

Annual Labour Report 2011



LEF

Labour Education Foundation

**Annual Labour
Report 2011**

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Foreword

The situation of workers' rights remained feeble during the year 2011. They faced different challenges related to unemployment, poor working conditions, occupational, health and safety hazards and bad employment conditions. Lack of political will in terms of the implementation of minimum wages was a major concern. The malpractice of child labour flourished and the working children were confronted with harsh working conditions and received significantly low wages.

The existing labour laws aiming at the protection of the rights of workers and to promote their welfare were inadequately implemented. Denial to workers of their fundamental right to form association, to do collective bargaining, lack of social security schemes and social safety nets was an ongoing phenomenon.

The continuing energy crisis in Pakistan, continuous inflation, price hike, taxation, and incompatible wages of the labourer and working class is gradually leading to the spread of poverty and poor condition of working class' life for the past many years.

Calling year 2011, a year of protests won't be an overstatement. From every field the labourers protested for their rights and as a consequence were arrested by the state.

This annual labour report focuses on the government's policy and decisions, the exploitations of the system, the lack of social protection, helplessness of women workers, menace of child labour, messy informal sector, the link between poverty and labour and lastly the diminishing role of federations and unions.

This report presents the plight of women workers of the country who continue their struggle to fight for better wages, better environment and more opportunities to work with respect and without any humiliation, exploitation or harassment.

The objective of this report is to highlight the prevailing situation and to contribute into labour rights struggle in Pakistan. It is important to understand the dimensions of the subject and strive for an improvement in the situation. Through this report, efforts have been made to compile information regarding the status of labour rights in the country.

Labour Education Foundation hopes that this report will provide an overall documentation for different organizations and labourers to strengthening their knowledge base, to play a more proactive role to demand the rights of workers.

Summary

The past year for the labourers was one of the most difficult ones since the formation of the country with the difficulties increasing at an increasing rate.

True that the government set up a minimum wage rate but considering the purchasing but given the galloping inflation and the performance of other allied sectors in the industry, like electricity and gas loadshedding, lack of proper employment planning and of institutions that would jack up the skills to save time invested in training and adopting to the changing trends, urban migration of the rural labour force to an already saturated urban market and lack of opportunities thereof, incidences of suicides due poverty have seen a definite increase, with no respite in sight and no plausible action from the powers that be.

These and much more, there is a serious lack of seriousness in resolving the issues of labour force in Pakistan. The governments, both Provincial and Federal, have not been able to set and implement labour laws. Out of the estimated more than 60 million labour force, most are working in unorganized or gray sectors of the markets.

There has been no attempt of bringing them into the ambit of legal service providing. The government has failed to evolve a comprehensive social protection system while economic transformation in the last two decades has eroded the traditional, indigenous community support

systems that were supposed to take care of the economic and social wellbeing of the labour community.

In addition to the state governed organisations/setups supposed to work for providing social and economic security to the labour force, working terms and conditions in the private sector also need to be looked into and organized. The current effort is half cooked and heavily resourced without tangible results.

The plight of women workers of the country continues with their struggle to fight for better wages, better environment and more opportunities to work with respect and without any humiliation, exploitation or harassment.

In Pakistan, regarding the workingwomen's issues, on the top, 49,700 Lady Health Workers (LHWs) remained without salary for many months in 2011. The female staff of National Programme for Family was reported in miserable conditions. They complained that their salaries remained in departmental accounts to get profits from banks and that is why they are deliberately delayed. They blamed federal government for this.

The federal government also remained reluctant to regularise services of agitating "lady health workers", who were part of the National Programme for Family Planning and Primary Healthcare despite the fact that the ministry of health is being transferred to provinces under the 18th amendment.

The provinces found it beyond their capacity to run various projects.

The nurses of Karachi, Larkana in Sindh, and various cities in Punjab had been calling for abolishing the

contractual system of appointment and regularize the affected staff. They said that their profession is important but neglected. They warned of launching a mass level campaign for their rights in future. They also demanded for in-time salaries.

IN EARLY 2010, Pakistani Senate passed a bill to further amend the Pakistan Penal Code 1860 and the Code of Criminal Procedure 1898 against sexual harassment at the workplace, amid strong criticism from religious parties.

However, harassment at public places like markets and bus stops remained common. Harassment at workplace is something, which inhibits employees, especially female, and many have to quit jobs due to fear of dishonouring their family. According to press reports, Alliance Against Sexual Harassment (Aasha), a non-governmental organisation, opened its office in Peshawar in 201 and received 11 complaints of men and women about how they face sexual harassment at public places and workplaces within the days.

They received such complaints from universities, health and education departments. Although every law binds government to extend it to the whole of Pakistan and 'shall come into force at once' but in fact non-implementation of laws is a great problem and perhaps this new law has somewhat not been taken seriously as even many government departments have not yet formulated the committees or adopted the code so that any employee facing harassment could find justice at once.

The Children Complaint Office (CCO) of the Punjab Ombudsman in its report ranked Boards of Intermediate and Secondary Education (BISE) and the police highest for violating the child protection laws. According to the

report, the complaints, against violation of children's protection and welfare laws, were addressed through the friendly investigation procedures. The report said that the CCO investigated the existence of laws dealing with children and found that 22 laws were present for the protection and welfare of children. The CCO received 274 complaints since its inception, till 2010. Out of the total complaints, 99 were received in the last two months of 2009, while 175 complaints were registered during 2010.

The BISE and Education Department was first amongst the list of provincial agencies against which the complaints were registered. In 2009 and 2010, 22 and 73 complaints were received against BISE, respectively. The Police was second in the list for both 2009 and 2010, with 13 complaints in 2009 and 18 complaints in 2010.

After the 18th amendment, the ECA 1991 had to be adopted by the provinces before June 30, 2011 to avoid lapse. In this context, it is also important to see that most of the cases of violence against child domestic labourers fall in Punjab. This multiplies the need of adoption of ECA 1991 immediately in Punjab particularly to give some protection to the child labourers.

According to the ILO, every 4th household employs a child for work in Pakistan. Since January 2010, more than 12 children have lost their lives due to torture inflicted by their employers and about 95 per cent of these cases have been reported in Punjab which is alarming situation, he said, adding that most children were made to work consistently without a break, often on twelve hour shifts.

The working children were provided with inadequate food and were deprived of their basic educational right. In addition to this, they faced violent

and aggressive behavior from their employer on petty issues.

But none of these laws specifically recognise the child domestic worker as a form of child labour. In fact none of these laws recognise employing child domestic workers as an offence. The Employment of Children Act 1991 bans 30 occupations for children but not child domestic labour.

Social protection is one of the key issues of the laborers and workers in a country like Pakistan where there is weak democracy, bad governance, violence, intolerance and uncontrolled law and order situation. Laws are not implemented and the powerful segments of the society those control the labour deal with them brutally, for the most of the time. Influential families exploit, beat, mistreat, and humiliate their labour. They are deprived of medical facilities, safety rules implementation.

The year also witnessed abduction and killing of many labourers and Non Governmental Organization sector workers in different parts of the country.

OVER 40 people were feared killed in a coalmine collapse triggered by a series of methane gas explosions inside a mine in Balochistan. According to reports, 52 miners were working in the over 4,000-feet deep mine when a series of explosions occurred. As a result, a major portion of the mine collapsed trapping the workers. Though a massive rescue operation was set in motion, the task was rendered difficult because of the high quantity of methane inside.

Year 2011 was no different for the labour enthusiasts on the policy and decision-making front, the representatives of trade unions deplored the lack of

regard for labour rights and international conventions while adopting new labour laws after transfer of the subject to provinces under the 18th Amendment.

Prime Minister Yousuf Raza Gilani on May day announced new labour policy which raised the minimum wage to Rs7,000 per month from Rs6,000. The prime minister said the new policy was pro-worker and aimed at improving their lot. The government said the new policy was based on universal principles of equality and social justice, constitutional and international rights for the uplift of workers. Previous labour policy was announced in 2002.

However, labour organizations termed the new labour policy short of expectations as it only catered to the needs of only three to five percent of the registered workers, leaving the rest 95 percent workforce still vulnerable to market forces with no state protection.

The policy, ironically, was issued a day after an important law, Industrial Relations Act (2008) expired on 30th April and government made no efforts to replace it with a new better law as promised.

The labor organizations like PILER and LPP and LEF rejected the policy saying mere Rs 1,000 increase in minimum wages was inadequate given the huge increase in prices of basic commodities, The fact is that a large majority of workers would not get even this Rs 7000 minimum wage as a majority of workers does not come under the scope of the relevant law or there is no mechanism to implement it.

In light of the 18th Amendment, there are possible challenges in the enforcement of international conventions and treaties, especially with regards to labour

rights such as ILO Conventions 87, 98, ILO Declaration on Fundamental Principles and Rights at Work.

Following the 18th Amendment, future of worker unions and federations, which were functioning at the national levels, has also been in limbo after the devolution of the labour department. These are some of the major grey areas those demanded serious level of consideration in 2011.

Calling year 2011, a year of protests won't be an overstatement. From every field the labourers protested for their rights and as a consequence the arrests were done by the state.

Moving to the North — more than two hundred employees of the water and power department of Gilgit-Baltistan who were without salaries for six months staged a protest demonstration outside Gilgit tehsil office and blocked the main road of the town for hours.

According to the press reports and studies, nearly 76% of women had joined the informal sector in no more than the past 15 years; more specifically, it seems that the trend for home-based work had intensified from the 1990s. A majority of HBWWs knew the skill as part of their traditional heritage. At least half of the HBWWs were carrying their work without using the help of anybody at home.

Many women were making more than one product. Only 38% women reported having work for the full 12 months. Sectors which provided all year round work included football production, embroidery related work, ralli and topi crafts.

Labourers had been slamming the government severely for not increasing their minimum wages in the budget 2011-12, demanding raise as per the ratio of inflation for the whole year. The ratio of inflation in the country was 14.5 percent in 2011 and the minimum wages announced by the government in the Labour Policy 2010 were Rs 7,000 per month.

The government had announced 15 percent increase in the salaries of the government employees; a large number of workers working in the private sector had been left at the mercy of the entrepreneurs and employers.

In 2011, the Supreme Court directed the federal and provincial governments to ensure the minimum salary Rs7,000 in state and private institutions of the country. A four-member bench headed by Chief Justice of Pakistan Iftikhar Muhammad Chaudhry heard the suo moto case regarding payment of prescribed minimum wages to the security guards working in PTCL. The court ordered for establishing the complained cells in every district for implementing the court's order regarding the matter.

While government schools are known to be unable to satisfy their teachers, private school teachers of the relatively lower-middle-class schools have also started to complain that their school administrations not catering to their demands.

According to the teachers, administration of these schools exploits them, whereas nobody in the government was willing to take up the issue. They said that after retirement, there was no mechanism of pension and gratuity. They also claimed that there was no proper system of salary increment.

The ongoing energy crisis in Pakistan, continuous inflation, price hike and taxation, and incompatible wages of the labourer and working class is gradually leading to the spread of poverty and poor condition of working class' life for the past many years.

Despite strong economic growth during the past decade and consequent rising demand for energy, no worthwhile steps have been taken to install new capacity for generation of the required energy sources. Energy has become an important prerequisite for the economic development of the country. On one hand it is used for the industrial and agricultural purposes and on the other hand it is required for domestic use of the citizens. The energy crisis had also left thousands of factory workers jobless because the factories were being closed due to short of gas and electricity.

In Pakistan, food price rises are inexorably on an upward trajectory. January 2011 saw a 20 per cent increase in the price of essential food items; while the cost of non-perishable food items rose by 17.27 per cent that of perishable items surged by 44.5 per cent with a corresponding 16 and 13 per cent increase in medical and transport costs.

The failure of the provincial government to control artificial price hike of essential edibles also made life of people miserable who were already adversely affected by inflated bills of utilities. The shopkeepers and vendors overcharged buyers across the provincial metropolis while no price fixing mechanism was virtually implemented. Similarly, the vendors also charged different rates in different locality.

The biggest victory of journalists in Pakistan was, after a decade-long battle, journalists won the court case for the implementation of the seventh wage board award. Media workers finally emerged victorious when the Supreme Court endorsed their right to a fair wage in October 2011.

Chief Justice Iftikhar Muhammad Chaudhry directed that the wage board award be implemented in letter and spirit and dismissed the petitions filed by the All Pakistan Newspapers Society (APNS) and Pakistan Herald Publications. The petitioners would have to pay a penalty for the contentious litigation.

Journalists are in the profession, which makes the news, but they fail to highlight their own news of exploitation, non-payment of salaries, proper working environment. According to inside reports, the salaries in 80 percent newspapers are delayed. Even in many newspapers and media organizations the salaries have not been paid for months. Many newspapers have cut down their sizes and staff without proper notices.

The journalists noted the ever-increasing violence against journalists was hampering the smooth function of gathering news from the field and imparting it to the masses.

2011 was worst for journalists working in South Asia as threat from both non-state and state elements to their safety, especially in the conflict areas, kept taking its toll on them. Media organizations were not spared from the anger and wrath of many non-state actors.

Women Workers

The plight of women workers of the country continues with their struggle to fight for better wages, better environment and more opportunities to work with respect and without any humiliation, exploitation or harassment.

The women, who constitute half of country's population, have only 21 per cent share in the labour force, and even less in remote provinces, compared to men who dominate the work force with 70 per cent participation rate, according to a joint discussion of International Labour Organisation (ILO) and Canadian International Development Agency (CIDA). The forum recognized gender equality in the world of work a fundamental human right, critical to social justice and instrumental in achieving poverty alleviation and social and economic development goals. It also noted that women face significant challenges finding work in decent working conditions. A representative of ILO informed that vulnerable employment for women increased by 11.9 per cent between 1999 and 2007, which, she said, was quite alarming. It also surfaced during the discussion that cultural and infrastructural constraints on mobility and working outside the home, limit the opportunities women have regarding productive employment.

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miserable conditions. They complained that their salaries remained in departmental accounts to get profits from banks and that is why they are deliberately delayed. They blamed federal government for this.

Hundreds of paramedics and nurses were baton charged in March in Ghotki for demanding their rights. Police baton charged them and arrested a few dozen causing panic in that community. More than 30 nurses were arrested while police also used tear gas to disperse them. This rally of All Pakistan Lady Health Workers staged a sit in on main Grand Trunk Road to raise their demands. Police crushed that rally iron handily. More than 50 nurses injured in this incident. Hundreds of nurses also boycotted polio campaign boycotted against Ghotki baton-charge incident in various cities of Sindh.

The federal government also remained reluctant to regularise services of agitating “lady health workers”, who were part of the National Programme for Family Planning and Primary Healthcare despite the fact that the ministry of health is being transferred to provinces under the 18th amendment.

The provinces found it beyond their capacity to run various projects.

The LHWs had been agitating for regularisation of their services at a place on Sindh-Punjab border and the protesting women. Their sit-in ended after police used force and restored traffic on a section of the National Highway.

Lady Health Workers’ scheme was launched during second tenure stint of late Benazir Bhutto when 10,000 LHWs women were appointed and the number increased to 30,000 before the Benazir government was ousted.

Since then their number has been regularly going up as all successive governments found the programme to be effective one.

By 2011, around 100,000 LHWs, health supervisors, accountants and drivers were working in the NPFPPH across the country. Of them, 23,150 were working in the provincial department on a stipend. They were getting a salary of Rs3,500 until Bushra Arain moved the Supreme Court on behalf of the All Pakistan LHW Association in September in 2010. The court directed the government to pay them in accordance with labour rules with the minimum wages of Rs7,000.

The total cost of programme stood at Rs5 billion and its budget was raised to around Rs11 billion after salaries of LHWs were raised to Rs7000 from Rs3200. Services of LHWs are also used for different immunisation campaigns.

The nurses of Karachi, Larkana in Sindh, and various cities in Punjab had been calling for abolishing the contractual system of appointment and regularize the affected staff. They said that their profession is important but neglected. They warned of launching a mass level campaign for their rights in future. They also demanded for in-time salaries.

The indecisiveness of the federal and provincial governments towards the continuation or regularisation of services of over 24,000 lady health workers (LHWs) and supervisors ignited a wave of protests in 2011.

By mid 2011, about 23,000 LHWs were engaged under a federal government project "Family Planning and Primary Health (FP&PH)" and get a stipend of Rs7,000 each under a contract system, which in line with a PC-1

could not be continued till the end of the current financial year. While the LHWs wanted to ascertain their future, the federal health ministry was unwilling to get involved in any new expenditures and obligations for the cadre in question.

A cadre of LHWs was established at the grass-roots level in 1994 to ensure health education, reproductive health, vaccination, control of diarrhoea and other communicable diseases, promotion of using safe water and sanitation facilities and other dimensions of primary healthcare in rural areas.

They were being paid Rs3, 000 per month as stipend on a quarterly basis till August 2010. However, the amount was increased to Rs7, 000 following a verdict of the Supreme Court of Pakistan last year and thus the financial implications were also increased and the health ministry had to take extra measures in this regard, said the source related to the LHWs services.

Khyber Pakhtunkhwa health department also faced difficulty in paying salaries to lady health workers after the devolution of powers under the 18th Amendment, according to officials. After passage of 18th Amendment, the lady health workers (LHWs) programme had been devolved to the province that is not able to bear the annual cost of Rs2.15 billion, which worries the provincial health department.

The federal government started the programme in 2005 and appointed more than 100,000 LHWs in all the provinces to involve them in door-to-door anti-polio campaigns, distribute oral re-hydration salt (ORS) among the vulnerable population besides utilising their services during natural calamities.

The LHWs programme worked under the defunct federal ministry of health, which also released funds to all the provinces for the salaries of the staff, medicines and logistics, officials said. They said that the programme also aimed at motivating women for use of contraceptive and creating awareness about the problems of pregnant women.

IN EARLY 2010, Pakistani Senate passed a bill to further amend the Pakistan Penal Code 1860 and the Code of Criminal Procedure 1898 against sexual harassment at the workplace, amid strong criticism from religious parties.

The new amendment bill sought to insert a new offence in Section 509 of the Pakistan Penal Code 1860(XLV) to provide for punishment over sexual harassment at workplaces, and consequential amendments in Schedule II of the Code of Criminal Procedure 1898(V) to make the offence punishable with imprisonment – which may extend to three years – or a fine of up to Rs 500,000, or both.

Additionally, the offence would be bailable and non-compoundable. The amendment is aimed at protecting women in particular against sexual harassment.

The law was passed by the government in March and called “Protection Against Harassment of Women At Workplace Act 2010”. It was declared hope for women, who are harassed at workplaces. An amendment in Section 509 of Pakistan Penal Code (PPC) could also help such women. It says whoever intending to insult the modesty of any woman, utters any word, make any sound or gesture or exhibit any object intending that such word or sound shall be heard by such woman or intrudes upon

the privacy of the such woman shall be punished with imprisonment which may extend to three years or a fine up to Rs500, 000 or with both.

The new law binds every organisation to constitute an inquiry committee within 30 days of the enactment of this Act to probe the complaints under this law.

HOWEVER, harassment at public places like markets and bus stops remained common. Harassment at workplace is something, which inhibits employees, especially female, and many have to quit jobs due to fear of dishonouring their family. According to press reports, Alliance Against Sexual Harassment (Aasha), a non-governmental organisation, opened its office in Peshawar in 201 and received 11 complaints of men and women about how they face sexual harassment at public places and workplaces within the days.

They received such complaints from universities, health and education departments. Although every law binds government to extend it to the whole of Pakistan and 'shall come into force at once' but in fact non-implementation of laws is a great problem and perhaps this new law has somewhat not been taken seriously as even many government departments have not yet formulated the committees or adopted the code so that any employee facing harassment could find justice at once.

From Nov 25 to Dec10, women rights organisations observed 15 days of activism of violence against women and expressed concern that violence against women was growing in society. Harassment of women is one of the worst forms of violence. Reported interviews with working women revealed that most females of every class and age

face harassment at some point, somewhere in her entire life but often others take it lightly when she complains. Women fear to raise this stigmatised issue, as they don't get support from family and colleagues.

WOMEN journalists at a gathering stressed that media houses needed to adopt flexible working hours for women, a concept being promoted across the world, so that they could better perform their professional and domestic obligations.

The media houses, they said, also needed to facilitate young mothers by providing facilities like day-care centres in order to encourage more and more women not to sacrifice their professional careers when they have to bear with additional responsibilities at home.

Talking on a forums, "Empowering women through awareness" held at the Karachi Press Club, there was consensus among most speakers that journalism had proven to be one of the most rewarding professions for women who faced no glass ceiling effects as such and could rise to higher positions with hard work and dedication. Male colleagues, they said, were generally cooperative and understanding and it was up to the woman alone how she developed a rapport with her colleagues. The speakers highlighted the need for establishing strong links between the media houses and institutions offering education and training in print and electronic journalism so that students were better equipped to face professional challenges. The online editions of newspapers and magazines and even internet blogs had provided women with a lot of opportunities to use their talents, they said.

Qualified woman leave no stone unturned to achieve professional achievements in their life in Pakistan but they have also to take care of their families and fulfil domestic responsibilities. In this situation most of the working women experience a stress when they receive jerks of the equal opposite forces from these two different directions. This stress increases when they receive a left-handed compliment even from her close relations, in spite of the fact that she tried her best to keep the things square.

Even today, though no official figures are available about the exact number of home based workers, according to NGOs estimate there are around 8.5 million HBW in Pakistan. According to a World Bank study, over 10 million women in Pakistan are engaged in home-based work in sectors like garment, bangle-making, shoe-stitching, embroidery, carpet weaving, dry fruit picking, jewellery, leather products, steel scissors, mobile covers and prawn shelling. Though their contribution to economy is 60 per cent, still they are the most unprivileged among the society. Their incomes ranged between Rs10 to Rs50 (less than one dollar a day) despite the fact that they work for 12 to 16 hours. The impression is that this figure reflects a surface reality, scratching a little future would reveal a wider pool smitten by harsh economic facts.

WOMEN also remained deeply involved in agriculture and livestock sectors in Khyber Pakhtunkhwa. They, however, remain deprived of access to extension services, financial empowerment and capacity building while no facility is offered to them for training, input/services and livestock progeny. The provincial agriculture policy 2005 and horticulture policy 2009 acknowledge that the absence of gender mainstreaming

and participation, hinder the growth and development of the sector, making it less profitable for farmers, especially the poor/small growers. While the provincial government has, now, acknowledged the need for empowering of women, its efforts in this direction are too feeble to make any significant impact.

In 2010-2011 budget of KP, a project for livelihood improvement through strengthening of gender-based livestock interventions with an outlay of Rs300 million was launched in the province. Through this project, female livestock farmers would be provided training for rearing animal offspring and hens to help improve their skills and decision-making capacity. But only Rs15 million had been earmarked in the next year for disbursement for the project, according to press reports.

According to a survey carried out in five districts of KP, 82 per cent of the rural women took part in agriculture activities, spent 45 per cent of their time in fields which accounted for 25 per cent of production of major crops and 30 per cent of total food. Around 35 per cent of rural women rear livestock and are responsible for 60 to 80 per cent of feeding and milking of cattle. Over 90 per cent of rural women keep poultry birds at home. However, they mostly apply traditional methods of rearing, breeding and management of livestock.

New concepts such as tunnel farming, modern household farming, tissue culture technology and modern animal husbandry techniques need to be used to increase production and encourage efficiency. Rural women in the province have no separate agricultural extension services. Living in a backward region, female farmers would willingly attend trainings if these were arranged through female extension workers. Female veterinary graduates could be

appointed for curing livestock owned by female farmers in rural areas.

The share of women in the country's workforce has been increasing but apparently at a slower pace in the corporate sector. Most enterprises have yet to adopt gender equality policies in their business strategy. The obvious outcome is that the work environment is not conducive for female workers to achieve their best for themselves or their company.

The Pakistan Economic Survey 2009-10 puts female labour participation rate at 20 per cent in refined activity and 15 per cent in crude activity. Of the total female workforce, 0.1 per cent are employers, 13.1 per cent self-employed, 65 per cent unpaid family workers and, 21.8 per cent employees.

Interestingly, women legislators and political leaders belonging to almost all major political parties, in 2011, called for allocation of 10 per cent mandatory quota of party tickets for women in the next elections. The demand came from the women parliamentarians in the form of a declaration at the conclusion of a roundtable on "Strengthening women's representation in political and legislative process" organised by the Women Parliamentary Caucus.

"We resolve to build consensus among the political parties to amend the political parties act so as to provide mandatory quota of 10 per cent of winnable general seats to women to mainstream them in electoral processes before the next elections," said the declaration released to the media.

Child Labour

Child labour is a serious crime all over the world. UNICEF defines it as some type of work performed by children below 18. The number of child labourers in Pakistan is about 10 million. In 2010, the Federal Bureau of Statistics released the result of its survey: 3.8 million children in the age group of five to 14 years are working in Pakistan out of a total of 40 million children. 50 per cent of these economically active children are in the age group of five to nine years. Even out of these 3.8 million children, 2.7 million were claimed to be working in the agricultural sector. Two million and four hundred thousand (73 per cent) of them were said to be boys.

The Children Complaint Office (CCO) of the Punjab Ombudsman in its report ranked Boards of Intermediate and Secondary Education (BISE) and the police highest for violating the child protection laws. According to the report, the complaints, against violation of children's protection and welfare laws, were addressed through the friendly investigation procedures. The report said that the CCO investigated the existence of laws dealing with children and found that 22 laws were present for the protection and welfare of children. The CCO received 274 complaints since its inception, till 2010. Out of the total complaints, 99 were received in the last two months of 2009, while 175 complaints were registered during 2010.

The BISE and Education Department was first amongst the list of provincial agencies against which the complaints were registered. In 2009 and 2010, 22 and 73

complaints were received against BISE, respectively. The Police was second in the list for both 2009 and 2010, with 13 complaints in 2009 and 18 complaints in 2010.

Moreover, the children also complained about the Child Protection & Welfare Bureau, Health agencies, Punjab Education Endowment Fund, City District Governments, NADRA, Parks & Horticulture Authority and other provincial agencies.

The CCO reached 3,500 school children, 150 juveniles, 300 cancer patients, 1,000 teachers, 137 orphan girls and 40 child labourers in 2010.

The report said that CCO, established in the Punjab Ombudsman in 2009 with the collaboration of UNICEF, provided financial and psychological aid to flood affected women and children in 2010.

One example of children's exploitation was nationally highlighted. A child girl, maliciously raped by the son of her employer in Rahim Yar Khan left tied up to a charpoy in the blistering heat, bleeding. Ten years old Naseem was the 16th case of child domestic labour abuse in Punjab by the end of 2010.

According to press reports, Naseem, who had been missing for a few days, finally managed to escape the employer's house, and limped home to tell her parents the whole story. It was later found in a medical report that not only had the child been raped regularly, she was also a victim of physical violence.

Both the federal and provincial governments have failed to prohibit government employees from employing children as domestic servants and failed to manage to start proper programmes for the rehabilitation of child

domestic labourers. The effective implementation of the constitutional provision about free and compulsory primary education for children of five to 16 years have also not been taken as an effective step.

After the 18th amendment, the ECA 1991 had to be adopted by the provinces before June 30, 2011 to avoid lapse. In this context, it is also important to see that most of the cases of violence against child domestic labourers fall in Punjab. This multiplies the need of adoption of ECA 1991 immediately in Punjab particularly to give some protection to the child labourers.

A national conference on child domestic labour (CDL) in 2011 urged the government to completely ban the domestic child labour in the country under the Employment of Children Act 1991. It demanded the implementation of Article 25 of 18th Amendment, which states that education is the basic right of children in the age bracket of 5 to 16 years. It said that Asia contributes 60 per cent of the total child domestic labour in the world with 90 per cent of them girls. The conference suggested that the parliamentarians, government servants, politicians and media persons should sign a statement in which they should make a commitment that they will never hire a child for domestic labour in their house.

The “National Conference on Contemporary Forms of Slavery: Child Domestic Labour in Pakistan” was organised by the Society for the Protection of the Rights of Children (Sparc) in 2010. Large number of the civil society representatives, researchers, government officials and media persons participated in the conference.

The ILO Convention 138 on minimum age of child labour and Convention 182 on worst forms of child labour,

Convention 29 and 105 on forced labour have been ratified by Pakistan but the issue remains unsolved at the ground-level. The experts urged the need to promote education and skills to eliminate child labour.

The Society for the Protection of the Rights of the Child (SPARC), separately, also demanded of the Punjab government to put an immediate ban on child domestic labour by adding it in the schedule of banned occupations under the Employment of Children (Amended) Act 2011.

The ILO has estimated that domestic service was the single largest source of employment for girls under 16 around the world. According to the Anti-Slavery International, Asia is home to about 60 per cent of child domestic labourers, out of which 90 per cent were girls.

Child domestic labour is the worst form of child labour depriving a number of children from their basic rights of health, education, livelihood and protection. Unfortunately, this practice of hiring children for domestic work is highly prevalent in our country especially in urban settings.

According to the ILO, every 4th household employs a child for work in Pakistan. Since January 2010, more than 12 children have lost their lives due to torture inflicted by their employers and about 95 per cent of these cases have been reported in Punjab which is alarming situation, he said, adding that most children were made to work consistently without a break, often on twelve hour shifts.

The working children were provided with inadequate food and were deprived of their basic educational right. In addition to this, they faced violent

and aggressive behaviour from their employer on petty issues.

According to press reports, over 25,000 children are forced to work in the district Gujranwala, a thickly populated industrial district of the Punjab province, to support their poverty-hit parents while there is no authority to control child labour. According to a survey, male and female children, under the age of 18 years, are working at factories, workshops, hotels, and shops and even at roadside carts. The parents of these children are illiterate and don't have any alternative source of income. A cruel shape of it is bonded labour at brick kilns and at homes where the parents of such children receive money in advance from kiln owners and other employers and leave their dear ones at their mercy.

Such children often earn Rs 3,000 to Rs 5,000. Recently, a teenage girl was brutally murdered in the house of a former mayor of the city in mysterious circumstances. The situation at brick kilns is even worse. The Punjab government has been claiming 100% enrolment at primary level for the last three years. The predecessor government also made the same claims, but the ground reality is altogether different.

IN June, ILO adopted Convention (189) on Decent Work for Domestic Workers that is something historic since it enters the informal sector setting out standards to improve the condition of those working in a household or caring for families.

In Pakistan most of such workers are women, unskilled, illiterate and oppressed, hence open to exploitation. But what about the children who work in homes? Their number is not accurately known and since

the practice of employing little children is socially accepted there is no societal sanction against it. ILO believes that every fourth household in Pakistan employs a child for domestic work.

The Society for the Protection of the Rights of the Child (Sparc) describes domestic child workers as “victims of exploitation behind closed doors”.

SPARC’s report “The State of Pakistan’s Children 2010” children doing domestic work in homes were subjected to violence and even killed by their employers.

Sadly, it is not considered an act of perversity when the employers’ children receive special treatment while the suffering child worker remains a silent onlooker.

Technically, international conventions check child labour and the United Nations Convention on the Rights of the Child, of which Pakistan is also a signatory, makes it compulsory for member states to observe the rights spelt out, some of which, such as compulsory education, rest and leisure, and freedom from punishment and torture, if observed, would make it impossible for a child to work.

ILO Recommendation 146 lays down standards that humanise child labour, for which the minimum age is stipulated to be 15. This will make child workers in Pakistan invisible and all the more vulnerable and in need of extra protection. Convention 189, however, holds out a ray of hope for children 15-18 years of age who work in homes. Their employers are obliged to provide them education. One should add that they should be provided additional emotional security because of their tender age.

The grave implications for society of subjecting children to the rigours of domestic labour are not

understood. Neuroscientists who have been doing research on the human brain are now convinced that a child's experiences in the early years of his life shape his brain.

Hundreds of children who have been born and bred on footpaths in Pakistan have hardly any food or clothes; medicine is out of reach for them, and shelter from sun and rain is just the shade of a tree. Most important of all: they remain illiterate and have no direction in life. When they grow up and see other children enjoying life, they start cultivating a sort of animosity towards society and those better off. Even before these children become 10, most boys fall easy prey to terrorist organisations where they get everything they need and much more while the girls are taken away by affluent people who use them according to their vested interests.

LIKE elsewhere in the country, thousands of domestic child labourers in the twin cities also remained to be protected and not given their due rights through an effective legislation that could help shape up their lives in society.

The official data showed that existing laws only address the child labour issue including the Constitution of Pakistan 1973, the Employment of Children Act 1991, and the Bonded Labour System (Abolition) Act 1992.

But none of these laws specifically recognise the child domestic worker as a form of child labour. In fact none of these laws recognise employing child domestic workers as an offence. The Employment of Children Act 1991 bans 30 occupations for children but not child domestic labour.

It is generally observed that parents leave their children in posh houses without reaching any written agreement where they are sometimes subjected to violence and physical abuse. There are many cases in which little girls were abused and raped, but because of absence of proper and strict laws, the perpetrators managed to escape punishment, according to the local activists.

Poverty is cited as the greatest single factor, which pushes the children or their families into debt trap, as was argued in 2009 by then Pakistan Permanent Representative to UN Geneva office, while submitting report on Committee on the Elimination of Racial Discrimination (CERD).

At the government level information on child domestic labour is not tracked on regular basis as labour force surveys do not classify the child labour category and even data and other information is not available within National Survey on Child Labour. Only three dated surveys, NCCWD (2003a, 2003b), UNICEF 1994, sponsored by the government/international agencies gave snapshot information on limited aspects of the phenomenon of child domestic labour.

CHILDREN Parliamentarians, in 2011, demanded strict laws against child trafficking and special trainings for their self-defence in this regard, in a session of Children Parliament of Pakistan (CPP). The CPP was to ensure rights for children by ending child labour, educating children and by providing them with medical facilities as a voice of children and conveys problems faced by them.

The CPP in its special meeting in 2011 had a detailed discussion on child protection issues like child

labour, bonded labour, corporal punishment, early marriages, child kidnapping and juvenile justice. They highlighted the physical and psychological impacts of early and forced child marriages and criticised the difference in marriageable age for boys (18) and girls (16). They expressed concern on the growing incidents of child kidnapping for ransom, trafficking for narcotics smuggling, begging, prostitution or other purposes. They said poverty, large families; drop out from schools and eagerness for easy money had increasing such incidents.

Members condemned the brutal killing of a young man by rangers and recalled the incident when two brothers were killed by a mob in Sialkot. Members shared their annual progress with the house and highlighted their individual efforts and initiatives for child rights.

Social Protection

Social protection is one of the key issues of the labourers and workers in a country like Pakistan where there is weak democracy, bad governance, violence, intolerance and uncontrolled law and order situation. Laws are not implemented and the powerful segments of the society those control the labour deal with them brutally, for the most of the time. Influential families exploit, beat, mistreat, and humiliate their labour. They are deprived of medical facilities, safety rules implementation.

The year also witnessed abduction and killing of many labourers and Non Governmental Organization sector workers in different parts of the country.

Inaction of the political administration in securing the release of 18 coal miners kidnapped from the semi-tribal Dara Adamkhel region causing frustration in the society last year. The miners were kidnapped but the political administration has neither formed a jirga nor taken any other step to secure their freedom.

Reportedly, the government was afraid of blaming Taliban of Tariq Afridi group for abduction of miners, fearing reprisal in the shape of terrorist attacks. The government was not resourceful enough to negotiate with Taliban through any means. However, political administration said that Taliban had not claimed responsibility for kidnapping of miners therefore they could not say as to who was involved in the incident.

The kidnapped miners were taken to Khyber Agency, however, nine of them managed to escape while 18 were taken away. The kidnapped persons belong to various districts of the province and used to work at coal mines in Balkikhel and Goriakhel localities of Akhorwal area, the stronghold of Momin Khan Afridi's peace movement.

The peace movement was launched against Taliban for safety of local tribesmen. The Pirwal locality in the same area is a stronghold of Tariq Afridi group of Taliban. The people of Darra Bazaar were supporting Momin Khan against Taliban, who asked khasadars to leave government jobs and tribesmen to help them enforce their own style of Sharia.

An NGO worker was feared to have been kidnapped after his car was found abandoned in Naushahro Feroze. Liaqat Arain and Dr Abdul Qadeer Memon, whose clinic is opposite the workshop, told the press that police were immediately informed which opened the door of the car with the help of a mechanic. The kidnapped man had been identified as Abdul Latif of Larkana who worked for an NGO. Police suspected that the man might have been kidnapped while travelling from Hyderabad to Sukkur.

Eight Pakistani aid workers of US NGO American Refugee Committee (ARC) were abducted by unidentified armed men from an Afghan refugee camp along the Quetta-Chaman Highway in Pishin district, 50kms north of Quetta.

Officials told the press that the aid workers were returning from field work in Surkhab Afghan refugee camp

on Monday afternoon when armed men intercepted their vehicle and took them away along with the official vehicle.

They were identified as Izzatullah, Mujibur Rahman, Mohammad Imran, Mohammad Saeed, Nasrullah, Sabir, Naseebullah and driver Mohammad Khalil.

Home and Tribal Affairs Balochistan Secretary Zaffarullah Baloch said the aid workers, all of who were Pakistanis, were returning from work in two vehicles. He said the first vehicle carrying female staff returned to its destination safely, but the other was intercepted by yet to be identified assailants. Pishin Deputy Commissioner Abdul Mansoor Kakar said eight staffers of ARC were kidnapped in the afternoon and the local administration was informed of the incident by the NGO at night.

The ARC has been working in refugee camps of Quetta and Pishin since 2002, providing healthcare and training to locals. It also runs a hospital in Surkhab camp in collaboration with the UNHCR.

Armed men also shot dead four people and injured two others in two firing incidents in Panjgur. The assailants on motorcycles opened indiscriminate fire on labourers working on the premises of an under-construction cadet college on the outskirts of Panjgur. Haji Mohammad Ali, Mohammad Ishaq and Abdul Razzaq were killed on the spot, while Mohammad Saleem was injured seriously.

OVER 40 people were feared killed in a coalmine collapse triggered by a series of methane gas explosions inside a mine in Balochistan. According to reports, 52 miners were working in the over 4,000-foot deep mine when a series of explosions occurred. As a result, a major portion of the mine collapsed trapping the workers.

Though a massive rescue operation was set in motion, the task was rendered difficult because of the high quantity of methane inside.

The mine was owned by the state-run Pakistan Mineral Development Corporation but had been leased to a contractor. The contractor had apparently been asked in writing earlier this month to stop mining because of the huge amount of methane within.

The plight of miners and labourers working in the mines like Kheora in the salt range of the Punjab also triggered protests and unity of the labour community in the areas with the help of NGOs.

The main centre of mining is at Khewra where the Asia's largest and world's second-largest rock-salt deposits are found. Khewra salt mines are 260km from Lahore in Pind Dadan Khan tehsil of Jhelum district, with an estimated 220 million tons of rock-salt deposits. Khewra mines produce around 325,000 tons salt per annum.

Salt Range Federation of Trade Unions claimed that contractors and lessees in the Salt Range were subjecting hundreds of unregistered workers at Kundwal, Lilla, Bhaliwal, Dhok Sakhi, Chak Shafi, Khora, Chitti Dund and Khewra to various kinds of exploitation. There existed no mechanism for payment of compensation to the workers who die or get injured in the accidents at the mines and gypsum quarries. Quarry owners and mine did not provide even drinking water to the workers at the sites. In the rainy season due to suspension of approach to mines from other areas, quarry workers and mine suffered severe income losses, exacerbating their economic worries.

According to the union representatives, the government gets more than Rs1.8 billion in taxes from

Pind Dadan Khan in Salt Range as the area produces coal, salt, gypsum, limestone, silica and other minerals. It should get all the workers registered with the Employees Old Age Benefit Institution (EOBI) and ensure payment of minimum wages, old age benefits, life insurance, marriage and death grants, safety kits and pension facilities to all the registered and unregistered workers.

The last year also witnessed suffering of retired employees of Pakistan Railways those had to wait for hours and hours to get their pensions. A pensioner died and two others fainted while standing in long queues outside a bank in Mughalpura in Lahore.

Mahmood Khan had come to the bank near the Carriage Shop in Mughalpura. Unable to reach the bank's window to get a 'token' for payment, the 70-year-old retired bus driver of the Mughalpura Workshops decided to spend the night there like many others in the hope of getting paid.

The death of the elderly could not move the bank management and only one employee was there to make the payment and he took 15 to 20 minutes on each case.

Pensioners had to wait for hours for their turn in scorching sun. There was no arrangement for drinking water or a shade in a clear violation of a State Bank order in this regard.

Video footage of TV channels on Wednesday morning showed that the NBP had taken no measures for quick payment of pensions. Besides, the NBP management had asked women pensioners and widows to approach the same window, which was meant for male pensioners.

The headmaster of a government primary boys' school was suspended over the allegations of sexually harassing a female teacher that he hired for his school without approval of the department.

The teacher in her complaint alleged that Jahangir, headmaster of Government Boys Primary School Dhoke Munshi near Gharibabad locality tried to sexually assault her on December 23. She said she resisted his attempt and later left the school.

“On December 23 Jahangir asked her to stay after the pack-up time as she had to check some notebooks of the students. When she was going through the notebooks the headmaster tried to assault her,” the female teacher who lived in Dhoke Munshi with her mother and younger brother said.

In her complaint submitted on December 27, 2011, the teacher said her mother from informing the police initially discouraged her but she could not tolerate the attitude of the headmaster.

There were two female teachers hired by Jahangir on a salary of Rs2, 000, and the school administration collected Rs20 from every student for their salaries, the complainant said. On the other hand, Jahangir claimed his innocence

Among the media, the 2011, with Wali Khan Babar as another casualty, counted as many as 47 journalists have been killed in Pakistan during the last 17 years, but not a single murder case has been resolved till the end of the year with only one exception of US journalist Daniel Pearl, whose assassins were brought to justice under intense American pressure, the press report highlighted.

In no instance, even the challan was sent to the court regarding murder of a journalist, let alone carrying out prosecution.

Among the dead journalists, majority worked for the print media. There were 62% those writing for newspapers/magazines, 44% slain journalists used to work for TV channels and the remaining were employed by online publications.

The year 2010 was the deadliest that took lives of seven journalists. There were four journalists killed in 2009, five each in 2007 and 2008, two each in 2005 and 2006, one each in 2003 and 2004, two in 2002 and one each in 1997 and 2000 and two in 1994.

In Toba Tak Singh, a brick kiln worker was reportedly forced to stay naked openly for three hours at a kiln for demanding wages according to government's fixed rate of Rs517 per 1,000 bricks. Complainant Haq Nawaz of Chak 304-JB, TT Singh stated in his application to the district police officer (DPO) that he was being given only Rs200 per 1,000 bricks and when he insisted on giving the government fixed wages, kiln owner Muhammad Akbar overpowered him and stripped him off. He alleged the owner forced him to stay naked at the kiln for three hours as 'punishment' for demanding wages fixed by the government.

Northern Areas Transport Company (NATCO) decided to sack 156 contract employees with immediate effect without any proper notice. The decision was taken in a high level meeting of NATCO officials, which was presided over by the chief minister, Syed Mehdi Shah. Press reports said that majority of the sacked employees belong to Gilgit Baltistan, among them are five from

district Ghizar. While some of the effected employees hale from Punjab and Khyber Pakhtunkhwa province (one from Chitral).

Moreover, the food department of Gligit also fired over 60 contract employees.

The secretary food department issued the directives for termination of contract workers, quietly. The report said these employees were working since July 2010 and were even not paid salaries despite numerous protests. The department terminated 62 employees also included workers at the sub-directorate office in Islamabad. The sacked workers ranged from BS-1 to BS-10 including drivers, inspectors, clerks and supervisors.

Those who were terminated from Gilgit district gathered in front of the Legislative Assembly building and protested against their sacking. They said only the employees of the food department were dismissed while others department did not do so which indicated they were specially targeted. .They said they were without salaries since they were hired and demanded payment of withheld wages forthwith.

Policy and Decision

Year 2011 was no different for the labour enthusiasts on the policy and decision-making front, the representatives of trade unions deplored the lack of regard for labour rights and international conventions while adopting new labour laws after transfer of the subject to provinces under the 18th Amendment.

Prime Minister Yousuf Raza Gilani on May day announced new labour policy, which raised the minimum wage to Rs7,000 per month from Rs6,000. The prime minister said the new policy was pro-worker and aimed at improving their lot. The government said the new policy was based on universal principles of equality and social justice, constitutional and international rights for the uplift of workers. Previous labour policy was announced in 2002.

The PM, while announcing the policy, assured that contract employees would be regularised in government departments. He also announced salaries would be paid through banks, retired registered workers will get medical facilities, raise in pensions would be in accordance to increase in government pensions, technical education for children, manpower information centres in cities, training of trainers, paramedical staff to get specialised training, pensionable age limit under the old-age benefit lowered to 50, smart card through NADRA so that registered workers get all facilities, Rs15,000 for out of job workers and legal support, free medical treatment for labourers.

The PM said the relief announced under the new labour policy might not meet the exigencies of the awful situation under which the ordinary workers struggling to survive these hard hyper-inflationary days, but it would at least give them a hope that finally a beginning has been made.

However, labour organizations termed the new labour policy short of expectations as it only catered to the needs of only three to five percent of the registered workers, leaving the rest 95 percent workforce still vulnerable to market forces with no state protection.

The policy, ironically, was issued a day after an important law, Industrial Relations Act (2008) expired on 30th April and government made no efforts to replace it with a new better law as promised.

The labour organizations like PILER and LPP and LEF rejected the policy saying mere Rs 1,000 increase in minimum wages was inadequate given the huge increase in prices of basic commodities, The fact is that a large majority of workers would not get even this Rs 7000 minimum wage as a majority of workers does not come under the scope of the relevant law or there is no mechanism to implement it.

The other steps such as increase in death grant, pension and medical facilities after retirement, education of children was applicable to those workers who are registered with EOBI, WWF, and Social Security Institutions.

Only a tiny portion of workforce is registered with these institutions and would be eligible for benefits announced in the labour policy 2010. For example, the number of current beneficiaries of EOBI is about 350,000.

The statement says that the government either seems unaware of the changing realities in the world of work or has deliberately ignored the majority of workers, who are working in informal sector.

The new policy is focused on formal work force in industrial sector, which is shrinking. Agriculture sector workers and workers in other informal sectors have been completely ignored in the policy.

Of 51 million workforces in 2009, about 70 percent is working in agriculture and informal sectors, which remained out of the scope of the earlier policies as well as the latest labour policy of 2010, according to the reports.

The government instead of announcing repeal of anti labour amendments introduced in labour laws through Finance Bill 2006 just repeated rhetoric of consolidation of labour laws in five basic laws, which labour organizations been hearing since 2001.

PILER and other groups termed the new policy as non-serious on the issue of bonded and child labour as it just makes a political statement of eradication of bonded labour and child labour. Instead of making concrete commitment to implement National Policy and Plan of Action 2001 on bonded labour, the government just used a reference sentence, which showed non-seriousness of the government, which is dominated by feudals who thrive on the practice of boned labour.

Moreover, the Industrial Relations Ordinance 2011 brought the debate of workers-union issues to the forefront. The proposed law was required to be thoroughly debated. One of the grounds for criticism of IRA 2008 had been the fact that the National Assembly adopted the bill while the opposition was out.

Labour representatives took exception to the provision of the 18th Amendment that abolished the system of labour legislation at the national level, a provision they have already challenged in the Supreme Court.

National legislation was essential to facilitate workers' organisations on the national scale. Several provisions of the new Punjab Industrial Relations Act 2010 were in conflict with the country's international obligations under International Labour Organization (ILO) conventions and the recently ratified International Covenant on Economic Social and Cultural Rights (ICESCR). The rights available to workers even in the colonial era had been curtailed or abolished by the new law.

Workers had serious concerns that funds for workers' welfare, such as EOBI, which have now been handed over to the provinces, were being squandered on excessive salaries and perks for bureaucrats and whatever facilities were available to workers through these funds may diminish as a consequence.

The debate on the Industrial Relations Ordinance 2011 was an opportunity for the trade unions to call for a thorough review of the basic premises of labour legislation adopted by the Ayub regime in 1959, in contravention of the principles followed till then. It also aimed at removing one of the problems caused by the 18th Amendment by providing for trans-provincial establishments/industry and trade unions. This ordinance did reveal some new and positive thinking on the part of the lawmakers.

For instance, a worker has a right to relief under this law even when he had been dismissed, discharged, retrenched, laid off or otherwise removed from

employment in connection with or as a result of an industrial dispute.

It was also laid down that where women were included in the employees a trade union would have women's representation in its executive in proportion to their numerical strength in the establishment. The law also enabled workers employed in establishments in more than one province to join a trade union, provided a single party owned them.

The ordinance had a few provisions that make no sense and constitute unfair restrictions on the right to freedom of association. For instance, it said that any trade union can apply for registration, "provided that there shall be at least two trade unions in an establishment". This unheard-of condition was quite absurd and could lead to mischief.

Another questionable provision said that if a person who is not qualified to be elected as an office-bearer of a union gets elected the registration of the union could be cancelled. This is a totally irrational provision. The ordinance had thrown up quite a few serious issues.

While there was no problem about the application of the ordinance in the federal capital area, doubts had been expressed whether it could be extended to establishments/unions working in more than one province. The reason was the Supreme Court ruling that after the coming into force of the 18th Amendment the federation cannot make a law for a province unless a request is made by two or more provinces.

The unions argued that since industrial relations/trade union rights fall under the category of international treaties and conventions (item 32 of the

federal legislative list) the federal government has an obligation to ensure compliance with the ILO conventions in all parts of the federation. The debate in union circles has gone beyond the merits and demerits of the Industrial Relations Ordinance 2011.

Even more important had become the need to recognise the trade union rights of all those who are employed in the informal sector. The number of workers employed in this sector had exceeded the strength of the formal-sector employees. A strong agitation had been going on for the recognition of home-based workers' rights. The authorities should not be unaware of the ILO convention on the rights of such workers. After all, we did have unions of workers employed by various employers in the early days of Independence.

At the same time, some voices have been raised in favour of helping agricultural labour to organise themselves. The ILO convention on this subject (C 11 of 1921) was ratified as early as 1923 (by Pakistan's predecessor government). Since farmhands are much weaker than industrial workforce or even home-based workers, the responsibility for organising them falls on the state, though well-organised trade unions could also extend a helping hand, that is, if they were allowed respite from the grim battle for their own survival.

The Sindh Industrial Relations Bill 2011 was opposed by a segment of the ruling Pakistan Peoples Party leadership and labour leaders for being against the Constitution and ILO conventions.

The consensus draft of the Sindh Industrial Relations Act 2011 was prepared after deliberations

between members of Workers-Employers Bilateral Council of Pakistan and officials of the Sindh Labour Department.

Involvement of the 'contractor' as a middleman between the employer and the employee had been criticised. Contractors were engaged to provide those services to employers, which do not fall within the ambit of core functions of a company such as security, janitorial, housekeeping, canteen and transport services.

It was suggested that there should only be one trade union in an organisation. Under clause 2 (b) of Section 5 of the draft legislation, a union is only registered if its members are not less than one-fifth of the total number of workers employed in an establishment. Usually there are only two or three trade unions in an organisation but only one is the collective bargaining agent.

Some other objections had also been raised with regard to (i) bringing the lockout by employers at par with a strike by employees, (ii) the provincial government's power to prohibit a strike if it lasts for more than 21 days and (iii) inequality of punishment given to employers and workers, respectively, in the case of contravention of the labour court's order.

These objections were also not valid as (i) employers can only resort to legal lockout if they are the ones who have raised the industrial dispute and not otherwise. (ii) The government can prohibit the strike only if it is detrimental to the interests of the community at large. (iii) What bigger punishment for violation of the court's order could there be for an employer than attachment of his factory.

Most of the provisions of the law in the proposed bill are in consonance with those contained in the

Industrial Relations Act, 1969, which has been the best enactment on this subject so far.

It was further learnt that the provincial industrial relations commission to be instituted under the proposed laws as a replacement of the NIRC would look into the matters pertaining to adjudication and determination of industrial disputes and determination of the collective bargaining agents among industry-wise trade unions and federation of trade unions at the provincial level, while the responsibility of registration and regulation of trade unions of workers would rest with the provincial registrar or and a regional registrar who would be notified by the provincial government.

Sindh needed to revisit the related laws and convert them into provincial legislations in line with the spirit of the 18th amendment. There were at least 11 labour related laws, including the Workmen's Compensation Act, 1923 and child labour provisions, which would be taken up on a priority basis to streamline the labour-related issues.

The Sindh Assembly unanimously passed the Industrial Relations (Revival and Amended) Bill, 2010, by reviving the Industrial Relations Act, 2008, which expired in April, 2010.

The Punjab government issued the Punjab Industrial Relations Ordinance, 2010 in June, 2010, which added sub-Section (h) under its Section 1(3) and abolished the Industrial Relations Commission and its powers and functions had been conferred on the provincial registrar of trade unions, labour courts and the labour appellate tribunal and it had provided saving and transfer sections 82 and 83 in it, according to a labour law consultant.

It was said that in the development of the new legal draft related to trade union activities, the committee constituted by the Sindh labour department largely relied on a consensus draft prepared by Webcop for enactment at the national level following the expiry of the 2008 Act.

According to the new draft, all cases relating to the provisions of Sindh at present pending in NIRC shall be transferred with record to the proposed SIRA, which shall continue proceedings in cases transferred under the new provisions from the stage at which it was pending before the NIRC.

Federation and Unions

Off the 46 million people's workforce in Pakistan, only 2.8 percent are unionised, and less than one percent work under collective bargaining agreements essential to ensuring worker rights are respected.

There is no recognition among economic elites that workers deserve rights or benefits. A tradition of feudalism permeates Pakistani society dating back to before the south Asian subcontinent was divided into the countries of India and Pakistan in 1947. After the divide, land reform in Pakistan was little to none, which is still an obstacle to democracy today.

65 years on — we find ourselves in the same state of affairs — with the labour unions and federations vehemently protesting against the owners. The confusion is further deepened — after the 18th Constitutional Amendment and Devolution of Labour Ministry — declaring it a provincial subject. However, there are many lingering concerns related to the transfer of labour-related matter to exclusive provincial domain that need to be addressed before complete transfer to the provinces takes place.

In light of the 18th Amendment, there are possible challenges in the enforcement of international conventions and treaties, especially with regards to labour rights such as ILO Conventions 87, 98, ILO Declaration on Fundamental Principles and Rights at Work.

Moreover, provincial compliance with the principles prescribed in these conventions and treaties is an area of concern especially with regards to formulation of policies and laws in administrative areas such as reporting, complaint procedures and enforcement.

Following the 18th Amendment, future of worker unions and federations, which were functioning at the national levels, has also been in limbo after the devolution of the labour department. These are some of the major grey areas those demanded serious level of consideration in 2011.

At the end of 2011 seven major leftist, nationalist parties formed an alliance to wage a joint struggle for the rights of Sindh and the downtrodden people of the country. Representatives of seven leftist and nationalist parties — the Labour Party Pakistan, the Awami Party, the Workers Party Pakistan, the Communist Party Pakistan, the Jeay Sindh Mahaz, the Watan Dost Inqilabi Party and the National Party — decided to form a Sindh Progressive Committee (SPC).

In the summers of 2011 the railway union after being held hostage to the whims of the government sought judicial recourse. The Pakistan Railways Employees Prem Union urged Chief Justice Iftikhar Muhammad Chaudhry to direct the government to immediately release funds to the PR, enabling it to repair its locomotives, power vans and other infrastructure and avert an imminent collapse.

The demand was that the Supreme Court also set up a judicial commission to find causes of railways' downfall and fix responsibility.

The union demanded for a commission, which should scrutinise utilisation of funds allocated for the repair and maintenance of locomotives and power vans during the last 12 years to find out embezzlement and leakages in the process.

The commission should also probe the railways administration move to close down train services. The indifferent attitude of successive governments towards railways had put the safest and most economical mode of transportation for the poor of the country on the verge of collapse.

The union also demanded that the government should compensate damage caused by 2010 floods to the railways network and take measures to improve law and order problems especially in Balochistan.

In a surprise move in 2011, the National Industrial Relations Commission restored the activities of Civil Aviation Employees Union (CBA) within 24 hours of banning of the activities of the CBA Union by Civil Aviation Authorities Director General.

The CBA Unions head-office at Allama Iqbal International Airport, Lahore, had also been sealed. But after the setting aside of the DGs decision by the NIRC, the unionists again opened their offices and started the routine work.

The CBAs tenure had been completed in August 2010 and new referendum was mandatory to run the affairs of the union, but the Union of Civil Aviation Employees UCAE and CAA Liberal Employees Union after the merger have got relief from the NIRC. After the amalgamation, it got the new name of Federation of CAA Employees and was registered.

The ban was carried out on the direction of the CAAs Director General Air Marshal Khalid Chaudhry. The DG had also ordered all the airport managers to close the offices of the CBA and to take all immunities back from the office bearers.

Former CBA had 40 cases in courts and almost all the funds collected by employees were used in courts. It is worth mentioning here that there were more than 10000 employees working at all the airports of Pakistan who pay Rs.50 per month as Union fund.

Calling year 2011, a year of protests won't be an overstatement. From every field the labourers protested for their rights and as a consequence the arrests were done by the state.

The unregistered mine workers protested against low wages and miserable working conditions at Khewra Salt Range. Just about 225 kilometres from Lahore — the heart of Pakistan and the capital of the largest province of Pakistan — there were some people living in an environment, which can be compared with Stone Age.

Twenty rupees was found a precious amount for hundreds of unregistered workers of the Punjab's Salt Range mines and quarries. Until recently, they had been getting Rs120 for extracting one ton of gypsum from the rocks in the range for the past many years. But that eventually changed.

A recent movement by trade union, with the help of local and national NGOs, enabled the workers to go on a strike, compelling contractors to increase the per ton rate up to Rs140, a big achievement for labourers.

The Salt Range — spanning over 120 miles from Jalalpur (district Jehlum) to Kala Bagh (district Mianwali) in the Punjab province — is rich in mineral resources, including salt, coal, gypsum, limestone, fibre-clay, sandstone, chromites, etc. The main centre of mines is at Khewra.

The owner sells the extracted gypsum at Rs630 per ton in the market. The mine owner also deducts the cost of explosives, which is used to extract gypsum, from the wages of workers. As a result, a miner gets Rs5,000 to Rs6,000 per month on average.

According to an estimate of a local NGO, Anjuman Rifah-e-Aama, the unregistered number of gypsum, salt, and coalmines in tehsil Pind Dadan Khan is up to 5,500.

The number of workers who died or were seriously injured during the last two years is up to 10, according to the data compiled by the union.

The number of unregistered workers is much higher than the registered workers but the authorities are paying less attention to them. There are no health facilities and most of the workers live on the mercy of the contractor, lease owner or government authorities. There is an attempt to organise unregistered workers and make a union. Their demands are — reasonable wages for the workers, giving them social welfare allowance, register them and educate them and their families by opening schools for them, giving compensation to the family of a worker who dies during work and plan gratuity scheme.

Moving to the North — more than two hundred employees of the water and power department of Gilgit-Baltistan who were without salaries for six months

staged a protest demonstration outside Gilgit tehsil office and blocked the main road of the town for hours.

The employees burned tyres, denounced delay in payment of salaries and demanded of the government to release their salaries forthwith or else they would go on an indefinite strike. Despite assurances by the administration officials that their demands had been conveyed to quarters concerned the workers continued their protest.

In Karachi the protests continued against killing of Pakistan International Airlines union president that disrupted 44 flights. The Pakistan International Airlines flight operation, which was suspended owing to protest by PIA employees over the killing of their union president and his associate in Karachi, caused immense difficulties to passengers. As many as 44 flights — 27 domestic and 17 international — originating from Karachi were either cancelled or hit long delays.

In Islamabad, the CNG association announced to keep close all CNG stations in Punjab with the start of New Year while nozzles of all stations of twin cities were already removed in protest and this strike would continue till the fulfilment of the demands. Declining to accept proposed increase in gas rates, ban on re-fuelling of CNG in public and commercial on the basis of the accidents of CNG blasts.

Textile industrialists, exporters and the Faisalabad Chamber of Commerce and Industry (FCCI) members protested against the three-day closure of gas supply in a week, which caused no job situation for thousands of daily wagers and labourers.

Addressing the rally, the leaders said that millers and workers would protest against the discriminatory

suspension of gas supply outside every unit. The textile industry has already suffered gas disruption of 165 days this year and it is likely to reach 185 days if the present situation continues.

Textile export orders worth \$4 million for Christmas sales destined to Europe and the USA were going to be defaulted due to 3-4 days a week gas shutdown and phenomenal increase in the prices of electricity, gas and petroleum products.

They feared that about 400,000 workers, a majority of daily wagers, became jobless with the situation till December.

Some 4, 000 sacked employees of the Karachi Electric Supply Company (KESC), engaged in a serious row with the administration on sacking and removing a large number of staff.

Protests began as enraged employees staged a sit-in outside the power utility's head office to demand the company to revert its decision. Many of the employees had reached their offices, only to find out that they were neither needed nor allowed to enter the KESC premises.

Workers' unions of the Karachi Electric Supply Company's (KESC) vowed to continue protesting and disrupting operations until the 4,000-sacked employees are restored.

Hundreds of textile workers and industrialists staged rallies and a three-hour long sit-in at the District Council Chowk in protest at falling gas and electricity supplies to the industry.

Protesters belonging to the Pakistan Hosiery Manufacturers Association (PHMA), All Pakistan Textile

Processing Mills Association (APTPMA), Sizing Association and the Labour Qaumi Movement (LQM) threatened a long march if the government did not improve supplies.

Protests erupted after five-day gas closure notification by the Sui Northern Gas Pipelines (SNGPL), which cites low gas production from gas fields in Sindh and Balochistan and higher demands from the domestic sector after a severe cold wave across the country in this winter. The gas supply remained suspended on the second consecutive day.

Protest rallies were held on Samundri Road, and Khurrianwala-Sargodha Road and traffic on all such roads remained suspended creating inconvenience for motorists. Protestors carrying sticks and black flags inscribed with slogans in favour of their demands chanted full-throated slogans against the federal government.

More than one million labourers are directly and indirectly attached with the textile sector of Faisalabad fetching billions of rupees forex.

Informal Sector

It was only last year that a wholesome study by the informal sector titled 'Unacknowledged Treasures: The Home-based Women Labour of Pakistan' by Roots Equality gave the audiences a perspective of the issues faced by the home-based women workers.

According to the press reports and studies, nearly 76% of women had joined the informal sector in no more than the past 15 years; more specifically, it seems that the trend for home-based work had intensified from the 1990s. A majority of HBWWs knew the skill as part of their traditional heritage. At least half of the HBWWs were carrying their work without using the help of anybody at home.

Many women were making more than one product. Only 38% women reported having work for the full 12 months. Sectors which provided all year round work included football production, embroidery related work, ralli and topi crafts.

The global phenomenon of increase in the number of home-based workers, as well as intensification of the quantity and category of work in this sector has also been felt in the Pakistan's informal labour sector.

It is well understood, that Pakistan has some of the worst social, legal, political and economic indicators when it comes to providing better opportunities to women in society.² It is also a fact that neoliberal policies have played a major role in increasing inflation in the country

such that the cost of living has increased at least by 21 percent in the past few years.

With daunting rise in poverty in the past decade, these factors would tend to exacerbate the socio-economic conditions of women in the informal sector.

However, no data, especially government statistics are available in this context.

Various documents related to the socio-economic conditions of home-based women workers (HBWWs) provide statistics on the number of HBWWs in Pakistan; however, no concrete national research has been conducted on the enumeration of HBWWs, nor their labour conditions.

It was in this backdrop that this research study, sponsored by UN Women Pakistan, was undertaken by a non-government organization, Roots for Equity. The study proposed to help enumerate and identify the socio-economic conditions of home-based women workers so that the research finding would further assist policy-making for HBWWs as well strengthen campaign and advocacy for their rights.

The study provided data on labour and production of home-based women workers. Various areas examined include the classification of the crafts and labour employed, and products produced by HBWWs. Specific areas include piece rate and average monthly earnings of HBWWs, the range of issues which are associated with particular products, as well as the role of contractors and sub-contractors in the supply chain of piece rate work.

For women, all these external market forces were at play. At the same time they were also further limited by

internal forces such as patriarchy which was responsible for suppressing women's visibility, severely limiting their mobility and giving women little or no access to education.

In Pakistan, women engaged in informal sectors were also reported exploited in an unrecognised, unregulated, unorganised and undervalued form of labour. It is the time that women workforce that comprises 52 percent of our total population must be acknowledged as workers and their rights must be protected by introducing legislation by the government.

The government seemed helpless against the current state of inflation, poverty, unemployment, lawlessness and load shedding and it is a clear indication that workers' rights were at the bottom of the priority list of the government which was leading to mass dissention, anger and rage among the working class. A lot of global changes had been witnessed in the realm of labour rights since the inception of the Labour Day movement but the social landscape of Pakistan was painting a thorny picture of industrial and agriculture labour communities who were living in an endless pain and misery.

The dark night of pain, poverty and helplessness had extended into years and decades with no signs of retreat in sight, she said and added that the labour being a basic unit of production had been misused merely as one of the means of production hired by the employer. The indifference on part of the government was allowing the powerful employers to force the workers to work in pathetic conditions. The labourers especially women workers suffered discrimination in terms of low wages, long working hours and harassment at the workplace in Pakistan.

There have been demand that the government should ratify ILO convention 177 for the protection of rights of home based workers and should ensure proper implementation of already ratified ILO convention 100 for the protection of rights of working women engaged in informal sectors. Women should be protected against sexual harassment at workplaces by making the women-friendly environment. Proper implementation of existing labour laws, fully protecting the interest and welfare of the workers, was also demanded in 2011.

There have been demands that IRA 2010 and other anti-labour laws should be repealed and new pro-labour policies and laws must be framed in accordance with the ILO conventions.

Minimum salary level of workers must be increased and an effective policy should be formed for poverty reduction in the country.

Privatisation of state institutes was asked to stop, ban on labour inspections was asked to lift, and home-based workers, peasant workers and domestic workers were asked to be recognised legally as part of the labour force and should be given equal share in trade unions.

Women are much more disadvantaged in work than men and get employment where they are vulnerable and there is no decent employment.

ILO estimates based on national surveys and censuses of 117 countries place the number of domestic workers at a minimum of 53 million, but experts say there could be 100 million in the world, considering that this kind of work is often hidden and unregistered. In developing countries, they make up at least four to 12 percent of wage employment. Around 83 percent of these

workers are women or girls and many are migrant workers.

The Convention defines domestic work as work performed in or for a household or households. While the new instruments cover all domestic workers, they provide for special measures to protect those workers who, because of their young age or nationality or live-in status, may be exposed to additional risks relative to their peers, among others. The new convention will come into force after countries have ratified it.

The government was asked to honour its international commitments to recognise labour rights and implement the decisions of ILO conventions C 177 for home workers and ILO convention C189 for domestic workers in letter and spirit to improve the informal working sector in Pakistan, particularly home based workers (HBWs). Recognition of labour rights in the informal sector: ratification of ILO C 177 and C 189.

There has been a demand for a National policy for informal workers, since the home-based workers were not even considered workers in the legal term, they could not benefit from any of the social welfare schemes of the government.

With the passage of the 18th amendment and subsequent devolution of various federal government functions to the federating units, while the provinces were getting many powers, some issues were also cropping up.

Exploitation

In Pakistan, the labour and the labourers in particular are considered taken for granted. May it be the brick kiln workers, bhatta workers or the porters from the lower strata of the society, or the young doctors, house officers or the teachers from the middle classes — they all tend to fall prey to the whims of their masters!

Our social realities expose several causes and effects that are linked by political, economic and cultural factors.

Wages being one essential cause of agitation amongst the workers of genres as discussed above.

Labourers had been slamming the government severely for not increasing their minimum wages in the budget 2011-12, demanding raise as per the ratio of inflation for the whole year. The ratio of inflation in the country was 14.5 percent in 2011 and the minimum wages announced by the government in the Labour Policy 2010 were Rs 7,000 per month.

The government had announced 15 percent increase in the salaries of the government employees, a large number of workers working in the private sector had been left at the mercy of the entrepreneurs and employers.

In 2011, the Supreme Court directed the federal and provincial governments to ensure the minimum salary Rs7,000 in state and private institutions of the country. A four-member bench headed by Chief Justice of

Pakistan Iftikhar Muhammad Chaudhry heard the suomoto case regarding payment of prescribed minimum wages to the security guards working in PTCL. The court ordered for establishing the complained cells in every district for implementing the court's order regarding the matter.

The court also directed the governments to conduct surveys for ensuring the minimum salaries and also proceeded against those persons, who are not implementing the court's order about the paying of minimum salary.

PTCL was strictly adhering to the Minimum Wages for Unskilled Workers Ordinance, 1969, hereinafter referred to as the Ordinance of 1969, which prescribes that an unskilled worker shall be entitled to the minimum wages of Rs7,000 per month, but as far as the complaint/petition filed by the security guards getting Rs3,000 per month are concerned, the fact is that they have been engaged by the contractors to whom the task of security had been outsourced.

However, there has also been a demand of the government to increase the minimum wages of labour from Rs 7,000 to Rs 15,000. The Labour Party Pakistan had been demanding a 100-percent increase in labourers' salaries, a decrease in price hike and eradication of load shedding

In Pakistan the families that work in brick kilns belong usually to the most marginalised communities. They are cornered by debt — they seek loans from kiln owners for medical or family expenses, or simply to survive the monsoon season when brick-making comes to a halt, they spend the rest of the year paying back the loan

at exorbitant interest rates. Since payment is by number of bricks made, entire families, even young children, are employed in this hazardous and exploitative work.

A 2008 mapping survey at these sites found only three percent of children were enrolled in primary school. An entire family works 14 hours a day, six days a week shaping mud into bricks in the searing heat to earn about Rs 6,000 (US\$ 71) a month. Of this, the kiln owners towards repayment of the debt deduct a third or even half, and workers often have little understanding of the rate at which their repayment is assessed. This also leaves them extremely vulnerable to shocks as such sudden medical expenses.

The humiliation faced by this marginalized section of our society can be gauged by the incident in Toba Tak Singh in December last year when a brick kiln worker was allegedly forced to stay unclothed for about three hours at a kiln. Child Haq Nawaz said that he was being given Rs200 per 1,000 bricks and when he insisted on being given the government-fixed-wage, kiln owner Muhammad Akbar overpowered him and stripped him off.

In Toba Tak Singh there was a major uproar on publishing the names of the farmers on the defaulter's list for only Rs1000 agriculture loans from the banks.

Names of small growers were published in newspapers while the names of those who were defaulting on millions and billions of rupees were never published in any newspaper. It was a discriminatory step against small farmers.

In a joint meeting held in April this year, the labour leaders, Food Department contractors and labour district officer fixed Rs6 as wages for loading and unloading of a

100-kg wheat bag at wheat procurement centres in the district.

Earlier, labourers had filed an application to District Coordination Officer in which they had complained that the contractors were paying them less wages. The meeting attended by a delegation of labourers headed by Tariq Mahmood of the Labour Party decided that contractors would keep record of attendance of labourers and give them Rs6 wages for loading and unloading of a 100-kg wheat bag at wheat procurement centres in the district.

The Punjab government had earlier fixed Rs 7.50 wages for loading and unloading of 100-kg wheat bag.

Year 2011 also saw the young doctors taking extreme actions in Lahore and Islamabad — Young Doctors Association (YDA) urged the government to regularise the services of doctors who were working on contractual basis and induct young doctors in BPS-18 to raise young doctors' pay according to the reservations of National Health Commission (NHC) and Pay and Pension Committee (PPC). They said doctors were struggling for their rights for last many decades. Officials of other institutions are enjoying many facilities but the doctors and professors were deprived even of their basic rights. They demanded that the government should address the plight of young doctors instead of acting upon the guidelines of bureaucracy. The doctors were demanding the implementation of those bills which had been passed in the National Assembly and Senate. The government had announced to regularise all the contractual employees but most of the paramedic staff was still working on contract basis.

YDA also threatened to stop all kinds of health care services except critical care at public hospitals across the province if the Punjab government does not notify a pay package for young doctors. YDA representatives presented a draft of the proposed pay package to the health department committee to the government. Both sides discussed the issue for a few hours and finally YDA office bearers refused to compromise on the issue and told the authorities that issuance of a notification of the promised pay package for young doctors was the only solution.

Oh the other hand nurses from rural Sindh and four public hospitals of the city, Jinnah, Civil, Services and Lyari hospitals boycotted work to lobby for salary allowances and time-scale promotions provided to them by the federal government but not by the Sindh government.

Their main demands were increase in health professional allowance, food and dress allowance, more powers for nursing school principals, time-scale promotions for nurses, increased stipend for nursing students and the high-risk allowance. Nurses suspended their services from 9 am to 1 pm except for the emergency departments. Meanwhile in rural Sindh, the nursing staff in Larkana, Sukkur, Khairpur Mir, Benazirabad, Mirpurkhas, Hyderabad and Thatta have also boycotted work many a times.

While government schools are known to be unable to satisfy their teachers, private school teachers of the relatively lower-middle-class schools have also started to complain that their school administrations not catering to their demands.

According to the teachers, administration of these schools exploits them, whereas nobody in the

government was willing to take up the issue. They said that after retirement, there was no mechanism of pension and gratuity. They also claimed that there was no proper system of salary increment.

Low paid, no increments: A private school teacher from New Muslim Town, in a news item in 'Pakistan Today' said that the private schools never followed any rules and exploited the abilities of the staff.

There were some schools which merely paid Rs 2500 to 3500 as monthly salaries and hire under qualified teachers with matriculation or intermediate. Owing to unavailability of quality jobs in the market, teachers were compelled to do low paid jobs in such institutes, whereas there was no check on the part of the government as well. The situation was worse in the city suburbs, where these schools delayed salaries for months.

Teachers working for 15 years had to wait for the salary increment. There was also a lack of other facilities such as transport and medical facilities. There happen to be schools, which do not give salaries during summer holidays, whereas they force the students to deposit the three month fee in advance for these holidays

It was also noticed that the most of the schools don't follow the minimum wage rule. It was the responsibility of the government to ensure the implementation of the employee agreement rule of 1984 ordinance. According to the Punjab Private Educational Institutions (Promotion and Regulation) Rules 1984, Section 11 C, "The employees of the institutions are employed through written agreement." Private schools never follow any rules and exploit staff's abilities. There

are some schools which merely pay Rs 2,500 to 3,500 monthly and hire under-qualified teachers.

Faisal Bari, a Senior Advisor at Open Society Foundation (OSF) in his article said though drivers and cooks, in urban areas, cost, on the average, around the minimum wage level or more, the salaries for primary school teachers, especially in rural areas, but even in some urban areas, are much less than the minimum wage. In some areas, primary school teachers are reportedly paid as low as Rs 1,500 per month!

This is clearly a violation of the labour laws. Even if one allows for the fact that teachers work for six hours a day usually in schools, though all teachers put in extra time for grading and preparation usually at home, the wages given would still be below the proportional rate needed for 30-hour weeks

Poverty and Labour

The ongoing energy crisis in Pakistan, continuous inflation, price hike and taxation, and incompatible wages of the labourer and working class is gradually leading to the spread of poverty and poor condition of working class' life for the past many years.

Despite strong economic growth during the past decade and consequent rising demand for energy, no worthwhile steps have been taken to install new capacity for generation of the required energy sources. Energy has become an important prerequisite for the economic development of the country. On one hand it is used for the industrial and agricultural purposes and on the other hand it is required for domestic use of the citizens. The energy crisis had also left thousands of factory workers jobless because the factories were being closed due to short of gas and electricity.

The textile industry employed a largest number of workforces but the ongoing energy crisis had rendered thousands of people unemployed. The miseries of the common man have been aggravating with every passing day but the government, despite, tall claims has failed utterly to mitigate their sufferings.

The financial mess afflicting Pakistan Railways took yet another threatening turn when thousands of employees took to the streets and picketed near railway tracks to voice indignation over non-payment of salary.

Many of the protesting employees not only sought payment of salary but also necessities like electricity and water. The reason: electricity supply to railway stations and employees' colonies in major cities and towns has been cut off because of non-payment of bills.

The inflation increased by 16.67 per cent for the lowest income group of up to Rs3,000 at some point in the beginning of 2011 compared to the same period last year, according to the Sensitive Price Indicator (SPI) figures.

Meanwhile, the weekly-based inflation monitor SPI for the lowest income group registered an increase of 0.16 per cent over the previous week, according to the Federal Bureau of Statistics (FBS).

The SPI for combined income group also increased by 16.73 per cent during the week compared to the same period last year, and the SPI increased by 0.16 per cent to against the previous week.

The SPI for the income group between Rs3,001-Rs5,000 went up by 0.16 per cent in the week under review, while the SPI for income group between Rs5,000 and Rs12,000 enhanced by 0.19 per cent and for the income group above Rs12,000 the SPI increased by 0.34 per cent.

According to the figures, prices of hundreds of items went up during the last year, which included routine and basic need items.

Globally, the food price hike is not over, with wheat prices shooting up again last year, impacting the prices of other commodities. Although the principles of demand and supply have an explanatory role in the

creation of the food crisis, yet the main reason behind the crisis lies elsewhere.

According to estimates of the anti-poverty organisation World Development Movement, Goldman Sachs alone made \$1bn in profit in 2009 from speculating on food. That the financial speculator profited from the increasing penury of the already poor is disgusting. What has been the net effect of this artificially-created food-price volatility by financial speculation on commodities on the poorest countries?

The effects have been far-reaching and nothing short of a disaster. This shows up in the figure of 50-60 per cent of income being spent on food purchase in developing countries as compared to 10 per cent in the developed world. As a result, the food crisis has affected the world's poor disproportionately. The number of people in poor countries falling into the poverty category has increased by about 200 million during the food crisis.

Pakistan, where the effects of food crisis are accentuated due to weak regulatory mechanisms, has seen the number of food-insecure districts increase in recent years.

There are harrowing tales of an increasing number of distressed people committing suicide. Food price hikes have led to poor households spending on average 60 per cent of their household income on food purchase, leaving little for health, education and housing; and with food inflation of 64 per cent since 2008, according to one economist.

Poor households are resigned to eating less and less with dire effects on nutritional status and poverty

levels. Whereas in the past a family could afford meat once a week, now it can barely purchase it once a month.

A report unveiled by UNICEF painted a grim picture showing rising rates of malnutrition in Sindh at 23.1 per cent. These rates were well above the 15 per cent emergency threshold set by the World Health Organisation.

More worryingly, these rates of malnutrition were comparable to those of Chad and Niger. To be compared to these countries on this indicator is alarming. Although the report came out against the backdrop of the floods, it complemented the finding of an earlier report issued by the Sustainable Development Policy Institute which highlighted growing food insecurity in an increasing number of districts as a result of price hikes and the absence of robust price-control mechanisms.

The escalating problems of poverty and hunger induced by the food crisis were an indictment of the failure of government policy to shield consumers from the spiral effects of internationally engineered food price hikes which have been manipulated by local cartels to fleece consumers.

In Pakistan, food price rises are inexorably on an upward trajectory. January 2011 saw a 20 per cent increase in the price of essential food items; while the cost of non-perishable food items rose by 17.27 per cent that of perishable items surged by 44.5 per cent with a corresponding 16 and 13 per cent increase in medical and transport costs.

The failure of the provincial government to control artificial price hike of essential edibles also made life of people miserable who inflated bills of utilities

already adversely affected. The shopkeepers and vendors overcharged buyers across the provincial metropolis while no price fixing mechanism was virtually implemented. Similarly, the vendors also charged different rates in different locality.

Media Workers Plights

The biggest victory of journalists in Pakistan was, after a decade-long battle, journalists won the court case for the implementation of the seventh wage board award. Media workers finally emerged victorious when the Supreme Court endorsed their right to a fair wage in October 2011.

Chief Justice Iftikhar Muhammad Chaudhry directed that the wage board award be implemented in letter and spirit and dismissed the petitions filed by the All Pakistan Newspapers Society (APNS) and Pakistan Herald Publications. The petitioners would have to pay a penalty for the contentious litigation.

In a 75-page judgment, the chief justice seconded that The Newspaper Employees (Conditions of Service) Act, 1973 was within the legal domain of the constitution. Consequently, the Seventh Wage Board Award announced in 2001, would stay effective until the board modified it.

After 10 years of lobbying for the award, the Pakistan Federation of Union Journalists (PFUJ) won the case.

Journalists are in the profession, which makes the news, but they fail to highlight their own news of exploitation, non-payment of salaries, proper working environment. According to inside reports, the salaries in 80 percent newspapers are delayed. Even in many newspapers and media organizations the salaries have

not been paid for months. Many newspapers have cut down their sizes and staff without proper notices.

Moreover, journalists had also been demanding the government and owners of media houses to provide comprehensive life insurance cover and better protection to the journalists working in the field to report on the war on terror.

The journalists in a national workshop, held to provide awareness to media persons on the issues relating to reporting on the current terrorism incidents, deliberated at length the challenges faced by journalists on the battle-lines of the ongoing war against terror and shared their experiences and thoughts over the subject.

The journalists noted the ever-increasing violence against journalists was hampering the smooth function of gathering news from the field and imparting it to the masses.

2011 was worst for journalists working in South Asia as threat from both non-state and state elements to their safety, especially in the conflict areas, kept taking its toll on them.

According to South Asian Free Media Association (SAFMA) report-working condition in Pakistan for journalists is more risky against the backdrop of ongoing conflict in the vast north and southwestern regions of the country.

While militants target them with impunity, fingers are also raised at the role of security agencies in their kidnapping and killing.

The report said in the outgoing year, many incidents of violence and intimidation of journalists had

been reported, involving police, Rangers and various other agencies, which sent a message to the media that they better toe the line drawn by the extremists.

Media organizations were not spared from the anger and wrath of many non-state actors.

Offices of private TV channels, Multan Press Club and Karachi Press Dub were attacked and copies of national dailies were burnt, but no preventive steps have been taken to end this violence against media organizations, it was alleged in the report.

The journalists in the conflict areas were more vulnerable and exposed to the law-enforcement agencies, militant groups and other non-state actors. No proper steps were taken to provide security, insurance and risk coverage by the media houses.

A majority of journalists in the districts are under paid or not paid and allowed to use only ID cards of the channels they work for and have to arrange their own earnings.

The media houses remained indifferent towards the safety and security of journalists, according to the report.

According to the media reports, as many as 47 journalists have been killed in Pakistan during the last 17 years, but not a single murder case has been resolved as of today with only one exception of US journalist Daniel Pearl, whose assassins were brought to justice under intense American pressure.

In no instance, even the challan was sent to the court regarding murder of a journalist, let alone carrying out prosecution.

In the famous case of Hayatullah Khan who was murdered in June 2006 after six-month captivity, though no criminal investigation took place, a judicial commission led by Peshawar High Court's Justice Muhammad Raza Khan conducted fact-finding, but report was never made public.

Majority of the slain Pakistani journalists, according to the New York-based Committee to Protect Journalists (CPJ), were covering politics, mostly of violent nature, be it in Karachi, Quetta, tribal areas or elsewhere. Again, Salahuddin and Wali Babar were also into the political reporting.

Among the dead journalists, majority worked for the print media. There were 62% those writing for newspapers/magazines, 44% slain journalists used to work for TV channels and the remaining were employed by online publications.

Of 47 journalists killed, 53% were those murdered, and 38% were fatally wounded covering dangerous assignments becoming victims of suicide blasts etc. There were as many as 9% those journalists killed in cross firing, revealed the statistics obtained from the CPJ website.

Case Study 1: Faisalabad Six

Six labour leaders from Faisalabad, a central city of the Punjab province and an industrial city of Pakistan, have been handed jail sentences of 490 years in total in 2011.

They lead a peaceful strike for an increase in minimum wages as announced by the government. The six worker leaders are Akbar Ali Kamboh, Babar Shafiq Randhawa, Fazal Elahi, Rana Riaz Ahmed Muhammad Aslam Malik and Asghar Ali Ansari. Four of them were arrested in July 2010 while the other two were arrested in July 2011 on the same charges.

The arrested are leaders of a power loom worker organization Labour Qaumi Movement (LQM). LQM is a community based labour organization fighting for the rights of the textile workers since 2004. It has a mass base among textile workers of the city and surrounding areas.

An anti-terrorist court judge on November 1, 2011, sentenced six leaders under terrorism charges. They were accused of burning down a factory during the strike, which they claim as fabricated charge. They say according to the fact gangsters in the pay of the factory owner started shooting at the workers who were leaving the factory to demand better wages. Some workers dared to go inside the factory and forced the gangsters to stop firing. During the trial, the workers' advocate asked if the factory had been burnt down, then how was it able to operate again, three days later.

The long-term jail sentences of these workers leaders has been a devastating blow to the workers movement in Faisalabad, and, indeed, across Pakistan. One of the principal methods of disciplining was to push them to the point where they are only left with an option of negotiating with the bosses on the latter's terms.

Anti-terrorist laws are frequently used against protesting industrial workers in Punjab. Thirteen trade union leaders are facing such charges of terrorism at present time for raising voice for their rights.

Case Study 2: KESC Troubles

In 2011, for almost 50 days, Karachi, which is called Pakistan's "City of Lights" remained paralysed because of a long strike of Karachi Electricity Supply Corporation (KESC) union to protest for their rights and sudden and forced expulsions of hundreds of employees.

Hundreds of KESC workers held protests against the utility's management for not allowing the 4,000 employees, who had been fired earlier, to work properly. They staged sit-ins in front of the Karachi Press Club and ultimately went into hunger strikes. Members of KESC's three unions, Peoples Workers Union, Labour Union and Kesuty Union, participated in the demonstrations.

Around 4,000 workers were fired by the management in January and then reinstated by President Asif Ali Zardari but, later, they were not being allowed to work. The union alleged management mentally tortured the workers by making charge sheets against them on minor issues. The management did not accept the decision when the workers were reinstated and was finding new ways to fire them.

The protests have their origins in a late-December 2010 decision to declare thousands of workers (drivers, sanitary workers, security guards, office attendants etc "surplus" to requirements at the corporation—despite public promises made amid the fanfare of the original takeover that all 17,000 employees of the utility would be well looked-after.

Management's strategy was considered illegal under Pakistani labour law, which sets fairly stringent conditions on the use of contract labour.

Concerted resistance waged by an alliance of the labour unions that represented KESC's workforce met management's initial moves. The early signs were promising—amid large public protests, Karachi's political class scrambled to curry favour with the city's masses, ordering the 4,500 rehired.

Initially, the workers had sought and received from the National Industrial Relations Commission (NIRC) a stay order formally blocking the firings. But absent any commitment to enforcement, this mattered not a jot to management. Once the political storm over the protests subsided, it soon proceeded with its plans uninhibited.

The exhaustion of the legal road moved the trade unions to escalate.

The hunger strike was launched in late April, but after this and the subsequent protest camp were summarily ignored by management and Pakistan's politicians, the struggle hit its peak last week, as the city was shut down by the union's call. Protests went violent.

While the management has cited the protests (and alleged acts of sabotage) as the principal reason for elevated levels of power outages in those weeks, it was difficult to take this seriously.

Senior officials of the KESC had not been able to enter their head offices for nearly two weeks now as hundreds of protesting employees remained camped outside the building, threatening and beating staff members, who want to attend duties. At other locations,

KESC offices have remained mostly shut for nearly two months now as bands of protesters — some of them armed — roam freely, targeting those who refuse to stay away from work.

There have been more than 100 cases of sabotage and violence against KESC installations and employees during those couple of weeks alone, said the company management. The tussle had perhaps become a defining one for the country's privatisation programme and overall investment climate.

The government had been pressing the KESC management to resolve the issue with the unions, which means keeping the status-quo. But the status quo is the biggest problem at the KESC; it's in the red because of overstaffing, rampant power theft and corruption.

Another view is that the restructuring and revamping are part and parcel of the privatisation of any organisation anywhere in the world. No management can change fortunes of a company without cutting operational costs and a major overhaul and shakeout of the workforce. In Pakistan, there has been a precedent of restructuring in a number of key privatised institutions, including in the banking sector.

It worked perfectly well because there was political will behind the move. Employees were given financial benefits through "golden handshake schemes" for leaving their jobs. The successful implementation of these schemes resulted in the turnaround of many institutions, which became profitable and financially robust, paving way for improved services, expansion and creation of new jobs.

But unfortunately KESC is not being allowed to do that for narrow political reasons. At one level, PPP's

traditional pro-worker posture leaves no room for retrenchment. This is a major contradiction in the ruling party's policy which also endorses privatisation and maintains its full-fledged ministry, although it hardly has any success to its credit since coming to power in 2008.

This has financially wrecked most public sector enterprises that remain a drain on the national exchequer. Only a dozen or so top such loss-making institutions need more than 300 billion rupees a year in subsidies to remain afloat. The KESC as part of its restructuring plan aims to reduce number of employees to around 13,000 from the current 17,000 plus. The move was not unlawful and part of the privatisation agreement with the government.

It tried to implement this in early January by terminating the services of 4,300 non-core employees who refused to accept a voluntary separation scheme (VSS). The non-core employees included drivers, bill distributors, security staff and sweepers. The scheme offered a minimum of 700,000 to a maximum of 4.0 million rupees to each employee according to seniority. The KESC says that by doing this it wants to concentrate on core technical operations, which makes sense.

However, the move was derailed as a result of January 20 violence. At that time, the political parties in the ruling coalition forced the KESC management to reinstate these employees. But the KESC management made it clear even then that it was not abandoning the restructuring plan and accordingly outsourced non-core operations to specialist firms. The non-core employees were put in the surplus pool and their job specific allowances and overtime were stopped, but they continue to draw salaries.