and those concerned with the employment, training and distribution of workers in the labour market and resolution of their disputes preferably through tripartite forums, so it may easily be deduced that maintenance of industrial peace and harmony is directly related to the effective implementation of a well thought-out policy document on the subject.

Instead of captivating the stakeholders through the magic-touch of promises and theories having little achievement under the belt, the Labour Policy of 2018 depicts a real policy document which provides impetus to move forward in the true sense. For a paradigm-shift in the prevailing policies and for visible improvements in the system, there is no reliance on the gimmickry of words and the policy directly addresses bitter realities and social evils like child labour, bonded labour, gender discrimination, gender mainstreaming, labour protection, out of school children and lack of health facilities for the workers etc which stare us in the face even in the 21st century.

Foregoing in view, we in the Labour & Human Resource Department, firmly believe that a new policy document aligned well with the emerging popular demands of labour while encompassing concerns of the employers in one go is need of the hour. Broadly speaking, the Labour Policy of 2018 incorporates the key thematic areas in

a redefined format with primary focus and emphasis on our achievement strategies regarding effective implementation of labour standards, social dialogue, improvements in workplace safety, living wages, child/ bonded labour, awareness raising, excellence in labour inspections regime, imparting quality technical trainings through well-improved Training Centres, simplification of labour laws, medical facilities for secured workers even after retirement, establishment of labour colonies and schools for workers' children, efficient disbursement of welfare grants and gradual extension of labour protection frame-work. It is expected that the Labour Policy in hand would augur well with the objectives conceived by the Government.

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List of Abbreviations

BOP	The Bank of Punjab
CIWCE	Centre for the Improvement of Working Conditions and Environment
DCC	District Coordination Committees
DC	Deputy Commissioner
DGLW	Directorate General Labour Welfare
DVC	District Vigilance Committee
EOBI	Employees Old Age Benefit Institution
FBR	Federal Board of Revenue
GSP	Generalized Scheme of Preferences
HBWs	Home based Workers
ILO	International Labour Organization
ILS	International Labour Standards
LMIS	Labour Market Information System
LMI&RC	Labour Market Information and Resource Centre
LP	Labour Protection
LPF	Labour Protection Framework
LMI&AS	Labour Market Information & Analysis System
OSH	Occupational Safety Health
PTCC	Provincial Tripartite Consultation Committee
PVTC	Punjab Vocational Training Council
PIRA	Punjab Industrial Relations Act
PRA	Punjab Revenue Authority
PESSI	Pakistan Employees Social Security
PCLS	Provincial Child Labour Survey
SDG	Sustainable Development Goal
UN	United Nation

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Introduction and Background

1.1 Introduction:

The route to alleviate poverty and sustained economic growth lies in creating employment opportunities with decent working conditions; fair wages, safety of the workers at workplace, social protection for all, eliminating discrimination, ensuring child and forced labour free workplaces, protecting the marginalized and vulnerable segments of workforce and ensuring that workers are free to organize and join unions of their own choosing. These rights are not only guaranteed under the Constitution of Islamic Republic of Pakistan but have also been reiterated through Pakistan's international commitments made from time to time by signing of international treaties and conventions on labour rights and basic social standards at the workplace and beyond. Introduction of social clause in international trade and attainment of GSP Plus status by Pakistan has further enhanced the importance of labour rights and international labour standards.

The Government of Punjab is cognizant of the current state of labour rights in the province caused due to multiplicity of reasons, including changing trends in work organizations, ever changing management practices and patterns of production processes, and is of the considered view that in this globalized competitive world, the target of satisfying international buyers through ensuring international labour standards and basic labour rights is a major challenge for the emerging economies.

Socio-economic well-being of the people is one of the prime objectives of the present Government which requires revitalization of economy through sustained efforts to increase the level of productivity, promotion of investment and maximization of employment which is fruitful for both workers and employers through fulfillment of their genuine rights and enjoyment of reasonable benefits. The Government, in principle, commits to create an enabling environment for the application of universal principles of equality and social justice as well as ensuring the provision of Constitutional and internationally committed rights of workers.

The present policy is evidenced based as it addresses the aspirations and demands

of the workers raised during May Day Processions and designed after consultation with the organizations of the workers and employers and key stakeholders.

Through this Labour Policy, the Government resolves to demonstrate its commitment to work for the protection of labour and ensuring its dignity through coordinated efforts and policy integration. The Punjab Labour Policy, 2018 also intends to guide and support the Government and the stakeholders in developing strategies, plans and programs for the protection and promotion of the rights and benefits of working community without jeopardizing the genuine concerns of the employers.

1.2 The Constitution of Islamic Republic of Pakistan

The Constitution of Islamic Republic of Pakistan guarantees the protection of the rights of the workers at the workplace and beyond and provides a framework for policy formulation and labour legislation. The following Articles of the Constitution specifically relate to the labour rights:

1. **Article 3** prohibits any form of exploitation.
2. **Article 4** states the right to enjoy the protection of law and be treated in accordance with law and is the inalienable right of every citizen;
3. **Article 11** prohibits slavery and all forms of forced labour and trafficking in human beings including child labour;
4. **Article 17** deals with freedom of association and provides that every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of morality or public order;
5. **Article 18** prescribes the right of its citizens to enter upon any lawful profession or occupation, and to conduct any lawful trade or business;
6. **Article 25** lays down the right to equality before the law and prohibition of discrimination on the grounds of sex alone;
7. **Article 25-A** guarantees free and compulsory education by the State to all

the *children aged 5 to 16 years*.

8. **Article 37(c)** creates an entitlement of all citizens of Pakistan to social security by compulsory social insurance or other means;
9. **Article 37(e)** makes provision for secure and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex.
10. **Article 38(b)** provides for all citizens, within the available resources of the country, facilities for work and adequate livelihood with reasonable rest and leisure.
11. **Article 38(c)** provides for all persons employed in the service of Pakistan or otherwise, social security by compulsory social insurance or other means;
12. **Article 38(d)** mandates to provide basic necessities of life, such as food, clothing, housing, education and medical relief, for all such citizens, irrespective of sex, caste, creed or race, as are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment.

1.3 Pakistan's International Commitments

UN Human Rights Declaration and conventions on human rights¹ and ILO Conventions on the World of work are the international guiding principles for the

¹ United Nations Human Rights Declaration, 1948;
 UN Convention on Economic, Social and Cultural Rights, 1966,
 UN Convention on Civil and Political Rights, 1966,
 UN Convention on the Elimination of All Forms of Discrimination Against Women(CEDAW), 1979
 UN Convention on Child Rights, 1989
 UN Supplementary Convention on Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery, 1956;
 ILO Conventions on workers' rights; 189 conventions of the ILO relating to socio-political and economic rights of the workers at the workplace and beyond are in place for ratification and compliance by its members.

states to abide by through appropriate legislations, policies and administrative arrangements with the purpose to ensure that workers are protected against any type of exploitation and efforts are made to ensure that they are not deprived of their basic rights i.e. right of employment, standard working conditions, health and safety at work place, right of freedom of association, right of social protection, fair wages and steps to address discrimination in employment and in wages on the basis of sex, race, colour, creed, etc. Pakistan is signatory to UN Declaration, conventions on human rights and so far has ratified 36 ILO's Conventions including its 8 Core Labour Conventions and has to report on the compliance of these conventions periodically.

The compliance and reporting of ILO core conventions is also obligatory on Pakistan under the GSP Plus regime.

Box-1

Compliance with the 8 Core Labour Conventions – Pre-Requisite for Retention of GSP+ Status

Pakistan had been awarded the GSP+ Status, like all other developing countries, subject to some conditions which involve strict adherence to the 27 International Conventions on Human Rights including the following 8 Core Conventions on Labour Rights:

C029 - Forced Labour Convention, 1930 (No. 29)

C087 - Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)

C098 - Right to Organize and Collective Bargaining Convention, 1949 (No. 98)

C100 - Equal Remuneration Convention, 1951 (No. 100)

C105 - Abolition of Forced Labour Convention, 1957 (No. 105)

C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

C138 - Minimum Age Convention, 1973 (No. 138)

C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)

Sustainable Development Goals (Goals 1, 4, 5, 8, 10 & 16); Goal 8;” Decent work and Economic Growth” requires from all the UN Members to achieve full and productive employment and decent work for women and men, including for young

Box-2 SDG 8

Sustainable Development Goal (SDG) 8 “Growth Strategy Focusing Occupational Opportunities For All & Decent Work Agenda”:

1. 8.5- Achieving the target of productive employment and decent work for all the workers including women, men, young persons and disabled people while acknowledging the principle “*Equal pay for work of equal value*”;
2. 8.6- Reasonable reduction in the proportion of young persons not in employment, education or training;
3. 8.7- Result-oriented, effective and targeted efforts to eliminate the menace of bonded labour in all forms and manifestations and curtailing human trafficking besides eliminating the worst forms of child labour including recruitment and use of child soldiers, and by 2025 end child labour in all its prevailing manifestations;
4. 8.8- Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

ILO's Decent Work Country Program for Pakistan-III (DWCP-III) comprises of four priority areas namely; promoting decent work in the rural economy, promoting job creation for youth and vulnerable groups, strengthening ILS compliance through social dialogue and national social protection framework. The Program focuses on informal sector and workplace in rural economies through eliminating worst forms of child and bonded labour, workplace compliance through effective monitoring and labour inspection system, gradual extension of labour inspection services to rural workplaces, and extension of social protection to the workers in the informal sector, particularly to agriculture sector workers, home based workers and domestic workers.

Policy Objectives

1. Improvement in Occupational Safety & Health through legislation, preventive measures, capacity development and Awareness Campaign;
2. Rationalization in minimum wages through research and development, improvement in the wage fixation process and strengthening the role of Punjab Minimum Wages Board;
3. To work in collaboration with the ILO, international partners, the federal Government and the organization of employers and workers to gradually extend right of freedom of association and to bargain collectively under ILO's Convention 87 & 98 to the informal sectors and promotion of tri-partism and social dialogue;
4. Addressing all types of discriminations in remuneration of men and women for equal value of work and in employment resulting on the basis of sex, creed, ethnicity, origin and religion;
5. To work for “social protection and labour welfare for all” who are eligible to work through removing all the bottlenecks and facilitating inclusion of all categories of workers under the social protections coverage guaranteed in the Constitution of Pakistan;
6. Special efforts to make the enforcement of labour laws effective through framing subsidiary rules and administrative measures and ensuring that benefits of labour laws are transferred to the workers employed in informal sector, domestic workers, contract workers, mines workers, home based workers, workers engaged in agricultural sector and other categories of vulnerable workers;
7. To ensure decent working conditions for all workers irrespective of nature of work in compliance with basic International Labour Standards (ILS) on working conditions, working hours, health and safety, rest, holidays and wages;
8. Capacity development of inspection staff and equipping them with modern techniques of inspection, conciliation, social dialogue and negotiation through regular on-job training;

9. Eliminating child labour, through disengagement, education, social protection, societal collaboration, improvement in law enforcement, integration of the efforts of institutional and stakeholders efforts and direct action;
10. Addressing bonded labour in a systematic way; through improvement in enforcement of law, coordination, strengthening DVCs, awareness and education of the stakeholders and direct action;
11. Facilitation of workers and employers through provision of information on demand and supply of jobs in the labour market and research and development under integrated Labour Market Information System (LMIS);
12. Revisiting existing workers' health schemes, extending coverage, improvement in service delivery, health insurance for the retired workers and issuance of smart cards;
13. To work for the "Ease of Doing Business Policy" to attract Investment through simplification of rules and procedures under labour laws;
14. To work on simplification and consolidation of labour laws with the focus to bring these in consonance with the ILO Conventions meaning thereby to improve implementation;
15. Introducing a paradigm-shift in the on-going system of labour inspections by way of incorporating a fully functional computerized transparent system of inspections and reporting where the results shall invariably be shared online.
16. Promoting and facilitating research and development on various aspects of labour, policies, determination of wages, vulnerable employment, child labour, forced labour, labour movement, migration, gender, employment and labour market trends and role of labour institutions;
17. Improvements in Workers' Welfare Schemes delivery system and enhancement in the existing number of Workers' Children Schools & Labour Colonies.
18. Focus on skills development for the adolescents through concerned departments/ agencies shall remain the predominant objective of this Policy.

Main Policy Areas

3.1 Legislative Framework

The stakeholders and social partners complained that the existing labour laws are complex, over-lapping, anomalous, and at times render the subject matter difficult to understand, besides creating confusion for those who deal with them. In fact, these laws were framed decades ago and could not have been rationalized according to the ground realities.

This policy suggests initiation of efforts to simplify and consolidate provincial labour laws with the purpose to make them understandable and implementable.

It has also been observed that subsidiary rules of existing labour laws have also not been framed since long and the rules are even older than the laws due to frequent use of protection clause in newly promulgated laws. These rules also do not address amendments incorporated in labour laws from time to time and became redundant. In order to address difficulties of enforcement, this policy further suggests redrafting of subsidiary rules of major provincial laws. Efforts in this regard will be focus on the following areas:

1. Simplification of existing laws, addressing anomalies, removing superfluous terms, addressing gaps with regard to ILO Conventions and consolidation of these laws wherever possible;
2. Improvement in definitions and after consultation with the key stakeholders, extend scope and coverage of labour laws gradually to the uncovered sectors;
3. Initiation of debates and discussion with the social partners for promulgation of sector specific laws wherever general laws lack applications;
4. Framing subsidiary rules of the existing labour laws to facilitate on-ground implementation.

3.2 Promoting Freedom of Association, Tripartism and Social Dialogue

Pakistan has ratified ILO Conventions No. 87 and 98 which deal with freedom of association and collective bargaining. Pakistan has also ratified ILO's Tri-partite Consultation (International Labour Standards) Convention, 1976 (No. 144).

The province of Punjab has promulgated Punjab Industrial Relations Act, 2010 to regulate industrial relations and to facilitate registration of trade unions. There has been a mushroom growth in the number of registered trade unions on account of the fact that the Department encourages and facilitates the unionization process. The year 2017-18 saw a remarkable increase in the existing number of registered unions in Punjab.

The exclusions identified under Punjab Industrial Relations Act, 2010 have been minimized to the extent of persons employed in the administration of state and certain other essential services in order to protect the masses from hardship. Otherwise, there is absolute freedom of association and to collectively bargain freely as per the Constitution of the Islamic Republic of Pakistan and the Punjab Industrial Relations Act, 2010. Registration of home-based workers' union and domestic workers union in Punjab are welcome initiatives. Efforts shall be made that the above referred policy continues unabated with even more facilitation for the workers.

The Government is of the considered view that an atmosphere of industrial peace and harmony is the need of the hour. The Government would encourage and assist the process with volition of both workers and employers. It will protect legitimate rights and interests of workers and employers and minimize the areas of friction which compel either of them to agitate. The policy advocates:

1. Promotion of healthy trade unions and facilitation for organization of the unorganized sectors through administrative and legislative measures;
2. Initiation of dialogue with social partners to extend coverage and scope of the

- PIRA to the excluded categories of workers i.e. agriculture workers, domestic workers, home based workers and workers of informal sector;
3. Strengthening implementation of the PIRA, 2010 through framing its subsidiary rules and streamlining processes of formulation of trade unions, conciliation, proceedings of election and referendum and workers' participation in the management; and
 4. Ensuring workers' genuine participation in the tri-partite committees, arranging tripartite labour conferences and social dialogue.

3.3 Improving Enforcement through Revamping Inspection

Labour inspection is the real spirit of labour administration and without a robust and efficient inspection mechanism the fruits of good legislation cannot be transferred to the workers. The existing snags and bottle necks in the inspection system will be addressed in a manner to align it with the provisions of the ILO Convention No. 81 and reinvigorated through streamlining procedures, regulations and capacity development. The policy focuses primarily on transparency in inspections by enhancing the supervisory role through online monitoring inspection system. Besides this, it is also aimed at bringing more enterprises within the inspection net through:

1. Improvement in subsidiary regulations of the relevant labour laws, streamline procedures and administrative arrangements to strengthen regime;
2. Provision of necessary infrastructural support - proper offices, equipment and transport - to the labour inspection machinery;
3. Gradual extension of online inspection to the industrial and commercial establishments under applicable labour laws throughout province and improvement in reporting of inspection and follow-up;
4. Establishing, in phases, field offices of Directorate General of Labour Welfare at Tehsil level;

5. Capacity building of the officials through short-term training courses within the province, country and overseas;
6. Involvement of social partners in the process of labour inspection and focusing on advisory and educational role of labour inspection;
7. Introducing a strong check and balance mechanism for inspections staff; and
8. The necessary capacity building of the enforcement mechanism through trainings, provision of equipment and recruitment of qualified personnel and establishment of an OSH management system.

3.4 Occupational Health and Safety

Workplace health and safety is of prime importance and neglects from it might emerge in the face of serious consequences. According to international estimates, some 2.3 million women and men around the world succumb to work-related accidents or diseases every year. This corresponds to over 6000 deaths every single day. Worldwide, there are around 340 million occupational accidents and 160 million victims of work-related illnesses annually.²

Foregoing in view, occupational Safety and Health is the predominant focus and key objective of the Department since there is empirical reason to believe that industrial progress leading to growth especially the export-led economic growth and industrial peace/ harmony are directly dependent upon decent and better working conditions at workplaces. The prevailing “Health & Safety Hazards” in the industrial establishments are currently addressed by the Factories Act which is beyond any doubt an old piece of legislation enforced during the year, 1934 not good enough to curtail newly emerging “Occupational Safety & Health (OSH) Issues” surfacing during the dynamic era of 21st century well-known for its technological progress. Besides this, the accelerated rate of industrial and commercial accidents is an undeniable proof of the fact that the old legislations of the past have gone more or less irrelevant to address such serious issues and scope of the current legislation on the subject is quite limited to industrial establishments engaged in a manufacturing

process having employed 10 or more workers therein that invariably needs imminent extension to incorporate commercial establishments and other crucial segments of the economy.

2 ILO Occupational Safety & Health World Statistics No. 249278

In a nut shell, the existing legislation on the subject has not only been ineffective when viewed in the mirror of above cited deficiencies but has also failed to create requisite deterrent effect on account of meager fines identified in the old legislation that are no more commensurate with the ever-growing requirements of 21st century. As a natural consequence, the Labour & HR Department is going through a comprehensive strategy to come out with a separate legislation on the subject which is effective enough to address all the OSH related issues surfacing on account of the enormous technological shocks during the dynamic era of 21st century.

In a nut-shell, the Labour Policy in hand shall ensure adherence to the following salient features:

1. OSH legislation shall cover employers, workers and others in all sectors of the economy and in all forms of employment relationships which include the formal and informal sectors as well in line with ILO Convention 155 and Recommendation 164. Workers in the agricultural and construction sectors shall also be covered under said legislation;
2. Promotion of safety culture on preventive strategies (proactive) must be encouraged rather than a reactive and compensatory framework. This should be done by adopting a risk-based approach towards identification and recognition of all reasonably foreseeable workplace hazards and taking reasonable practicable remedial steps against hazardous works;
3. Database of small and medium size enterprises and major factories carrying out hazardous operations and using hazardous substances shall be arranged to promote OSH culture in compliance with the international conventions;
4. Imparting necessary training to the field formations, workers and employers

on OSH issues through SAA-CIWCE using latest techniques to produce a qualified, educated, capable and efficient workforce;

5. Introducing the concept of occupational safety and health in the curriculum of Punjab Text Book Board;
6. Setting out baseline threshold limits for the physical and chemical hazards in the light of aforementioned OSH legislation.

In order to properly implement these seven basic principles, the government of Punjab will address the following three key areas:

1. Formulation, implementation, monitoring, evaluation & periodical revision of provincial OSH programs in consultation with social partners & other stakeholders & adopt an OSH Management System approach & structure to describe the essential responsibilities & duties of employers, employees & enforcing authorities;
2. Effective Labour Inspection and Enforcement System and Machinery to ensure effective inspections;
3. Injury / Accident Compensation & Rehabilitation Systems & Mechanism to ensure just & expeditious settlement of any claims & compensations to the suffering or aggrieved parties by simplifying the process & revamping/ reinforcing the judicial system.

3.5 Rationalization of wages with a Shift towards Living Fair Wage

Living wage means a reasonable amount of salary for routine working hours which is not just required to exist or live from hand to mouth but which takes into account the essential requirements of a good living standard. Right from the very beginning, the strategy adopted in Pakistan and followed by the provinces including Punjab had been that of the revision and payment of the notified minimum wages after certain regular intervals of time. No doubt it provided a reasonable relief to the workers, but

empirical analysis based upon the May Day Reports portrays a different and gloomy picture since the workers are now agitating for a new concept of living wages that may not be termed as unjustified in view of the ever-rising prices, inflation and rising cost of living.

As such, the Labour Policy of 2018 promises to accept the challenge of transforming the minimum wages to the newly emerging concept of living wages which is speedily gaining popularity in the advanced world now-a-days. The modus operandi is to entrust assignment to the Punjab Minimum Wages Board that shall hold marathon rounds of tripartite consultations while taking all the stakeholders fully on-board including the true representatives of the workers and the employers. It should not escape mentioning here that the Board shall specially invite eminent economic experts to attend said meetings who shall identify a real living wage giving due consideration to the current rate of inflation especially food inflation and the Consumer Price Index of the last decade. The Board shall finally come out with a living wage unanimously acceptable to all the stakeholders.

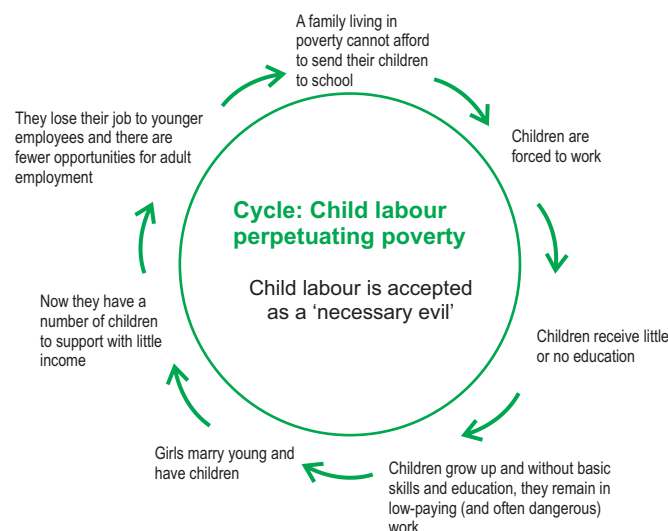
3.6 Addressing Discrimination in Remuneration and Employment

All type of discrimination in employment on the basis of sex, religion, origin, political caste, creed, etc. will be discouraged and principle of equal remuneration for equal value of work by men and women will be promoted through policies and legislation. Necessary provisions to address non-discrimination will be added in all relevant labour laws. The inspection staff will be trained on the issues of discrimination and capacitated to conduct inspections on discrimination in employment and differential in remuneration against equal value of work on the basis of sex alone. Ensuring payment of wages through scheduled banks will also facilitate the execution of the principle of equal remuneration for equal value of work for both men and women.

3.7 Gradual Elimination of Child Labour

Having since long the popular motto ***“A child employed is a future destroyed”***, the Labour & Human Resource Department, Government of the Punjab considers

child labour in all prevailing forms and manifestations as a menace that has to be got rid of through a comprehensive National Strategy based upon the principle “Slow but gradual and steady wins the race”. Without entering into the old debate whether **“Poverty is due to Child Labour”** or **“Child Labour is because of Poverty”**, let us pledge to have a society free of child labour in the short or long run, whichever is possible given the prevailing conditions and circumstances. The social enigma of a lot of out-of-school children wandering in the streets, searching for and collecting eatables and products used in recycling even from garbage and hospital waste, working in establishments and house-hold/ domestic work and engaged in industries like brick kilns etc merits the acumen and sagacity of a welfare state that is fully committed to find a way out through an effective and efficient solution to the puzzle. While passage of new labour laws on child labour through Provincial Assembly of the Punjab and enrollment of more than 147000 child workers in the nearby schools in close coordination with the School Education Department & Private Partnership show our strong commitment and resolve to do the needful, we are well aware of the bitter reality that it is not enough but merely a ray of hope seen at the end of the tunnel. Hence we acknowledge that it is just the beginning with a long way still to go but are also conscious of the fact that *a good beginning is half done*. How the vicious circle of child labour is seriously threatening the society and damaging our economy in one go being deeply rooted in our social fabric is quite apparent from the following circular flow of poverty:



Foregoing in view, the following workable mechanism shall be devised by the Department to ensure phase-wise and gradual elimination of child labour from the industrial and commercial establishments:

1. Revitalizing the *role of Provincial Tripartite Consultation Committee (PTCC)* and holding its meetings regularly with **“Eradication of Child Labour”** invariably on top of all other agenda items;
2. Extending the *scope of District Vigilance Committees (DVCs) & District Coordination Committees (DCC)* to oversee the emerging cases related to the worst forms of child labour and ensuring that meetings of said Committees are now held on monthly basis under the direct supervision and control of no less than the respective Deputy Commissioners;
3. Notification of Inspectors under the newly passed child labour laws for effective implementation;
4. A fully computerized online functional reporting mechanism shall be put in place so that all child labour reports are received online through an efficient and transparent process;
5. Rehabilitation mechanism for children recovered from the clutches of child labour to be undertaken by the **Child Protection Bureau**;
6. Enrolling the out of school children involved in child labour **in School Education Department, Literacy Department & Basic Education Community Schools** and payment of monetary benefits through issuance of Khidmat Cards shall be undertaken in collaboration with the **School Education Department**.
7. A survey of child labour shall be carried out in order to assist the Bureau of Statistics to assess quantum of said labour;
8. The International Conventions on Child Labour ratified by Pakistan like the **ILO Conventions C-182 and C-138** etc shall be adhered to and complied with in letter and spirit;
9. Involvement of adolescents in hazardous occupations shall be discouraged

by all means especially in the identified more than 38 hazardous occupations;

Last but not the least, the field formations of this Department shall be trained well enough by tapping the expertise of IRI and SAA-CIWCE to ensure meaningful and result-oriented implementation of existing child labour laws so that the persistent violators are prosecuted in the Courts of competent jurisdiction for deterrent effect.

3.8 Abolishing Bonded Labour

In Punjab, the Bonded Labour System (Abolition) Act, 1992 had been adapted from the Federal Government in the aftermath of the passage of 18th Constitutional Amendment in the Constitution of the Islamic Republic of Pakistan. A series of amendments have already been made in the law under reference and efforts shall be made to further improve the legislation. District Vigilance Committees have been constituted in all the 36 districts of Punjab where all the reported cases of bonded labour are discussed and debated at length. The DVCs have a dynamic composition i.e. journalists, social activists, officers of District Administration, Labour Department and Police etc have invariably been included in the notified committees to ensure that no case of bonded labour remains unattended. This policy suggests addressing bonded labour through:

1. Effective enforcement of law on bonded labour and relevant labour laws and the newly designed inspection system;
2. Framing subsidiary rules of Punjab Bonded Labour System (Abolition) Act and on ground implementation of these rules;
3. Reactivation of DVCs and improvement in reporting;
4. Capacity development of Inspectors enabling them to unearth the traditionally hidden cases of bonded labour;
5. Incentivize brick kiln owners through preference in procurement of bricks in the public works schemes who are socially compliant;
6. Establishment of Provincial Bonded Labour Welfare and rehabilitation Fund.

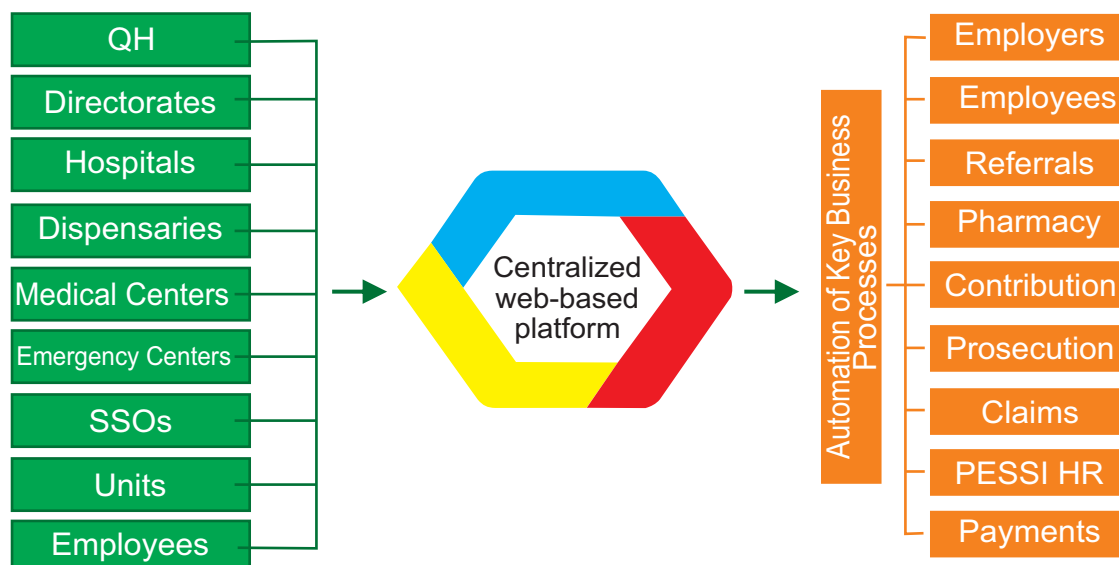
3.9 Strengthening Employees Social Security System

PESSI is an Institution of Social Security established for providing benefits to certain employees or their dependents in the event of sickness, maternity, employment injury or death etc. PESSI was envisioned as a pan-Punjab Social Security Insurance Organization covering all formal and informal workforces. In order to achieve the objective, PESSI will take the following measures:

3.9.1 Development of “One System”

A centralized database of workers will be developed with the help of an integrated IT System connecting all bodies within the Labour & Human Resource Department. All registered workers will be issued ATM enabled smart cards linked with NADRA. Automation of PESSI's registration, contribution and benefits would streamline its service delivery enabling expansion of its coverage to informal sector. The provision of access and sharing of data through integrated system shall be realigned to integrate with PRA, FBR etc.

The project will be the largest of its kind in the Labour & Human Resource Department. The project will allocate unique HS codes to all establishments and this will be interoperable to FBR and PRA. PESSI database will serve as the master database for all departments, enabling cross-verification and processing as depicted through the flow-chart shown below:



The scheme will be implemented through the following key initiatives:

1. Development of Centralized Database of Workers / Dependents and Industrial establishments
2. Each Directorate will get HR, software and inventory to process operations;
3. All payments will be synced with services of Banks;
4. A Digital Operations Center (DOC) will be established at HQ;
5. All units will be mapped on Geographical Information System(GIS);
6. Data will be stored onshore and in disaster risk recovery site
7. PESSI Staff's HR , attendance, finances, leaves etc. will be processed through system;
8. Referral and medical certificates will be generated online;
9. Referral hospitals will have access to online data to inform about the claims entitlement;
10. Pharmacy management will be integrated;
11. All expenditures on healthcare can be tracked;
12. All current and future cash benefits by PWWB and DGLW can be distributed through single card.

3.9.2 Expansion of Coverage

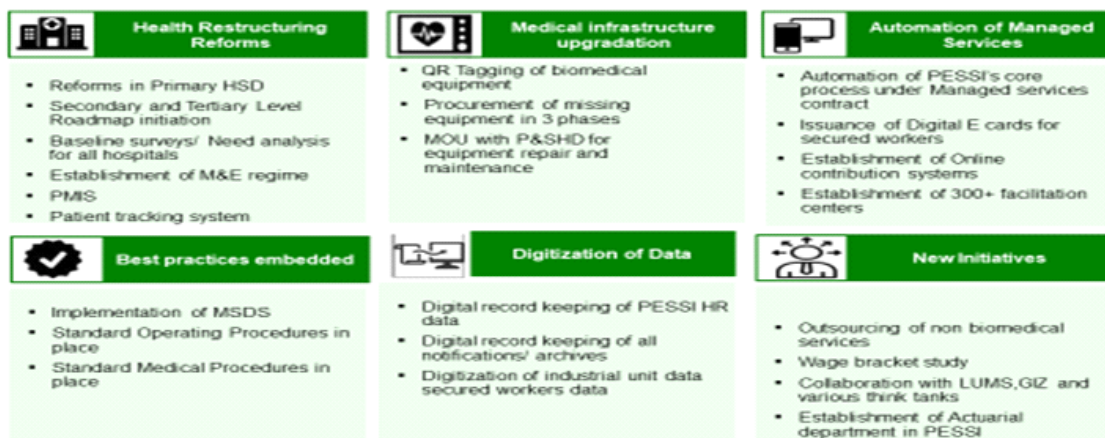
Presently, PESSI coverage is 3.2% of total workforce and there is no coverage in the informal sector. The administrative presence of PESSI is only in 23 districts. In order to extend coverage to all the workers in formal as well as informal sector, the PESSI shall open Directorates and Sub-Directorates in all the districts of the Province Punjab. Informal sector will also include domestic workers and brick kilns. Similarly the Institution will also introduce a scheme to cover foreigners working and residing

in Pakistan enabling them to get health and cash insurance coverage as admissible to local workers. In order to expand the Health coverage to all the workers in Punjab, establishment of at least one Health facility in each district shall be ensured.



3.9.3 Health Sector Reforms

PESSI's Transformation program/roadmap focuses on reforming key priority areas



3.9.4 Legislative Strengthening

In order to reduce the Contribution rate of women, transgender and differently abled workers, the PESSI will introduce rules. Similarly, in order to ensure the remittance of Social Security Contribution by all government contractors and licensees before clearance of their bills, rules will also be drafted.

3.9.5 Capacity Building

The Industrial Relations Institute (IRI) and Centre for the Improvement of Working Conditions & Environment (SAA-CIWCE) shall extend training facilities for the capacity building of PESSI Staff. In this connection, an MoU shall be signed among said Institutions in order to achieve the desired objectives.

3.9.6 Workers Health Insurance Scheme for the Retired Workers

At present, the secured workers under PESSI do not get any facility after retirement which is an emerging demand being agitated by the workers now-a-days. In order to resolve the issue, PESSI shall introduce an Scheme titled as "The Workers' Health Insurance Card Scheme for Retired Workers". Under the Scheme, health facilities shall be ensured for the secured workers even after their retirement.

3.10 Special Focus on the vulnerable groups of workers

3.10.1 Domestic Workers:

The Domestic Workers' Policy prepared by this Department received assent of the Government in the near past and now draft legislation on the subject is being finalized after going through a thorough tri-partite consultation through committees like the Provincial Tripartite Consultation Committee abbreviated as PTCC. The Department has also proposed a separate inspections regime to ensure effective implementation while keeping the sensitive issues like “chaddar and chardevari” related to the privacy of households at a high pedestal. Efforts shall be made to get approved the draft legislation from the concerned quarters within a short span of time and thereafter the same is likely to be tabled before Provincial Assembly of the Punjab in due course of time for enactment in Punjab. In a nut-shell, visible improvement in this regard is anticipated within a few months.

3.10.2 Home-Based Workers:

The Department is quite concerned and conscious of the problems currently being faced by yet another vulnerable sector of society commonly known as the Home-Based Workers. As a part of our on-going strategy to gradually extend social protection to the vulnerable groups in Punjab, the Department earnestly believes that a lot more needs to be done for the home-based workers. In order to achieve the desired objectives, the Department has already been working hard in this area and key achievements made so far include preparation of a “Home-Based Workers' Policy” that has been duly approved by the Government. It would now be in the fitness of things if we proceed forward towards preparing a draft legislation on the subject so that the same is submitted before the Provincial Assembly of the Punjab through proper channel for legislation after fulfilling necessary legal requirements. It goes without saying that a separate inspections regime would invariably be required for inspections to be conducted in said vulnerable sector as well taking into consideration sanctity of the households to uproot the possible chances of any hue and cry on part of the civil society.

3.10.3 Agricultural Workers

The policy will consider coverage of labour laws for agricultural workers and recommends extension of labour inspection in said sector as well in due course of time.

3.10.4 Contract Workers

Workers engaged through contractors are also covered under labour laws. Labour inspection and administrative measures will be undertaken to ensure that benefits of laws and labour welfare schemes are equally available for this category of workers.

3.10.5 Construction Workers

This policy recommends legal coverage for the workers engaged in construction industry and will ensure that their legal rights and benefits are protected through vigorous inspection.

3.10.6 Gender at Work

The Government believes in empowerment of women workers and will ensure that women workers will be facilitated at the workplace and beyond to promote their maximum participation in the labour force. The Policy recommends:

1. Focusing on labour protection of the sectors which are dominated by women;
2. Ensuring implementation of women quota in all tripartite labour committees at all levels;
3. Promoting gender audit and gender sensitive inspection;
4. Initiation of administrative measures to facilitate women workers at the workplace like establishment of Day Care Centers, separate Wash Rooms, separate meal places and specific arrangements in notified Canteens etc;
5. Ensuring provision of maternity benefits.

3.11 Research and Development

Punjab Labour Policy, 2018 suggests initiation of research on labour issues, various dimensions of labour force, demand and supply side determinants, child labour,

forced labour, bonded labour, gender aspects, labour inspection, labour laws, policies, wages and various categories of workers like contract workers, piece-rate workers, casual labour, temporary labour, workers of informal sector, home based workers and domestic workers etc with the following predominant objectives:

1. The research will focus on various trends in the labour market and ever changing management practices and the findings will be packaged for the planners and policy makers;
2. The impact of Government policies and administrative actions will be documented through surveys and research and the findings will be used to review the policies and measures;
3. Specific studies will be initiated while focusing on demand and supply-side determinants of labour force and findings of these studies will be utilized for employment projection and manpower planning;
4. Last but not the least, the Research will encompass the emerging need to have a concise “Child Labour Policy” signifying priorities in a crystal-clear manner so as to ensure that the achievements made are appraised after periodical intervals by the Competent Authority.

3.12 Labour Market Information & Analysis System (LMI&AS)

A better comprehension of emerging labour market issues is primarily reliant upon accessibility of data, information and analysis of the labour market variables. An efficient Labour market information system (LMIS) provides an essential basis for employment and labour policies, and inform about the design, implementation, monitoring and evaluation of policies which target the issues with a better focus.

Moreover it is utterly important for the developing countries to strive hard for the development of LMIS as well as its functioning, if such systems have been established at all, is hampered by various constraints, including data limitations. Data limitations affect not only complex issues such as informality and employment protection, but also labour market indicators that in most developed economies are available on a monthly or quarterly basis, such as employment and unemployment

indicators. Data limitations are related in developing economies to constraints such as resource scarcity, limited analytical capacity and structural factors. Furthermore, labour market institutions, including workers' and employers' organizations, are weak in many economies, which hampers the development and use of mechanisms to feed information and analysis into decision-making. Such problems may lead to ill-informed policy formulation and inadequate monitoring, hindering efforts to achieve labour market and development objectives.

Three main functions of Labour Market Information Systems may be those the Labour department is currently undergoing and are summarized below:

- The LMIS is efficient enough to facilitate an in-depth analysis of the prevailing labour market trends;
- The LMIS should provide the basis for monitoring and reporting on employment and labour policies;
- The LMIS should comprise of an online information or coordination system to monitor labour inspection in the registered factories across thirty six districts of Punjab.

The main purpose of LMIS is the dissemination of information and analysis for policy-makers and other labour market stakeholders. For example, any regulatory authority governing employment related issues formulate policies based on the information available to them. It is important to establish institutional arrangements in order to make the information and analysis widely available, and to provide opportunities for labour market stakeholders to influence the agenda of the LMIS.

The LMIS can also be directly involved in monitoring and reporting on employment and labour policies. Both at the international and the national levels, the institutional role of the LMIS can be broadened to include the exchange of information or coordination of the LMIS activities of labour market stakeholders, which include statistical agencies, research agencies and agencies involved in policy formulation and implementation. This function may range from the dissemination of information on concepts, definitions and standards, to the allocation of resources regarding data collection or specific analytical activities.

3.13 Labour Welfare

At present, workers are required to submit their welfare grant claims with the respective Labour Offices. These applications / claims are verified by the Labour Officer of the area and then scrutinized by a Tripartite District Scrutiny Committee constituted at each district having representation from the government employees and employers' representatives under the Chairmanship of district head of Labour Department. The District Scrutiny Committees forward their recommendations to Punjab Workers Welfare Board for the eligible cases on prescribed proforma. After due scrutiny and pre-audit, these cases are submitted to the Chairman Board for approval. Following approval of the Chairman Board, these cases are sent to Workers Welfare Fund, Islamabad for release of funds. Funds on case to case basis are released by the Workers Welfare Fund and on receipt of funds, payment is made through online banking system to the applicants having their bank accounts in BOP and through CDR/Crossed Cheques to the applicants having their bank accounts other than BOP.

Welfare Board will ensure disbursement of welfare grants within a minimum possible time and early release of funds by the Funding Agency will be arranged. Establishing a system of online verification of workers' data from Factories / District Labour Office, online verification of EOBI/PESSI related record to minimize different tiers of scrutiny is also involved. Moreover, new welfare schools shall also be established for workers' children and efforts shall also be made to enhance the existing number of housing-schemes/ labour colonies keeping in view the ever-increasing number of registered workers.

3.14 Skills Development for Adolescents:

Under the legislation titled as “The Punjab Restriction on Employment of Children Act, 2016”, light work has been allowed for adolescents (15 to 18 years) but their working in the identified 38 hazardous occupations has also been strictly prohibited. As such, there is an emerging need to impart technical trainings to the adolescents through institutions like TEVTA and PVTTC etc. Foregoing in view, necessary measures shall be taken to achieve the end objective.

Policy Implementation

4.1 Policy Implementing Unit

For effective implementation of the interventions proposed in this policy, it is recommended that a Steering Committee is notified with the objective to steer the implementation of the policy through “Policy Implementation Unit” which will function under the following mandate:

1. To function as implementation secretariat of the Labour Policy;
2. To coordinate amongst various stakeholders and the Governments for timely execution of the policy goals;
3. Support the Government Departments and other stakeholders during integration efforts;
4. To collect information on the achievements and support the Steering Committee during Policy review.

4.2 Strategic Framework

- (a) **Thematic Area 1: Elimination of Child Labour:** Key pillars of the future implementation strategy shall include drafting of Rules under the new passed laws on child labour i.e. the Punjab Restriction on Employment of Children Act, 2016 and the Punjab Prohibition of Child Labour at Brick Kilns Act, 2016. In addition, future strategies like Provincial Child Labour Survey (PCLS), imparting quality trainings to the inspectors and social partners, facilitating employers in age verification and extending coverage in formal/ informal sectors subject to the availability of human/ financial resources shall be pursued. Besides this, the on-going policy to periodically upgrade and update the strategy to combat and gradually eliminate child labour shall also continue including effective/ result-oriented implementation of above cited laws on child labour.

- (b) **Thematic Area 2: Handling the Issue of Bonded Labour:** Focus of the Department shall remain on areas like Drafting of subsidiary Rules under the amended law, drafting of amendments in the light of identified gaps, holding tripartite consultations on the subject, restructuring of DVCs for better output, imparting necessary trainings to the stakeholders, improvement in compliance and monitoring strategies, undertaking study on expanding coverage and sharing of results after tripartite consultations, improvement in the monitoring mechanism of DVCs and revitalizing the compliance strategies in line with the International Labour Standards (ILS).
- (c) **Thematic Area 3: Tackling Discrimination in Wages & Work Opportunities:** The implementation strategy would include crucial policy decisions like Building institutional capacity of the inspectorate and social partners, strengthening the complaint communication & redressal mechanisms, identification of gaps in coverage and certain legislative reforms already identified in the Labour Policy.
- (d) **Thematic Area 4: Freedom of Association & Collective Bargaining Guaranteed:** Success of said thematic area shall be predominantly based upon Framing of Rules under the Punjab Industrial Relations Act, Capacity Building of the Registrars of Trade Unions/ Conciliators/ Inspectors/ social partners, study focusing on pros and cons of industry-wise trade unions and supporting in principle the formation of trade unions in the formal/ informal sectors.
- (e) **Thematic Area 5: Improvements in the Labour Inspections System:** The future strategy shall be aimed at revamping the on-going system of labour inspections through revision of the inspections proforma, development and periodical revision of the inspections' manual, implementation of quota requirements on part of the basic inspectors & super-inspectors, restructuring the inspections regime, introducing the option of warning on violation, performance incentives & resources/ transport facilities for the inspectors besides technical/ professional guidance, analysis of post-prosecution results, undertaking work-load exercise for enhancement in the

existing number of inspectors, study to explore possibilities of expanding the coverage to informal/ uncovered sectors and preparation of annual reports.

- (f) **Thematic Area 6: Occupational Safety & Health:** Preparation of a separate and new draft legislation on the subject encompassing all facets of OSH with extended coverage and thereafter framing of subsidiary Rules under the Act *ibid*. An innovative approach shall be followed to deal with the surfacing problems of OSH in the 21st century primarily owing to the technological changes that may include efforts like Rescue Management in Coal Mines in close liaison with the Rescue 1122, supporting industry to promote OSH culture, enhancement in OSH related inspections, providing financial and technical resources/ support to the notified inspectors, survey of OSH Standards aimed at further revision of the list of hazardous occupations, research to extend coverage of OSH inspections and capacity building of the inspectors/ social partners.
- (g) **Thematic Area 7: Promotion of Social Dialogue:** The Department shall continue to acknowledge the significance of social dialogue as an effective tool to facilitate industrial peace and harmony being the foremost concern of this Department. In order to achieve this end, the Department shall ensure proper representation of workers and employers at all tripartite forums so that they are fully on-board while making key decisions, training of social partners on social dialogue, review and oversight in PTCC Meetings, holding of a tripartite labour conference preferably each year, arranging symposiums/ seminars in collaboration with social partners and conducting a thorough study focusing at promotion of social dialogue to resolve the emerging issues through tripartite consultations.

4.3 Policy Review

Policy will be reviewed after every two years under the dynamic supervision of the Labour Policy Steering Committee.

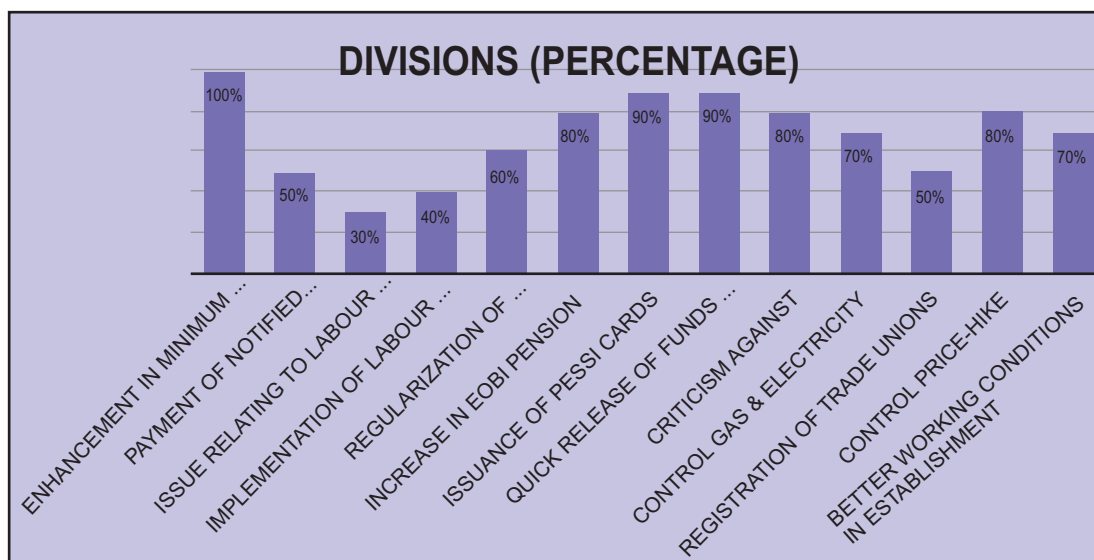
Tables

Punjab Labour Force:

Province/Area	Labour Force (Millions)		
	Total	Male	Female
Pakistan	61.04	46.38	14.66
Rural	41.95	29.70	12.25
Urban	19.09	16.68	2.41
Punjab	36.92	26.28	10.64
Rural	26.25	17.29	8.96
Urban	10.67	8.99	1.68

Source: Pakistan Labour Force Survey (2014-15)

Trend analysis of 1st May 2018- Prominent and Recurring Demands from Labourers:



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