

National Labour Council

The National Labour Council has been formed after deliberations of trade union representatives from across Pakistan during a national level consultation.

The Pakistan Institute of Labour Education and Research and Sindh Labour Solidarity Committee jointly organized the National Labour Consultation 2016 on Monday, 7th November 2016 at the PILER Centre, Karachi. The Consultation was attended by 70 concerned stakeholders comprising state representatives, trade unionists, informal sector workers' organizations' leaders, civil society organisations, the human rights activists and the academics, and representatives of employers and Ministry of Labour Sindh.

In this connection it was unanimously decided to form a National Labour Council (NLC) with Mr. Abdul Latif Nizamani, President Pakistan WAPDA Hydro Electric Union as the Convener of the Pakistan Labour Council and Mr. Karamat Ali, Executive Director PILER was appointed NLC's Secretary.

It was a collective wisdom of the labour based organizations and trade unions to launch a common platform to initiate a joint struggle for deteriorating conditions of labour in the country.

National Labour Council will further stride to resolve their issues of workers in uniformity which is essentially required in these tough times. We will in near future organization meetings and events for the labour rights under the banner of NLC and will be highly obliged to bring you and your organization on board for the greater benefit of workers.

The stakeholders shared concerns on the current deplorable status of labour rights, including the rising number of industrial accidents in the wake of severe violations of occupational health and safety and the complete lack of social protection. The dividends of economic stability and GDP growth in recent years have not reached the workers in the least and instead increased the inequality. The GSP+ status has also not benefited the workers. Six years after the passage of the 18th Amendment, the federal government has failed to come up with a blueprint to harmonize labour laws across the provinces. Neither the provincial governments have completed the process of adopting all laws that were in existence at the time of 18th amendment and fully made labour legislation compliant to the Constitution and the ILO conventions. Fundamental rights of workers including; un-conditional right to association and right to collective bargain, the right to strike, the right to associate freely, and access to due legal process, are practically non-existent.

The consultation participants identified gaps in labour policy, legislation and institutional arrangements that have deprived majority of workers of their basic rights for the last 69 years, and arrived at the following resolution:

1. Pakistan's Constitution, Universal Declaration of Human Rights (UDHR), the ILO Conventions (including the core conventions), the ILO declaration of Principles and the UN International Covenant on Economic, Social and Cultural Rights (ICESR) should

form the basis of the national labour policy and legislative framework. This blueprint, adopted by consensus, must be adhered to in letter and spirit by the provinces in drafting/amending laws and in framing policies and procedures;

2. Policies and laws must be drafted anew, or amended, by the provinces, or the federation as the case may be, to grant fundamental rights (including the right to associate and collective bargaining) to informal workers in all sectors, i.e. agriculture, fisheries, small industries, mines & quarries, home-based work, domestic service. The labour policy should be formed in line with the ILO Conventions.
3. The right to organize, collective bargain and industrial relations are two separate subjects. Hence there should be a separate law for trade unions to facilitate union formation in all sectors on the pattern of the Trade Unions Act 1926;
4. The existing social security schemes and labour welfare programmes should be merged in to one-window facility/**one card** and coverage of benefits and entitlements extended and universalized;
5. Till above facility is introduced, immediate amendments should be introduced in legislation related to EOBI, WWF, WWB, ESSIs to bring in urgent reforms making these labour welfare institutions useful for workers. Workers' representation in the governing boards of these institutions should be made on the basis of presence of federation in that particular province and employers representation should also be genuine. No more pick and choose policy.
6. National Industrial Relations Commission (NIRC) was formed with an objective of promotion of labour rights and labour education. However, it has ended up as union registration authority which particularly after 18th amendment has created serious implications for labour. The consultation demands that council should be reverted to its original objectives. The registration of unions should be dealt with at provincial level and any union that registers itself primarily in a one province may need no further registration even if it operates in other provinces.
7. To ascertain the presence of unions/ federation in the provinces, provincial labour department should immediately do the ranking of unions/ federations in their respective provinces on the basis of their verifiable membership and this ranking list should be made public.
8. After 18th Amendment single (federation) representation in the ILO mechanism (governing body/ Int. Labour Conference) is against the spirit of the devolution. This can only be considered representation of Islamabad Capital Territory not whole of Pakistan. Therefore, this practice should be done away with immediately, and representation governing body of ILO must be rotated amongst provinces. Pakistan delegation to ILO Conference must consist of equal representation from all provinces on the basis of ascertaining most representative organizations.

9. Institutional arrangements must be made to take devolution of labour at all levels and to the lowest administrative tier—province, district, tehsil;
10. The consultation expresses grave concern on current level of health and safety situation at work places and demands that the labour inspection system be immediately restored, strengthened and implemented efficiently in all the provinces, including hiring of competent labour inspectors. Government should implement the ILO Conventions 155 and 176 on health and safety at workplace. The house condemned deaths of workers at Gadani shipyard and demanded from the government to constitute a judicial commission to ascertain the responsibility on concerned.
11. Permanent Provincial Tripartite standing Labour Committees should be instituted with equal representation from employees and employers. Provincial labour department secretaries should chair these committees with a mandate to meet regularly to recommend amendments in laws, policies and monitor the implementation on existing laws and policies including labour inspection system;
12. The consultation calls for immediately holding provincial tri-partite conferences and then institutional arrangement should be made for holding these conferences on regular basis;
13. Privatization process of PIA, Pakistan Steel Mills and National Bank of Pakistan should stop forthwith and government should make public details of privatization done in the past including how many establishments were privatized, at what cost, how many are running in loss and profit and how many workers were retrenched.
14. Allegations of wide spread corruption in labour departments particularly in labour welfare institutions such as social security institutions are rampant. If true, it amounts to robbing of workers' rights. An immediate and independent inquiry should be conducted and reports made public.
15. Genuine and representative local governments is key to devolution. The consultation demanded that the elected local governments should be given powers and genuine representation of labour councilors should be ensured.
16. The consultation demands immediate payment of wages to employees of various establishments including Pakistan Steels Mills. The consultation demanded from the administration of Pakistan Steel Mills to pay without any delay the pending salaries of its workers/ employees raise their salaries and pay the health benefits. With this we also demand that the long pending dues of retired and deceased workers.
17. Contract system in all industrial establishments should be abolished in line with the decision of Supreme Court of Pakistan.
18. Workers of PC hotel should be restored back on their work and trade union activities in the hotel should be restored
19. Workers should be hired through Employment Exchange rather than on contract basis

20. Living wage mechanism shall be adopted instead of minimum wage system across Pakistan
21. Implementation of 18th amendment shall be ensured by handing over WWF, EOBI to provinces and abolishing the NIRC
22. Amendments shall be introduced in IRO 2012 in line with IRO 2002
23. Labour Courts & Compensation Commissioners shall decide pending cases not later than six months' time.
24. Worker in Dream World Resort be given minimum wage and shall be registered with Social Security and EOBI.
25. Workers of FATA shall be brought in mainstream
26. The house also deliberated on child and bonded labour issues in Pakistan with particular reference to Punjab. The house also demands that some of the articles of Punjab Child Labour Act 2016 are in violation to the basic rights. Therefore, those articles shall be removed instantly
27. Governments shall take immediate steps to stop child and bonded labour and discrimination and harassment against women at workplace. The governments should legislate in line with ILO Convention 100 ensuring equal pay for equal work
28. EOBI pensions for all pensioners shall be increased up to 15000/
29. Funds/budgets of Companies Profit Participation Act 1968 and Workers Welfare Fund should be utilized for the welfare of the workers only.
30. Government should levy tax on businessmen, landlords and industrialists. The taxes collected shall be utilized on the welfare of youth in particular to address the issue of soaring un-employment
31. We demand from the government to restore and reinstate the workers and union leaders of Pakistan Electric Supply Company and Pakistan Telecommunications and provide them with their dues and pensions. The government shall also compel the administration of these companies to enter in talks with concerned labour union.