



HUMAN RIGHTS COMMISSION OF PAKISTAN

THE HUMAN COST OF THE TEXTILES INDUSTRY

TEXTILE WORKERS IN PUNJAB AND
SINDH

NOOR E MUZZAMMIL

SHAKEEL PATHAN LABOUR STUDIES SERIES

THE HUMAN COST OF THE TEXTILES INDUSTRY

TEXTILE WORKERS IN PUNJAB AND SINDH

Shakeel Pathan Labour Studies Series No. 5



Human Rights Commission of Pakistan

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CONTENTS

Executive summary	1
Acknowledgements	3
1. Introduction	5
2. Literature review	8
3. Labour legislation in Pakistan	14
4. Key findings	18
5. Recommendations	25

EXECUTIVE SUMMARY

Pakistan's textile industry is a significant provider of employment, with a 40 percent share in the industrial labour force. However, it is also a sector where labour rights abuses are widespread. This report, commissioned by the Human Rights Commission of Pakistan, sheds light on the labour rights violations in Pakistan's textile industry and formulates recommendations to stakeholders for advancing the decent work agenda.

Workers in the industry face numerous challenges, including excessive working hours, low wages, unsafe working conditions, denial of workers' rights, and the persistence of child labour. Textile workers often work 12–14 hours daily, exceeding the eight working hours legal limit. As many as 80 percent of workers experience hazardous conditions, including inadequate ventilation and exposure to harmful chemicals. Low wages are another significant issue, with many workers earning less than the minimum wage. In addition, safety violations are prevalent in over 70 percent of textile factories, leading to accidents and fatalities. The lack of proper fire safety measures and structural hazards contribute to the high-risk workers face.

Workers in the textile industry also face restrictions on their rights, including freedom of association and the formation of unions. Intimidation, harassment, and threats against workers who attempt to organise or join unions are common, undermining their ability to advocate for their rights collectively.

Women are disproportionately affected by gender-based violence, discrimination, and limited opportunities for advancement within the industry. Women workers are more disadvantaged as they are refused paid maternity leaves and often replaced in case of pregnancy. They are also restricted to stitching, packing, and threading jobs. This report highlights the urgent need for gender-sensitive interventions and protections.

Federal and provincial governments are urged to enforce labour laws effectively and conduct regular inspections to ensure compliance with international standards. Strengthening legal protections for workers' rights and freedom of association is crucial. Collaboration with international organisations can help address cross-border labour exploitation. Employers must implement and enforce robust social responsibility policies. Conducting thorough due diligence to identify and address labour rights violations throughout their supply chains is necessary. Supporting wages and safe working conditions for textile workers is essential for their well-being. The international community is called upon to strengthen international standards and mechanisms for holding governments and corporations accountable. Promoting responsible sourcing practices and supporting ethical initiatives can improve labour conditions in the industry.

There is an urgent need for comprehensive action by federal and provincial governments, employers, and the international community to address labour exploitation, ensure worker safety, and protect the rights and well-being of textile workers in Pakistan. It is imperative to take decisive measures to ensure workers' safety and safeguard their rights and overall welfare. Governments must enact and enforce stringent regulations that effectively counter labour exploitation practices, holding violators accountable and creating a deterrent against malpractices. Concurrently, employers must actively cultivate a work environment that prioritises workers' well-being, implement safety protocols, and foster fair labour practices.

However, the responsibility does not rest solely on domestic actors; the international community also has a pivotal role to play. Collaborative efforts are vital to bring about a transformative change in the textile industry's landscape. Joint initiatives, partnerships, and agreements can help the industry to transform so that it treats its workers with the respect and dignity they deserve. As we collectively address these multifaceted challenges, we pave the way for the realisation of an equitable and just textile industry in Pakistan and aspire to establish a sustainable model that upholds and defends workers' rights in other industries.

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INTRODUCTION

Context

The textile sector's contribution to Pakistan's GDP is around 8.5 percent, accounting for 61 percent of total exports and employing about 40 percent of the industrial labour force.¹ Despite having an established industry, its need-based nature of hiring labour leads to seasonal or limited work opportunities, inadequate wages, and unsafe working conditions. On the other hand, the gender wage gap is at 57.3 percent, as reported by ILO, where women in the industry are mainly employed without contracts or work in sweatshops.² Due to its inability to improve labour rights conditions, the Global Rights Index 2022 categorises Pakistan among the countries with 'no guarantee of rights' of workers. It is essential to understand the labour market problems and ensure proper policy implementation to improve the labour and human rights status of workers in Pakistan. The study has been designed to address the following research questions:

- What challenges do textile workers face regarding the fundamental labour rights established in national and provincial laws and international labour standards?
- Does the main problem lie in Pakistan's lack of proper labour laws or implementation?
- How far can collaborative work among stakeholders minimise the problem of implementing the existing labour laws in Pakistan to improve the working conditions in the textile and apparel sector?

Methodology

We conducted an exploratory and descriptive study to fully understand and analyse employer attitudes and the factors that have prevented the textile industry in Punjab and Sindh from effectively ensuring labour rights provisions and following labour laws. We conducted mixed-method research using qualitative and quantitative data collection and analysis methods.

An extensive literature review was conducted on various labour rights issues, including working conditions, unionisation, employers, and labour laws. We examined international and national labour laws to study the role of government and employers in creating an enabling environment for work. We also obtained industry-specific information from official sources to determine whether the textile industry is more open to collaboration with the government and other stakeholders.

The literature review results served as a foundation for the design of the instruments employed in our study. We conducted qualitative fieldwork using semi-structured interviews and focus group discussions (FGDs) with employers and workers, respectively, and quantitative research using a survey instrument fielded to employers. To assess their viability and validity, we piloted our research instruments with a limited group of participants. We were able to triangulate data from numerous sources due to these distinct data collection approaches. The data was analysed quantitatively (using descriptive statistics) and qualitatively (using iterative coding). Policy recommendations, our primary deliverable, were devised using the results from the above methods and refined through the roundtable conference organised for workers, employers, government, and other stakeholders.

The participants in our study were primarily selected from the labour department, employers, and workers from various industries. We acquired contact information and details about employers and workers through contacts, which necessitated convenience sampling due to the study's nature and access limitations. To understand working conditions, we included small and medium enterprises (SMEs) and large manufacturing units. The sample of our employer survey comprised 99 employers from 75 SMEs and 24 large industries. This was supplemented by in-depth interviews with 12 SMEs and 7 large industry employers. To ensure regional diversity, we included textile units from Lahore, Faisalabad, Sialkot, Daska, Kotri, Sukkur and Karachi in our sample. We also interviewed labour representatives from these regions to gain insight into factors affecting the absence of unions. We included workers and employers

in the spinning, weaving, cutting, stitching, dyeing, and processing industries to capture the various sub-sectors within the textile industry. Additionally, our FGDs included workers in different subsectors and job descriptions (helper, machine operator, labour supervisor, etc.) from different areas of Punjab and Sindh.

Ethical considerations

Before conducting interviews and FGDs, we obtained verbal consent from participants. We explained the research purpose, assured them of data anonymity, and allowed them to decline to answer questions or withdraw from the study. We anonymised data by replacing participant names with identifiers during transcription, removing identifying details, and anonymising direct quotes. However, some participants held key positions and could be indirectly identified. We informed them of this risk and obtained their permission. We also submitted our survey instruments and interview checklists to HRCP for approval before conducting research.

LITERATURE REVIEW

Background

The labour practices and working conditions in developing countries are considered poor when measured against the ILO Decent Work Agenda, which aims to “promote decent and productive work for women and men in conditions of freedom, equity, security and human dignity”.³ Based on four strategic pillars—full and productive employment, rights at work, social protection and the promotion of social dialogue—the agenda is operationalized using the international labour standards comprising conventions (legally binding treaties once ratified) and recommendations (non-binding guidelines).

The working conditions are very diverse in Asia. It has been argued that a country’s labour market’s working conditions depend on its overall development level.⁴ Empirical evidence of this can be seen when we compare the labour markets of the four Asian tigers—Hong Kong, Singapore, South Korea, and Taiwan—to the countries in South Asia. Whereas the latter set of countries has different labour policies and working conditions, their working differences with the region’s more developed countries are stark. The poor working conditions in developing countries are often related to their overall policy and implementation gaps. For example, a developing country might have efficient laws defining maximum working hours and minimum wage for its labour. Still, governance and accountability issues, high poverty levels, inflation, and unemployment, may prevent such laws from being implemented. This is evident in countries like Pakistan, Sri Lanka and Bangladesh, though with individual differences, where the workers are usually reluctant to raise their voices and defend their rights.

In addition to the overall research on labour rights in developing countries, a multitude of research has been done on intersectoral comparisons regarding the relative labour working conditions in these countries. Robertson et al.⁵ have put forward five case studies that indicate that the working conditions of the apparel sector in

developing countries are better than other industries. Pakistan and Bangladesh have a standard parallel from this research, as both countries have apparel export on their top lists. The main reason behind this difference has been associated with the direct linkage of the apparel industry to international trade. The labour working directly with businesses involved in the export tends to enjoy relative labour protection. This discrepancy shows the underlying capitalistic tendency, where the labour laws do not have sufficient value for the business owners. However, to market their products internationally, they ‘grant’ labour rights to workers. This problem also comes down to national policy differences between the developed and developing countries, where the former set of countries have stricter labour laws because they tend towards societal and individual welfare. In contrast, the latter needs better rules and regulations, especially in the implementation phases, owing to their problems related to governance.

Another reason behind the poor working conditions for labour in South Asian countries is their large informal sector. The primary criteria on which formal and informal sectors are differentiated are payment of taxes and the provision of formal benefits to the working labour.⁶ The Pakistani labour market has an extensive informal sector in which business concerns are not registered and escape from regulation and taxation. As a result, there is no check and balance on labour standards. The issue boils down to a need for systematic policy reforms in which the confidence in the pros of being registered in the tax-paying base of the country is rebuilt.

Parallels can be drawn between Pakistan and two South Asian countries—Sri Lanka and Bangladesh. All three countries have huge informal sectors home to gross labour rights violations, primarily because of their unregistered status. In addition, Pakistan and Bangladesh have apparel export industries for which international buyers require them to have decent working conditions.

Textiles sector in South Asia

South Asian countries have a strong textile and garments sector due to the availability of cheap labour and their export baskets being

concentrated in this sector. In this regard, Pakistan and Bangladesh are two countries where the apparel and textile sectors occupy a large labour market. Despite these sectors providing export support to their national economies, the labour exploitation in Pakistan and Bangladesh, as well as other developing countries of the region, is manifold, irrespective of the labour laws and protectionist policies.

With an 8.8 percent global apparel export share in 2021, Bangladesh is the world's second-biggest garment exporter after China.⁷ Pakistan's share was only 1.6 percent of the global textile exports for the same year. However, workers in both countries experienced gross rights violations, ranging from excessive working hours and poor working conditions to regionally low minimum wage rates and exploitative policies regarding labour welfare and job security.⁸ A detailed examination of labour rights in South Asia reveals the multi-layered nature of problems. Not only the overall implementation of the labour laws is weak, there are further violations based on gender. According to a comparative research study, the labour laws in Pakistan and Bangladesh are gender-discriminatory in terms of wage gap and work roles and have not strengthened women's representation and empowerment.⁹

Bangladesh has enacted several labour laws to protect workers' rights and ensure a safe working environment. However, despite these laws, Bangladeshi workers face several challenges, including low wages, unsafe working conditions, and limited access to legal recourse. Like Pakistan, despite having labour legislation in place, Bangladesh also faces a huge set of problems when enforcing labour rights—it was rated as one of the ten worst countries in the world for working people in 2021.¹⁰ Bangladesh's most significant labour law is the Bangladesh Labour Act 2006. The law defines the minimum standards for employment, including working hours, leave entitlements, safety and security of the workplace, maintenance of health standards, maternity benefits, and other impressive benefits; and also establishes a mechanism for resolving labour disputes and allows workers to form unions to protect their rights.

The law also requires employers to provide a safe working

environment and ensure workers receive adequate occupational safety and health training. Another significant labour law is the Bangladesh Labour Rules 2015, which provides guidelines for implementing the Bangladesh Labour Act 2006, including provisions for forming trade unions and resolving labour disputes. The rules also specify the minimum wage rates for different industries and occupations. However, workplace accidents and fatalities are still prevalent in Bangladesh despite these provisions. The collapse of Rana Plaza, which housed several garment factories, resulting in the death of over 1,100 workers in 2013, exposed the grim reality of unsafe working conditions and labour rights violations in the global garment trade, especially in the developing world.¹¹

Sri Lanka is also among the list of South Asian countries where labour rights violations are not uncommon. According to a 2015 ILO study on wages and working conditions in the garment sector of Asian countries, the Sri Lankan apparel market reported a minimum wage rate that was the lowest in Asia.¹² In addition to low minimum wages, the Sri Lankan case for poor working conditions, wage segregation and task segregation based on gender have also been reported.

The key law on labour rights in India is the Industrial Disputes Act 1947, which outlines mechanisms for resolving industrial disputes between workers and employers and lays down the procedure for strikes and lockouts. Unlike the IRA, this act also stipulates the creation of labour courts and tribunals to adjudicate disputes related to labour issues. However, labour legislation in India and Pakistan is similar because of their shared colonial and legal history. Despite these legal protections, workers in India still face several challenges, including low wages, long working hours, and limited access to legal aid. Moreover, many employers violate labour laws with impunity, and workers can often not seek redressal due to the high cost of legal proceedings.

Numerous factors are behind the acceptance of such gross labour rights violations among workers. Still, almost all of them are linked to poverty and unemployment in South Asian countries. Low education

status and lack of awareness add to the issue, as the poor are unable to ask for the implementation of their rights in an organised manner. In addition, labour supply in these sectors is very abundant, which gives the employers an undue advantage over the labour force and the option not to improve the poor working conditions.

The challenges labourers face in India, Bangladesh and Sri Lanka are quite similar to that in Pakistan: the issue of enforceability of these rights persists despite the existence of laws.

The case of developed countries

Developed nations across the globe have exhibited a better approach to implementing policies for safeguarding labour rights when compared to their developing counterparts. Their approach towards devising, sustaining and implementing better labour laws can be used as comparative pivots for developing countries to adopt after considering the local contexts and realities. One of the major reasons behind better labour conditions in developed countries has been their better focus on the monitoring and evaluation processes of the companies operating in all sectors, including fashion and textile.

According to the Modern Slavery Act 2015, any company operating in the United Kingdom with an annual turnover threshold of GBP 36 million is required to report the steps it is taking to cater to the issues of modern slavery, including their minimum wage laws, measures against forced labour and labour protection policies.¹³

In addition to state-wide policies and practices, numerous inter-organisational initiatives have been taken in the European Union for better labour laws in the apparel sector. Twenty of the largest apparel and footwear companies were benchmarked on their transparency in matters related to forced labour from their global supply chains in 2016. This venture was called KnowTheChain and was jointly introduced by Humanity United, the Resource Center, Sustainalytics, Verité and Thomson Reuters Foundation.

Seven of the twenty companies were based in the EU, and those

outperformed others. The analysis of their better-performing reasons on the comparative scale revealed strict policies against labour rights violations in the apparel industries' supply chain domains. The policies saw regular, proper and relatively rigorous implementation, improving the overall labour rights conditions.¹⁴

The German development cooperation has been working on minimising labour rights abuses in the outsourced apparel sectors through dialogues, training and awareness programmes for their developing counterparts.¹⁵ There has been an overall trend of flagship social dialogues in the Asia Pacific region to ensure an increased level of understanding of labour rights violations in the developing world and how mutual work could help minimise such violations in developing countries.

LABOUR LEGISLATION IN PAKISTAN

Historical context

Upon gaining independence in 1947, Pakistan inherited a set of labour laws from the British Raj. These included the Trade Union Act of 1926, the Factories Act of 1934, the Industrial Employment (Standing Orders) Act of 1947, and the Industrial Disputes Act of 1947. These laws laid the foundation for labour laws and policymaking in the country, granting workers various rights such as the ability to engage in trade union activities in most sectors (except for military and police service) and the right to collectively bargain and go on strike.

It has been argued that these laws were quite progressive and forward-looking for their time.¹⁶ Under the 1926 Act, the trade unions at the time could fund political parties hoping for pro-labour legislation in the parliament.

Furthermore, employers were bound to recognise trade unions, and unfair labour practices were banned under different legislations. However, these pro-labour legislations were short-lived.

A more regressive labour law regime emerged after Pakistan's first military coup in 1958. The Industrial Disputes Ordinance 1959 introduced a general restriction on strikes and penalised the same.

Labourers could not go on strikes without giving due notice to the employer and were prohibited from going on strikes if the impugned matter was pending before a conciliator. The same act further criminalised financing strikes and lockouts and penalised instigation.

Eventually, more and more companies were included under the definition of 'public utility', and therefore, a blanket ban on strikes and lockouts was imposed. These capitalist tendencies of the military rulers produced more jobs at the cost of regressive labour laws.

Labour law and the Constitution of Pakistan

The first two constitutions of Pakistan included a few labour rights which were deficient and ineffective. The 1973 Constitution was a significant step forward because of being more comprehensive in ensuring labour rights. Article 17 of the Constitution grants the right to form associations or unions, subject to ‘reasonable’ restrictions. Article 11 prohibits all forms of forced labour; Article 18 grants the right to any lawful profession and trade; Article 25 ensures all citizens are treated equally under the law; and Article 27 prohibits discrimination.

These articles formed the bare bones structure over which labour legislation was or can be enacted to ensure the fundamental rights of labourers in Pakistan. The peculiar aspect of the 1973 Constitution was the fact that it introduced explicit guarantees for ensuring labour rights:

The state shall make provisions for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment. The state shall secure the well-being of the people [without discrimination] by raising their standard of living ... by ensuring equitable adjustment of rights between employers and employees; provide for all [employees] social security by compulsory social insurance or other means.

Current labour law regime in Pakistan

The key legislation regarding labour rights in Pakistan is the Industrial Relations Act (IRA) 2012. The main objective of this Act is to oversee and manage the creation and functioning of labour unions, as well as to regulate the relationship between employers and employees, the resolution of disputes between them, and other related matters.

Despite weak enforcement and ancillary issues in labour rights enforcement, the IRA is comprehensive legislation covering pertinent issues labourers face. Under Section 53, the Act sets up the National Industrial Relations Commission, a federal body that adjudicates industrial disputes, regulates trade unions, and regulates unfair labour practices and other issues related to labour.

The IRA stipulates the parameters for strikes and lockouts; penalises employers for unfair labour practices; ensures workers' participation through shop stewards and works councils; and regulates the formation of trade unions and trade union activities. In pursuance of the 18th Amendment, the provinces have also enacted their legislations, such as the Punjab Industrial Relations Act 2010 and the Sindh Industrial Relations Act 2013.

Another key legislation in this respect is the Factories Act 1934 (last amended in 2018). This Act is the main legal framework for ensuring the safety, health and well-being of labourers in Pakistan.

Under this Act, factories must provide adequate ventilation, space, and appropriate lighting for their employees. Section 13 specifies that factories must be kept clean, while Section 20 and 21 requires the provision of drinking water and sanitation facilities for workers.

The Act also appoints and empowers inspectors to examine the premises and take necessary action. In addition, the Provincial Employees Social Security Ordinance 1965 was introduced to ensure the social security of workers the then West Pakistan. The Ordinance mandates that employers contribute a specific portion of their earnings to social security funds, which are used to offer benefits to employees in the event of illness, injury, or death.

There are some other laws which need to be briefly touched upon. Firstly, the West Pakistan Shops and Establishments Ordinance 1969 oversees the working conditions, including the working hours of individuals employed in commercial, industrial, and other establishments throughout Pakistan. Secondly, the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance 1968 is enforceable on all commercial and industrial

establishments in Pakistan which have employed twenty or more workers directly or through any intermediary. Thirdly, the West Pakistan Maternity Benefit Ordinance 1958 regulates women employed in various industries within Pakistan and offers maternity benefits to such women. Fourthly, the Employees' Old-Age Benefits Act 1976 enables specific retirement benefits for individuals working in industrial, commercial, and other entities. Lastly, the Employment of Children Act 1991 prohibits the employment of children in certain industries and generally regulates child labour.

Enforcement issues of labour rights in Pakistan

It would not be out of place to argue that Pakistan has comprehensive labour legislation covering a wide variety of issues labourers face. Pakistan has a myriad of laws relating to labour issues which can be categorised into five: industrial relations; occupational safety and health; labour welfare and social safety net; employment and service conditions; and human resource development.

The fundamental issue arising in ensuring labour rights is the weak enforcement mechanisms at the federal and provincial levels. For example, as seen under Article 17 of the Constitution, trade unions are permissible under the law, and even the mode and manner in which the unions are to be registered and organised is detailed under the IRA. Despite that, many industrial units have registered unions on paper but have no actual value. The insufficient level of unionisation can also be attributed to the overall mindset of industrial employers.

Some industrialists who claim to have labour unions within their facilities have established 'pocket' or 'yellow' unions to comply with global buyers' demands, blocking legitimate trade unions from emerging.¹⁷ Industrial units and local enterprises discourage genuine representation and tend to bust unions, maintaining non-representative unions to pretend compliance.¹⁸ In addition, the management of industries uses physical and verbal violence, unjustified terminations, and wrongful accusations of criminal activity against union workers.

KEY FINDINGS

Labour rights violations

The exploitation of poor, powerless workers is at the heart of Pakistan's industrial relations and the rights of these workers are violated in almost all situations. The textile industry claims to follow the law of the land, but its actions suggest otherwise.

The relationship between employer and employee in Pakistan is mainly regulated by the IRA. We have discussed the implementation gaps of this law which governs all industrial operations and relations. Many textile factories hire workers temporarily, denying them the benefits and job security that permanent employees receive. Upon inquiry, a worker in a textile factory in Kotri shared that aspirant workers leave their computerised national identity cards (CNICs) and contact numbers at the factory reception desk.

The factory representatives verbally ask workers, if and when there is any vacant position, to start work without signing any contract or appointment letter. This practice allows factory owners to avoid paying minimum wages, healthcare benefits, and pensions while also being able to terminate workers without notice. Another reason highlighted was that these workers are often not educated or aware of such documentation, and since they already belong to an economically vulnerable class getting a job, any job, is important for them.

In most cases, big textile firms usually outsource some or most of their operations. In such cases, the responsibility of ensuring proper working conditions and contracts lies with the *thekedar* [contractor], who fails to provide them with decent working conditions. Workers are forced to work in sweatshop-like situations.

As many as 46.5 percent of the employers in our survey admitted that no formal contracts were given to the workers. The lack of proper documentation allows employers to pay below minimum wage wages as these workers are often undocumented and cannot claim otherwise.

Workers often complained about delayed or non-payment of overtime work. However, they shared that they had little authority in demanding their rights. Even if they speak up, management quickly silences them disregarding workers' concerns. Those who attempt to speak out also face retaliation. The lack of protection and support for workers in the textile industry in Pakistan only perpetuates a cycle of discrimination and job insecurity, leaving workers to suffer the consequences of a broken system.

The textile industry in Pakistan has a reputation for its exploitative and unfair practices towards workers. The findings from FGDs showed that workers received no benefits except for a few industries that gave Eid bonuses or had a mechanism for social security registration of permanent employees.

Only 30 percent of industries provide workers with social security cards and health benefits. Sometimes, the workers felt privileged and 'grateful for being timely paid at the end of each month.' However, this gratitude is often short-lived, as there is little or no job security. This insecurity is exacerbated as many workers are unaware of their rights and the protections under labour laws.

In recent months, the unstable political situation and economic downturn have forced many companies to reduce or shut down their operations. Our FGDs showed that many workers, especially those working in smaller units, were laid off in the last 12 months. The situation in large businesses was not significantly different. 'One of the leading textile brands has laid off 2500 workers just yesterday. These are very tough days,' a textile worker in Lahore added.

The health and safety of textile workers are always at risk, as most businesses fail to provide adequate working conditions to their employees. Pakistan's textile industry is dominated by small enterprises where poor working conditions are common.

Many employees in the individually owned units work long hours in poorly lit and badly ventilated spaces with unsanitary conditions. We observed that workers were usually not using any safety gear in chemical and dyeing units.

In many places, there were no first aid kits or fire extinguishers. Even large firms had inadequate medical facilities to assist workers in the case of medical emergencies. The following statement by a Lahore-based textile worker reveals the working conditions on the factory floor.

We are not allowed to take breaks or go to the bathroom. We don't have any rest area or lunch break. The machines must keep running, so we take turns eating and taking such breaks. It gets very hot here sometimes. The air is filled with fumes, and it is hard to breathe, but you get used to it over time.

Challenges faced by women workers

Employers viewed the nature of basic work in the textile industry—stitching, threading, packing—as relatively unskilled and safe for women. In our fieldwork, we found only one woman working in the quality control department of a textile unit. Skills development courses for women offered by Punjab TEVTA are limited to stitching and tailoring, thus narrowing their job opportunities and career pathways. Unsuitable working conditions for women compound the gendered nature of work. An employer in a dyeing unit in Lahore had this to say:

This is not a place for women. You can see that for yourself. The work is hard, and it is very hot here. We cannot house women. See, my boys can live on the first floor of this unit, but you have to have proper accommodation for women, and I cannot afford that.

Women workers in the Pakistani textile industry face additional challenges regarding forced overtime. Given that household labour and caregiving work are traditionally associated with women in Pakistan, these workers have to balance their work with their 'primary' responsibilities at home. Under the labour law, women are exempt from being forced to work in factories before 6 am and after 7 pm unless it is with their consent and the employer

provides transportation. However, the proviso is seldom followed. For instance, a worker in a Lahore factory that produces garments for international brands reported that she works, with no written contract or sick leave, from 8 am to 8 pm and is paid PKR 17,000 per month. Moreover, there is no provision for maternity leave, and any visibly pregnant woman is told to leave. A woman worker shared:

I have to get up at 3 am because the bus picks us up an hour before the shift starts at 6 am. I barely finish my work by 2 pm, then commute home. Cooking for children, sending them to tuition, and other household work, and by the time I am done, I have to go to work again. I get only four hours of sleep in between.

The West Pakistan Maternity Benefits Ordinance, 1958 mandates employers to provide a three-month paid maternity leave to women workers who have worked for at least four months before delivery. However, only 25 percent of our surveyed industries provided maternity leaves. Only a few large enterprises, specifically those working with international clients, offer a stipend of about PKR 20,000 to 30,000 and paid maternity leave. Still, most women workers reported not even being registered with social security or any form of insurance. Some even claimed that the lengthy and tedious paperwork requirements make it impossible for them to make health claims. Although entitled to paid maternity leave under the law, some workers shared that their employers are ‘kind enough to give us unpaid leaves, and we can resume work after the childbirth.’ Our FGDs with women workers revealed that the women drop out of the workforce, permanently in some cases, because of maternity or increased household responsibility. Employed women’s burden has doubled due to complicated social and cultural norms. The unpaid caregiving duties towards children and the household are now combined with long, taxing shifts at the workplace.

Furthermore, none of the factories provide childcare facilities. As a result, some women workers quit their jobs and resort to working as stay-at-home mothers to take care of their children. A woman

worker even noted that even though she now works and earns, she feels her 'respect in the family' has lowered as her contribution to household work and participation in family events has decreased. Interestingly, some large organisations have dedicated rest areas for women, but workers are penalised for taking time off.

Our research confirms that women workers in the textile industry in Sindh and Punjab continue to face workplace harassment. Despite the enactment of anti-harassment laws in these provinces, a staggering 43 percent of employers had no formal mechanism or policy to protect women from harassment in the workplace. As many as 21 percent had no information about the workplace harassment policy. This significant gap needs to be addressed urgently to ensure the protection of women workers in this sector.

Women workers were reluctant to discuss such issues in most cases even though their anonymity was ensured and a woman researcher was conducting these FGDs. This fear is compounded by the fact that job insecurity is a significant concern for many workers, and the issue of harassment has a social stigma and embarrassment attached to it, making women reluctant to report any form of harassment. However, towards the end of FGDs, when the researcher gained their trust, some women shared that any untoward incident could only be verbally reported to their male 'bosses' and that there were usually no formal inquiries.

Unionisation

As discussed earlier, the right to form trade unions emanates from Article 17 of the Constitution and is regulated by the IRA. A number of trade unions and federations have been formed to protect the rights and interests of textile workers. However, despite their existence, they have not been as effective as they should be in addressing the issues faced by workers in the industry. This can be attributed to factors such as weak governance, lack of awareness among workers, presence of 'yellow' unions, and resistance from the factory owners, making it difficult for workers to voice their opinions.

The absence of registered and effective trade unions in the industrial sector is a significant issue in Pakistan. In the in-depth interviews with employers, we found that only one out of 19 industrial units had a trade union, which turned out to be a ‘yellow’ trade union. According to the employer, ‘We created this union for our workers. We pay a stipend to the elected nominee who is usually selected from the supervisory staff based on performance and leadership skills.’ This lack of representation for workers means their voices are often unheard and their rights unacknowledged. Our findings cited a lack of trust between the management and employees, making them sceptical of any union’s effectiveness.

This was indeed the case when we spoke to workers at other factories. They shared that in such cases, trade union heads act like the representative of factory management as they receive monetary benefits from the latter. Because of job insecurity, ordinary workers feel they cannot challenge authority. Few workers expressed apprehension and reluctance toward the trade union leadership. ‘They are not good for us as they only cause conflict! We don’t want any problem here. We are only here to earn a livelihood,’ a textile worker at a spinning mill supplying to international clients spoke. Many employers referred to some prominent trade union leaders as ‘goons’ and ‘good for nothing’. This fear and mistrust is a matter of concern as trade unions are created to represent the interests of workers and ensure that their needs are heard and addressed. Workers remain vulnerable to exploitation and abuse without representative and effective trade unions.

Labour departments and the textile industry

Enforcing labour rights protection in Pakistan’s textile industry falls under the jurisdiction of the provincial labour departments after the 18th Amendment was enacted in 2010. They are responsible for ensuring compliance with national and provincial laws and standards, such as enforcing minimum wage, promoting labour welfare and healthy labour management, preventing child and bonded labour, etc. However, we observed that the labour department was understaffed and lacked the capacity and resources to follow its mandate.

A visit to their Faisalabad office also highlighted the inadequate working conditions for the department employees. The role of the provincial labour department is crucial in ensuring that workers' rights in the textile industry are protected. However, the department needs more resources, like trained staff, adequate office space and equipment, and sufficient funds for field visits.

At the moment, there are a limited number of labour inspectors. This leads to a lack of a proper inspection schedule, which results in lax oversight. The lack of training and modernisation in labour standards and inspections further exacerbates the situation. Interestingly, there is only one boiler inspector responsible for the entire region. A textile factory representative confided, 'Instead of boiler inspection, we pay them a "fee" to sort out everything on paper.' Such practices are common as the factory owners 'cannot afford to stop production for even a minute.' On the other hand, labour inspectors shared how large enterprises do not treat them with respect.

They do not allow us to enter the factory premises in many cases. The security is very tight. We have to complete our verification and documentation, so we rely on the information provided by the employers. We do not have any support from the government or local authorities. Maybe it is not their priority.

There is a need for a collaborative culture where employers and labour departments work together. The former should, perhaps, become more of an advisor and stop their policing role. Moreover, the provincial labour department inspectors often lack the capacity and training to conduct thorough inspections. These departments must invest in training and capacity building of their representatives to improve their effectiveness in protecting workers' rights.

RECOMMENDATIONS

Although Pakistan has a sizable textile sector, there is a need for improvement in terms of working conditions, utilisation of resources, and workers' rights. Pakistan has ratified all ILO core conventions which address labour issues, including discrimination, unionisation, unregulated wages, and child and forced labour. However, the Government of Pakistan must evaluate relevant legislation and policies to ensure compliance with international standards. Our research shows a need for collaboration among provincial and federal governments, workers and employers. Civil society organisations and labour rights organisations must create awareness and organise training with textile businesses to raise labour standards. While most large businesses need to focus on enhancing productivity and labour welfare, SMEs especially need to improve workplace safety and health. As observed in the legal section, there is an abundance of laws that cover almost all fundamental labour rights. However, despite the existence of good laws, the issue that hinders the implementation of labour rights is weak enforcement mechanisms. The federal and provincial governments are primarily responsible for ensuring labour rights in the country. Specific recommendations:

To the federal government

- Address the issue of temporary and subcontracted labour by encouraging employers to transition from subcontracted work to hiring labour directly and giving them decent wages and benefits.
- Strengthen regulatory and enforcement framework by providing more resources to labour departments, enhancing supervision of departmental progress, and ensuring effective liaison between different departments and governmental ministries.
- Enhance labour inspection by increasing the number of inspectors, improving the training and qualification of inspectors, and provision of adequate resources to inspectors to carry out their responsibilities efficiently.

- Increase workers' awareness of law and labour rights at various industrial units across Pakistan by organising training workshops and translating labour laws and other key documents into Pakistani languages.
- Encourage collective bargaining so that the workers exercise their right to form trade unions and advocate for their rights. Therefore, it should support the forming of trade unions, ensure workers' rights to advocate and protest and promote collective bargaining.

To the National Industrial Relations Commission, Federal Ministry of Commerce and Trade and other regulatory bodies

- Regularly disclose the names and number of registered textile factories for cross-verification by labour rights groups and departments.
- Disclose any actions taken against non-compliant factories based on information from provincial labour departments.
- Disclose the names of all international textile brands sourcing from Pakistan regularly.
- Establish an effective mechanism for workers to lodge complaints regarding rights and safety violations without fear of retaliation.
- Conduct impartial and effective investigations into complaints by workers regarding mistreatment and other forms of abuse, and prosecute those responsible for such actions.
- Investigate all credible corruption claims related to labour inspectors and prosecute those found guilty.

To the provincial labour departments

- Simplify union registration procedures and address complaints in consultation with independent unions and labour rights organisations to promote workers' freedom of association.

- Improve labour inspection methods, including periodic monitoring, and focus on issues such as subcontracted labour, forced overtime, and discrimination against pregnant workers.
- Disclose the number of factories inspected and labour rights violations in consultation with trade unions and labour rights organisations.
- Allocate adequate resources to labour inspectors and issue periodic statements on their performance vis-à-vis resource utilisation to prevent rent-seeking.
- Take action on complaints about denial of sick leave, child labour, and anti-union practices, including forming ‘yellow’ unions, and ensure that workers can express their concerns without fear of intimidation.

To textile manufacturers and employers’ organisations

- Endorse the right of workers to form independent unions, ensure protection for union members and leaders, and collaborate with them to ensure the workers’ right to freedom of association is upheld.
- Devise and implement policies prohibiting discriminatory actions against workers based on factors such as pregnancy and make these policies publicly available.
- Develop mechanisms to improve the implementation of anti-sexual harassment policies in the workplace.
- Improve workers’ access to grievance procedures by providing multiple avenues for redressal.

To foreign clients

- Require textile companies in developing countries to periodically disclose the number of subcontracted workers and details about the subcontractor.
- Ensure that sourcing contracts account for labour welfare,

including the minimum wage, overtime payments and other benefits, with input from trade unions and labour rights organisations.

- Promote women's participation in workers' leadership and support training, awareness-raising, and factory-level mechanisms for sexual harassment prevention.

To labour and human rights organisations

- Assist the Pakistani government in bringing labour laws compliant with ratified ILO conventions and core labour standards.
- Offer technical support to ensure comprehensive and transparent labour inspections by provincial departments, leading to effective regulatory enforcement.
- Partner with provincial labour departments to extend international labour standards to subcontracted textile workers.
- Promote women's leadership in unions and facilitate training and awareness-raising sessions.
- Assist factory management in setting up mechanisms for sexual harassment complaints.

ENDNOTES

- 1 Finance Division, Government of Pakistan. (2022). *Pakistan Economic Survey 2021-22*. https://www.finance.gov.pk/survey/chapter_22/Economic%20Survey%202021-22.pdf
- 2 https://www.ilo.org/islamabad/whatwedo/projects/WCMS_355680/lang--en/index.htm
- 3 International Labour Organization. (2012). *Gender equality and decent work: Selected ILO Conventions and Recommendations that promote gender equality as of 2012*. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_088023.pdf; https://www.ilo.org/integration/themes/mdw/WCMS_189392/lang--en/index.htm
- 4 R. Robertson, H. Di, D. Brown, & R. Dehejia. (2016). *Working conditions, work outcomes, and policy in Asian developing countries* (ADB Economics Working Paper 497). Asian Development Bank. <https://www.adb.org/sites/default/files/publication/198551/ewp-497.pdf>
- 5 R. Robertson, D. Brown, G. Pierre, & M. L. Sanchez-Puerta (Eds.). (2009). *Globalization, wages, and the quality of jobs: Five country studies*. The World Bank. <https://documents1.worldbank.org/curated/en/834311468248070370/pdf/499160PUB0Glob101Official0Use0only1.pdf>
- 6 R. Robertson, H. Di, D. Brown, & R. Dehejia. (2016). *Working conditions, work outcomes, and policy in Asian developing countries* (ADB Economics Working Paper 497). Asian Development Bank. <https://www.adb.org/sites/default/files/publication/198551/ewp-497.pdf>
- 7 M. F. Akbar. (2022). *Rising Apparel Exports of Bangladesh: Some Exploratory Observations* (SBP Staff Note 05/22). State Bank of Pakistan. https://www.sbp.org.pk/publications/staff-notes/Staff_Notes-05_2022.pdf
- 8 International Labour Organization. (2014). *Wages and working hours in the textiles, clothing, leather and footwear industries*. https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_300463.pdf

- 9 Z. Hisam. (2009). *Organising for labour rights: Women workers in textile/readymade garments sector in Pakistan and Bangladesh*. PILER & SAAPE. <http://piler.org.pk/wp-content/uploads/2017/02/Organizing-for-Labour-Rights-Women-Workers-in-TextileReadymade-Garments-Sector-in-Pakistan-and-Bangladesh.pdf>
- 10 International Trade Union Confederation. (2021, November 3). *Bangladesh: Abuse of workers' rights on increase, warns ITUC*. <https://www.ituc-csi.org/bangladesh-abuse-of-workers-rights>
- 11 P. Biswas. (2023, April 24). Bangladesh's Garment Industry, a Decade After Rana Plaza Collapse. *The Diplomat*. <https://thediplomat.com/2023/04/bangladeshs-garment-industry-a-decade-after-rana-plaza-collapse/>
- 12 P. Huynh. (2015). *Employment, wages and working conditions in Asia's garment sector: Finding new drivers of competitiveness* (ILO Asia-Pacific Working Paper Series). International Labour Organization. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_426563.pdf
- 13 Business & Human Rights Resource Centre. (2018). *European textile industry and human rights due diligence: Key developments, human rights allegations & best practices*. https://media.business-humanrights.org/media/documents/files/EU_Textile_Briefing_Final.pdf
- 14 Ibid.
- 15 J. C. Niebank. (2018). *Bringing human rights into fashion: Issues, challenges and underused potentials in the transnational garment industry*. German Institute for Human Rights. https://www.institut-fuer-menschenrechte.de/fileadmin/user_upload/Publikationen/ANALYSE/Analysis_Bringing_Human_Rights_into_Fashion.pdf
- 16 I. Ahmad. (2009). *Labour and employment law: A profile on Pakistan*. Memo. https://wageindicator.org/documents/Labour_and_Employment_Law-A_Profile_on_Pakistan.pdf
- 17 Z. Shah. (2019, May 1). Unions: Rise & fall. *Dawn*. <https://www.dawn.com/news/1479494>
- 18 Z. Hisam. (2023, April 29). The erosion of unions. *Dawn*. <https://www.dawn.com/news/1749840>

