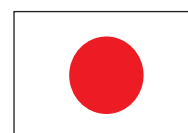


SANITATION WORKERS IN LAHORE A SOCIO-LEGAL STUDY



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ACKNOWLEDGEMENT

The Pakistan Workers Federation (PWF) commissioned the subject research “Sanitation Workers In Lahore: Socio-Legal Study”, which is an endeavour and a first research of its kind. The prime objective of this study is to provide some verifiable data about the decent work deficits that exist in the work of the sanitation workers in Lahore.

The research has been carried out by a team of researchers led by Professor Syed Azeem and Professor Umer Ali from labour Research & Development Institute (LRDI). PWF expresses its sincere gratitude to the research team of LRDI and specially Professor Syed Azeem and Professor Omer Ali for their dedicated contribution in making this research possible.

During the research, sanitation workers of Lahore Waste Management Company (LWMC) and Water and Sanitation Authority (WASA) Lahore were interviewed through a pre-designed questionnaire. The results thus reflected in this research are based on the feedback and interviews of these forefront workers.

PWF would also like to extend special gratitude to the ILO/Japan Project “Promoting Rights and Social Inclusion through Organization and Formalization (PRS),” funded by the Government of Japan, for the technical and financial support provided. This research would not have materialized without their invaluable support, which contributed significantly to the successful execution.

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PWF would also like to flag that this research is in no way intended as a complaint against any institution but as an effort to identify the decent work deficits that the sanitation workers face in their work. It can serve as a food for thought that how all relevant stake holders can contribute together to promote decent work for the sanitation workers in their work and make their lives and work conditions safe and secure.

We also express our appreciation to all the sanitation workers who participated in this study, generously sharing their experiences and insights, despite the challenges they face daily.

Lastly, we thank everyone who contributed directly or indirectly to this research endeavour, enabling us to identify the critical issue and challenges affecting sanitation workers and paving the way for meaningful change through collaborated efforts of all relevant stakeholders.



Abbreviations

CDGL – City District Government Lahore
DWI(s) – Decent Work Indicator(s)
ILO – International Labour Organization
LWMC – Lahore Waste Management Company
OSH – Occupational Safety and Health
PESSI – Punjab Employees Social Security Institution
PWF – Pakistan Workers Federation
WASA – Water and Sanitation Agency, Lahore
WHO – World Health Organization

► Introduction

The WHO defines sanitation as “access to and use of facilities and services for the safe disposal of human urine and faeces”(WHO 2018). Sanitation workers refers to all workers in the sanitation system, employed or otherwise, who are “responsible for cleaning, maintaining, operating, or emptying a sanitation technology at any step of the sanitation chain”(ILO, World Bank, WaterAid, WHO 2019). They include toilet cleaners, septic tank and faecal sludge handlers, sewer and manhole cleaners, janitorial workers in various public, private, and institutional settings, and all those working in sewage treatment (Dalberg Advisors 2017). In Pakistan, sanitation workers are commonly referred to as sweepers, “Chuhra” or “Bhangi”, the latter being pejorative terms associated with stigma and shame. While the size of the global sanitation workforce is unknown, sanitation workers continue to be among the most neglected members of society, constantly facing discrimination, ostracization and stigma due to the nature of their work”(ILO, World Bank, WaterAid, WHO 2019). In the developing world, many sanitation workers are employed in the informal sector, often deprived of any labour, occupational safety and health protections ”(ILO, World Bank, WaterAid, WHO 2019).

In Pakistan, sanitation workers occupy a particularly marginalised and precarious position encapsulating issues at the intersection of gender, caste, religion, and historical socio-economic injustices. Recorded accounts of a caste-based division of labour, with sanitation work holding the lowest rank in the hierarchy, go back to at least the 15th century. In particular, the *varna* or *jati*-based caste system of labour division goes back several millennia in South Asia, and the areas comprising modern-day Pakistan (Aqeel and Gill 2021).

Lahore District – the second-largest metropolitan area in Pakistan with a rising population of over 11 million inhabitants (Pakistan Bureau of Statistics 2017) - houses the largest concentration of Pakistani Christians, who account for around 5 percent of the total population (Pakistan Bureau of Statistics 2017). However, Christians account for over 80 percent of Lahore’s sanitation workforce, with Hindus in second place and a smaller proportion of Muslim workers (Aqeel and Gill 2021). A majority of Pakistani Christians come from marginalized caste backgrounds, relegated to occupations that dominant castes have historically shunned, and their disproportionate share among Lahore’s sanitation workers displays the continued persistence of historic caste-based discrimination in the form of sub-standard labour conditions, shame, and stigma associated with sanitation work (Aqeel and Gill 2021).



A WASA sanitation worker cleaning the sewers. (Source: PWF)

The largest employers of sanitation workers in Lahore are the LWMC, employing over 10,000 sanitation workers in waste collection, processing, and disposal (estimates made by trade union leaders put the actual figure between 12,000 to 14,000 workers),³ and WASA which employs approximately 2,250 sanitation workers, mainly in sewer and manhole cleaning (Aqeel and Gill 2021). Additionally, many public and private organizations and independent institutions (including retail businesses, hospitals, universities, offices, and event venues), directly or through third-party contractors, employ sanitation workers as janitorial staff, whose total

number is difficult to estimate but likely much higher.

The sanitation workers employed by the LWMC can be categorized into sweepers (responsible for sweeping roads in the municipal limits of the Lahore District), garbage collectors (responsible for collecting garbage and loading it into LWMC garbage trucks from all public spaces in Lahore District) and garbage truck drivers (responsible for driving garbage trucks across Lahore District collecting garbage and taking it to waste management facilities and dump sites), while the sanitation workers employed by WASA mainly include sewer and manhole cleaners (responsible for going into manholes to clean blockages and maintaining the sewage and drainage system in Lahore District). Most sanitation workers employed independently by public and private organizations work as janitorial staff responsible for cleaning toilets and other spaces at their workplaces.

► Objectives of the Study

The study explores the concrete labour and socio-economic conditions within which sanitation workers in the Lahore District operate. It aims to highlight the many decent work deficits existing in the sector accounting for differences based on caste, religion, and gender, especially looking at issues of informality and marginality amongst sanitation workers. Using this approach, the study presents information on issues related to representation and freedom of association, wages and working hours, social security, OSH, and other entitlements available under the labour laws, including medical and mental health provisions, the provision of equipment and safety measures, against harassment at the workplace, informality, precarity, and conditions under public, private, and third-party contractual employment while narrowing its focus on the most egregious types of sanitation work.

► Analytical Framework: Decent Work

The Decent Work Agenda was established by the ILO in 1999 with the primary goal of promoting “opportunities for women and men to obtain decent and productive work, in conditions of freedom, equality, security and human rights” (ILO 1999) in every aspect of the economic undertaking. In September 2015, the Decent Work Agenda became an integral element of the 2030 Agenda for Sustainable Development (e.g. SDG 8) to which Pakistan is a signatory. The ILO defines decent work as work that respects the fundamental rights of

³ Interview with LWMC official, 01 November 2022.

workers, provides them with fair income, security and social protection, and offers opportunities for personal development and social integration. The decent work agenda is premised on four main pillars; employment opportunities, rights at work; social protection, and social dialogue with gender as a cross-cutting theme.

The survey questionnaire used in the study, and the analysis presented, employ the framework provided in the Decent Work Agenda, focussing on ten broad areas in line with the ten DWIs established by the ILO (ILO n.d.). These include adequate earnings and productive work (DWI-2), decent work time, stability, and security of work (DWI-3), health, safety, and work environment (DWI-8), employment opportunities (DWI-1), family, opportunities, and marginalization (DWI-4), stability and security of work (DWI-3), social security and adequacy of coverage (DWI-9), equal opportunity and treatment in employment (discrimination around gender, religion, etc.) (DWI-7), work that should be abolished (DWI-5), and freedom of Association and Social Dialogue (DWI-10).

▶ Limitations

Researchers fielding the survey questionnaire for this study were all Muslim males, as a result of which responses from the minority Christian community and female respondents may have been limited in recounting instances of religious discrimination and gender-based discrimination and harassment. However, the researchers themselves come from working-class backgrounds with extensive experience in working and organizing amongst marginalized segments of the workforce, which alleviated some of the issues and allowed them to build relationships of trust with a majority of the respondents, many of whom felt comfortable recounting their experiences of discrimination, harassment and marginalization.

Another limitation of the study was the diverse and spread-out nature of janitorial work in Lahore. Sanitation workers who are not employed in institutional settings with large organizations such as LWMC and WASA, and especially janitorial workers, work in diverse arrangements across various industries in workplaces with one to five sanitation workers in a place of work. The informal nature of these arrangements, issues of accessibility, and the diverse nature of such sanitation workers across sectors, as a result, could not be accounted for in the scope of this study.

▶ Methodology

The study was conducted in Lahore District, Province of Punjab, Pakistan and used qualitative and quantitative research methods. Qualitatively, the study relied on a desk review of existing literature on sanitation workers including legal and institutional frameworks governing industrial labour relations at the national and provincial levels. The literature review was supported with primary data collected through a questionnaire which was administered to 200 sanitation workers as well as focus group discussions with social partners and key stakeholders in the sanitation value chain. The 200 sanitation workers were randomly sampled across the utility establishments. The questionnaire used for the study is attached in the Appendix.

▶ Legal and Institutional Frameworks

To date, Pakistan has ratified 36 ILO Conventions including 8 of the 10 fundamental ILO Conventions on forced labour, freedom of association, collective bargaining, equal remuneration, discrimination, minimum age of work, and worst forms of child labour. Domestically, Pakistan has a complex legal and constitutional framework of labour

protections, operating on both the national and provincial levels, complying with its obligations under the ILO Conventions. Despite the existence of a diverse range of labour law statutes across different industries, types of work, and protections, Pakistan has no statute or policy that specifically regulates the conditions of workers in the sanitation sector.

In 2006, the Ministry of Environment, adopted the National Sanitation Policy (Government of Pakistan 2006), to meet Pakistan's obligations under the Millennium Development Goals. It provides a policy-level framework for the safe disposal of solid and liquid waste in all provinces of Pakistan and promotes hygienic practices. Similarly, another policy document, Pakistan's Approach to Total Sanitation was released by the Ministry of Environment in March 2011 to introduce community-led approaches to "integrated total sanitation" in Pakistan. However, both policy documents while looking at the promotion of safe sanitation practices and promoting efficient waste disposal, do not provide any frameworks for the regulation of sanitation work or the protection of sanitation workers, the most important link in the sanitation chain.

At provincial level, the Public Health Engineering and Rural Development Department of Sindh issued the Sindh Sanitation Policy, 2017 (Government of Sindh 2017), which provides basic principles and targets for improving the sanitation framework in the Province of Sindh. Unfortunately, like the policies introduced on the national level the Sindh Sanitation Policy, 2017 also fails to mention sanitation workers or provide any policy frameworks regarding their working conditions. In Punjab, where the present study is located, the Housing, Urban Development and Public Health Department circulated a Draft Sanitation Policy in 2015 (Government of the Punjab 2015), to provide a policy framework for the promotion of safe and affordable sanitation, but it is yet to be implemented. While the Punjab Draft Sanitation Policy, 2015 states that "*sanitation workers are low- paid, looked down upon and their rights are usually trampled in the society*" and recognizes that "*special interventions will be designed to improve the working conditions of sanitation workers,*" it also fails to provide any framework for the protection of sanitation workers.

In light of the gap in legislative protections and policy frameworks for the protection of sanitation workers at the national and provincial levels in Pakistan, the conditions of sanitation workers and the nature of sanitation work continue to be regulated under general constitutional provisions and labour statutes applicable to all workers across the country.

► Constitutional Framework

Constitutionally, Article 11 of the Constitution of the Islamic Republic of Pakistan, 1973 (the "**Constitution**") prohibits all forms of forced labour and trafficking of human beings. It also prohibits child labour below the age of 14 in any kind of work in factories, mines, or other hazardous employment. Article 17 of the Constitution gives labour the right to form associations or unions, subject to reasonable restrictions related to the integrity of the country, public order, and morality, while Article 18 gives every citizen a right to choose any lawful profession or occupation. Article 25 provides for the equality of all citizens before the law and specifically prohibits any discrimination on the basis of sex. Relatedly, Article 25-A guarantees the constitutional right to free and compulsory education to all children between the ages of 5 and 16 years.

In addition, Article 27 of the Constitution prohibits discrimination on the basis of race, religion, caste, sex, residence, or place of birth in employment in the service of Pakistan. As a principle of policy, Article 37(e) of the Constitution asks the State to make provisions for

securing just and humane conditions of work. It asks the State to ensure that children and women will not be employed in vocations unsuitable for their age or sex and for maternity benefits for women in employment. Similarly, Article 38 also asks the State to ensure the promotion of social and economic well-being of the people in the following words:

“38. The State shall—
(a) secure the well-being of the people, irrespective of sex, caste, creed or race, by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants;
(b) provide for all citizens, within the available resources of the country, facilities for work and adequate livelihood with reasonable rest and leisure;
(c) provide for all persons employed in the service of Pakistan or otherwise, social security by compulsory social insurance or other means;
(d) provide basic necessities of life, such as food, clothing, housing, education and medical relief, for all such citizens, irrespective of sex, caste, creed or race, as are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment;
(e) reduce disparity in the income and earnings of individuals, including persons in the various classes of the service of Pakistan;
...”

To fulfil these constitutional obligations, the national and provincial legislatures in Pakistan have enacted various labour statutes. However, it is pertinent to note that following the enactment of the Constitution (Eighteenth Amendment) Act in 2010 (the **“Eighteenth Amendment”**), the subject of labour legislation had already been devolved to the Provinces. As a result, all labour statutes enacted before 2010 have been adopted through amending provincial legislation at the provincial level. All national labour laws, while remaining on the books, are only applicable to the Islamabad Capital Territory and inter-provincial matters.

Lahore District falls within the jurisdiction of the province of Punjab. The provincial legislature of Punjab has adopted all labour laws existing before the Eighteenth Amendment for application in its territory and has also enacted some new laws relating to labour.

► Freedom of Association

To provide for freedom of association under Article 17 of the Constitution, the national legislature of Pakistan passed several industrial relations statutes over time, including the Industrial Relations Ordinances of 1969 and 2008. Following the Eighteenth Amendment, the Industrial Relations Act, 2012 (**“IRA 2012”**), was enacted at the federal level for establishments and industries in the Islamabad Capital Territory and those operating trans-provincially. Similarly, provincial Industrial Relations Acts were enacted in the provinces of Punjab (in 2010), Khyber Pakhtunkhwa (in 2010), Balochistan (in 2010), and Sindh (in 2013) (hereinafter, collectively referred to as the **“IRAs”**).

The Punjab Industrial Relations Act, 2010 (**“PIRA 2010”**), regulates trade union formation and relations between all employers and workers in Punjab. It provides for the registration of trade unions (PIRA 2010, §.3), election of collective bargaining agents (PIRA 2010, §.24), raising of industrial disputes (PIRA 2010, §.52), strikes, lockouts (PIRA 2010, §.34-43), and prohibition of unfair labour practices by employers and workers (PIRA 2010, §.17-18).

All IRAs in Pakistan have similar provisions providing an inflexible definition of “industry” which excludes the organizing and regulation of industrial relations in the informal sector impacting most sanitation workers, as well as domestic, home-based, and agricultural workers.⁴ Similarly, different provisions of the IRAs have excluded the formation of trade unions in certain sectors in the name of essential services.⁵ Above all, these IRAs only allow unions to exist at the level of a factory establishment, making it impossible to create sector-wise unions.⁶ This precludes the possibility for many sanitation workers, working in an informal capacity, often through third-party contractors, to collectively form trade unions and bargain with employers in the industry.

▶ Minimum Wages

In Punjab, minimum wage and payment of wages are governed through the Punjab Minimum Wages Act, 2019, and the Punjab Minimum Wages for Unskilled Workers Ordinance, 1969. The mechanism for payment of wages is provided under the Payment of Wages Act of 1936. The Payment of Wages Act, 1936, defines wages,⁷ clarifies how employers are responsible for the payment of wages,⁸ and prohibits unnecessary deductions by the employer, except in the case of absences,⁹ damage or loss due to neglect,¹⁰ and for housing and other amenities provided by the employer.¹¹ The Payment of Wages Act, 1936 also establishes the procedure to challenge delays and deductions in wages and related issues before a wage commissioner.¹²

As far as minimum wages are concerned, minimum wages of unskilled, semi-skilled and skilled workers are defined under the Punjab Minimum Wages Act, 2019,¹³ which has created a Minimum Wages Board to notify the minimum wage in the Punjab province across 102 industries.¹⁴ This law covers several ILO Conventions, including the Minimum Wage-fixing Machinery Convention, 1928 (No.26), Labour Inspection Convention, 1947 (No.81), Equal Remuneration Convention, 1951 (No.100), and Minimum Wage Fixing Convention, 1970 (No.131). However, Pakistan has not ratified C-26 and C-131.

At the time of completion of this study in 2022, the minimum wage notified in Punjab for all unskilled adult workers was PKR 25,000/- per month (for eight hours of work over 26 days – excluding Sundays and public holidays, where applicable).¹⁵ However, on 19th September

⁴ Section 2(xvii), Industrial Relations Act, 2012; Section 2(xvi), PIRA 2010; Section 2(xv), Khyber Pakhtunkhwa Industrial Relations Act, 2010 (“KPIRA 2010”); Section 2(o), Balochistan Industrial Relations Act, 2010 (“BIRA 2010”); Section 2(xvi), Sindh Industrial Relations Act, 2013 (“SIRA 2013”).

⁵ Section 1, PIRA 2010; Section 1, KPIRA 2010; Section 1, BIRA 2010; Section 1, SIRA 2013.

⁶ Section 2(ix), PIRA 2010; Section 2(viii), KPIRA 2010; Section 2(i), BIRA 2010; Section 2(ix), SIRA 2013.

⁷ Section 2(vi), Payment of Wages Act, 1936.

⁸ Section 3, *ibid.*

⁹ Section 9, *ibid.*

¹⁰ Section 10, *ibid.*

¹¹ Section 11, *ibid.*

¹² Section 15, *ibid.*

¹³ Sections 4 and 5, Punjab Minimum Wages Act, 2019.

¹⁴ Section 3, *ibid.*

¹⁵ Notification No. SO(D-II)MW/2011(Vol-VI), 22 June 2022, Labour and Human Resource Department, Government of the Punjab, Pakistan. https://labour.punjab.gov.pk/system/files/Punjab%20Minimum%20Rates%20of%20Wages%20Notification%202022_0.pdf.

2023, the monthly minimum wage was increased to PKR 32,000/- per month (for eight hours of work over 26 days – excluding Sundays and public holidays, where applicable).¹⁶

It is important to note that the law on minimum wages in Punjab, and Pakistan generally, including the minimum wages notified under the Punjab Minimum Wages Act, 2019, only applies to “industrial and commercial establishments” which include factories, other manufacturing establishments, and most regulated businesses, but does not include the large informal sector in Pakistan, where many sanitation workers operate.¹⁷

Despite the provisions made in statutes concerning minimum wages, successive governments have been unable to increase the minimum wage at the pace of rising inflation. In any case, the minimum wage in Punjab is far below any living wage calculation based on the cost of living in the province.¹⁸

► Working Conditions

In Punjab, minimum working conditions at the workplace, including working hours, holidays, and overtime, are regulated by the Industrial and Commercial Employments (Standing Orders) Ordinance, 1968 (the “**Standing Orders**”). However, this legislation is also only applicable to industrial and commercial establishments and requires more than 20 workers to be employed at a workplace for it to be applicable (thereby excluding all informal workers and sanitation workers employed in formal sector establishments with less than 20 workers).¹⁹ Some conditions, including the provision for compulsory group insurance of workers²⁰, certain prohibitions on stoppage of work without notice and layoffs,²¹ payment of gratuity,²² and the prohibition against at-will terminations without following the prescribed dismissal and punishments procedure,²³ only apply to employers who employ 50 or more workers.

This Standing Orders is in line with several ILO Conventions, including the Hours of Work (Industry) Convention, 1919 (No.01), Weekly Rest (Industry) Convention, 1921 (No.14), Labour Inspection Convention, 1947 (No.81), and the Weekly Rest (Commerce and Offices) Convention, 1951 (No.106).

The Standing Orders also provide for the classification of workers, including the requirements for permanent, temporary, probationary, and contract workers.²⁴ Under these provisions, all workers engaged in work of a permanent nature (defined as work that is likely to last more

¹⁶Notification No. SO(D-II)MW/2011, 19 September 2023, Labour and Human Resource Department, Government of the Punjab, Pakistan. [https://labour.punjab.gov.pk/system/files/Gazette Notification of minimum wages rs 32000.pdf](https://labour.punjab.gov.pk/system/files/Gazette%20Notification%20of%20minimum%20wages%20rs%2032000.pdf).

¹⁷ Section 2(g) and (k), Punjab Minimum Wages Act, 2019.

¹⁸ A living wage estimate of PKR 44,190 per month was made in 2022 for rural areas in the province of Khyber Pakhtunkhwa, Pakistan by the Global Living Wage Coalition. The present minimum wage of PKR 32,000 per month applicable in Lahore District where the present study is based is even far below this calculation, notwithstanding the fact that Lahore is the second largest urban district in Pakistan with a much higher cost of living than rural Khyber Pakhtunkhwa and inflation has increased manyfold since the estimate was calculated in 2022. <https://www.globallivingwage.org/living-wage-benchmarks/living-income-for-rural-kp-pakistan/>.

¹⁹ Section 1, Industrial and Commercial Employment (Standing Orders) Ordinance, 1968.

²⁰ Standing Order 10-B, Schedule, Ibid.

²¹ Standing Order 11, Schedule, Ibid.

²² Standing Order 12(6) and (8), Schedule, Ibid.

²³ Standing Order 15, Schedule, Ibid.

²⁴ Standing Order 1, Schedule, Ibid.

than 9 months), who have completed a period of 3 months in employment with the concerned employer are entitled to permanent employment.²⁵

In addition to these provisions, the Standing Orders also provides for the appointment of inspectors and makes provision for the inspection of various establishments to ensure compliance with the Standing Orders.²⁶

Ironically, however, workers can only claim the minimum working conditions in the Standing Orders if they have an appointment letter (forming an employment contract).²⁷ This creates a large legislative void, not only for workers in the informal sector but also for most contract workers who continue to be employed on verbal agreements in the absence of any written appointment letters or contracts.

In addition to the Standing Orders, the Factories Act, 1934 (which has also been adopted in Punjab following the Eighteenth Amendment), provides for several aspects of health, safety, working environments, working hours, holidays, rest intervals, inspection of factories, and prohibitions on night shifts for women. Unfortunately, however, it only applies to workplaces with five or more workers involved in a manufacturing process,²⁸ thereby excluding any possibility of application to sanitation workers.

► Occupational Safety and Health

OSH in Punjab is regulated through the Punjab Occupational Safety and Health Act, 2019, (the “**OSH Act**”) which applies to all workplaces in Punjab, except those which have been specifically exempted by the Provincial Government through notification.²⁹ The OSH Act establishes the duties of all employers concerning the safety and health of their employees, which include the provision of safety and protective equipment,³⁰ and mandates employees to follow safety protocols, use safety and protective equipment and take reasonable care for their own safety and that of their colleagues.³¹ It also requires all employers to create a written OSH policy in consultation with employees and approved by an inspector appointed under the OSH Act.³² To enforce protections and address OSH-related complaints and issues, the OSH Act also created an OSH Council in Punjab³³ along with appointing inspectors to ensure compliance.³⁴

In addition to the OSH Act, the law on compensation for workers in cases of occupational accidents, injuries, and illnesses is governed by the Workmen’s Compensation Act, 1923, which was adopted in Punjab following the Eighteenth Amendment, through the Punjab Workmen’s Compensation (Amendment) Act, 2013. It provides a mechanism for the employer to provide compensation to workers and their dependents according to the loss of earning capacity of the worker.³⁵

²⁵ Standing Order 1(b), Schedule, Ibid.

²⁶ Section 6, Ibid.

²⁷ Standing Order 2-A, Schedule, Ibid.

²⁸ Section 2(j), Factories Act, 1934.

²⁹ Section 1, Punjab Occupational Safety and Health Act, 2019.

³⁰ Section 3, Ibid.

³¹ Section 4, Ibid.

³² Section 9, Ibid.

³³ Section 14, Ibid.

³⁴ Section 16, Ibid.

³⁵ Section 3, Workmen’s Compensation Act, 1923.

The Provincial Government appoints a commissioner to fix the amount of compensation both partial and total disablement based on the temporary and permanent nature of the injury.³⁶ However, it only covers workers with permanent jobs and excludes most workers in casual arrangements, such as a majority of sanitation workers. It covers several obligations under ILO Conventions, including the Workmen's Compensation (Occupational Diseases) Convention 1925 (No.18) and the Equality of Treatment (Accident Compensation) Convention, 1925 (No.19).

▶ Social Security

In addition to the protections available to workers in case of accidents, continuous medical support is given to secured employees and their dependents under the social security benefits scheme created through the Provincial Employees Social Security Ordinance, 1965, (the "SSO") which domesticates elements of Labour Inspection Convention, 1947 (No.81) and the Equality of Treatment (Social Security) Convention, 1962 (No.118).

The SSO applies to all employees, except those exempted by the SSO (including those in the service of the state, armed forces, railways, etc., who earn the minimum wages notified by the Punjab Government under the Punjab Minimum Wages Act 2019, as described in 5.3 above).³⁷ At the time of this study, this covered all employees in Punjab earning between PKR 25,000/- and PKR 34,684/- per month.³⁸ Following the September 2023 increase in minimum wages, the wage limits have been increased and now include all employees earning between PKR 32,000/- and PKR 44,397/- per month.³⁹

Under the SSO, Employers are obligated to contribute at least 6 percent of the wages of every employee who is secured under the social security regime and falls within the wage limits notified by the government.⁴⁰ Once a worker is secured under the SSO, they are entitled to receive several benefits, including sickness and maternity benefits, medical care, funeral grants, pensions, and death grants.⁴¹ While the SSO potentially covers all employees in Punjab who are earning the minimum wage, regardless of the permanency or contractual nature of their employment, the key challenge for PESSI⁴² is to ensure registration of employees who do not have written contracts of employment, are in the informal sector, or hired through third-party contractors, and as a result, are not shown on the records of their employers. This challenge creates a potential gap where employers are not able to register non-permanent employees with the PESSI, who are therefore unable to receive any of the social security protections afforded by the SSO. Unfortunately, most sanitation workers in Lahore, who are employed through verbal contracts or third-party contractors, remain unsecured under the SSO as a result.

³⁶ Section 19-20, *ibid.*

³⁷ Section 2(8),(25), and 71, Provincial Employees Social Security Ordinance, 1965.

³⁸ Notification No. SO(D-II)MW/2011(Vol-VI), 22 June 2022, Labour and Human Resource Department, Government of the Punjab, Pakistan. https://labour.punjab.gov.pk/system/files/Punjab%20Minimum%20Rates%20of%20Wages%20Notification%202022_0.pdf.

³⁹ Notification No. SO(D-II)MW/2011, 19 September 2023, Labour and Human Resource Department, Government of the Punjab, Pakistan. https://labour.punjab.gov.pk/system/files/Gazette_Notification_of_minimum_wages_rs_32000.pdf.

⁴⁰ Section 20, Provincial Employees Social Security Ordinance, 1965.

⁴¹ Chapter V, *ibid.*

⁴² Created under Section 3, *ibid.*

Other than the SSO, there are special statutes which are in place in Punjab for the protection of female workers. The Punjab Maternity Benefits Ordinance, 1958, adopted in Punjab after the Eighteenth Amendment through the Punjab Maternity Benefits (Amendment) Act, 2012, makes female workers eligible for 6 weeks of paid maternity leave.⁴³ It also prohibits any jobs injurious to the health of a pregnant woman.⁴⁴ This law fulfils Pakistan's obligations under ILO Conventions on Maternity Protection, 1919 (No.03), Labour Inspection (No.81) and Equality of Treatment (Social Security) Convention, 1962 (No.118). It should also be noted that the ILO's Maternity Protection Convention, 1919 (No.03) has not been ratified by the Government of Pakistan.

▶ Child Labour

The Punjab Prohibition of Child Labour at Brick Kilns Ordinance 2010 prohibits child labour and regulates child workers in brick kilns in Punjab. Along with this, the Punjab Restriction on Employment of Children Act, 2016, which replaced the Employment of Children Act, 1991, imposes certain restrictions on the employment of children across the board and in a wide range of industrial and commercial establishments including agriculture, mines, workshops, business, and trade. It also includes charitable organizations in its scope and has been enacted in accordance with Pakistan's obligations under the ILO Conventions on Labour Inspection, 1947 (No.81), Minimum Age Convention, 1973 (No.138) and Worst Forms of Child Labour Convention, 1999 (No.182). It prohibits the employment of children under the age of 15 and prohibits the employment of adolescents until the age of 18 in hazardous occupations.

▶ Forced Labour

Forced labour was banned in Pakistan through the Bonded Labour System (Abolition) Act, 1992, which was adopted in Punjab following the Eighteenth Amendment, through the Punjab Bonded Labour System (Abolition) (Amendment) Act, 2012. The law abolishes the bonded labour system,⁴⁵ which is defined as the system of "forced or partly forced" labour performed by workers in return for a debt, in pursuance of customary social obligations, or for any economic consideration received by the workers or any members of their family.⁴⁶ The practice of bonded labour, historically found in brick kilns and carpet manufacturing in Punjab, and disproportionately affecting workers from marginalized caste and religious backgrounds, has been outlawed completely under the Bonded Labour System (Abolition) Act, 1992, which has created penalties including imprisonment and fines to punish those who violate its provisions.⁴⁷

While the practice of forced labour in return for economic consideration and debt has not been found to exist in sanitation workers in Lahore, many sanitation workers interviewed during the course of this study complained about the lack of any other job opportunities, often due to their social (caste) and religious backgrounds.

▶ Research Findings

▶ Employment Statistics and Demographics

Pakistan, and in particular, the city of Lahore is a predominantly Muslim society. But, despite constituting less than 5 percent of Lahore's total population, the Christian minority accounts

⁴³ Section 3 and 4, Punjab Maternity Benefits Ordinance, 1958.

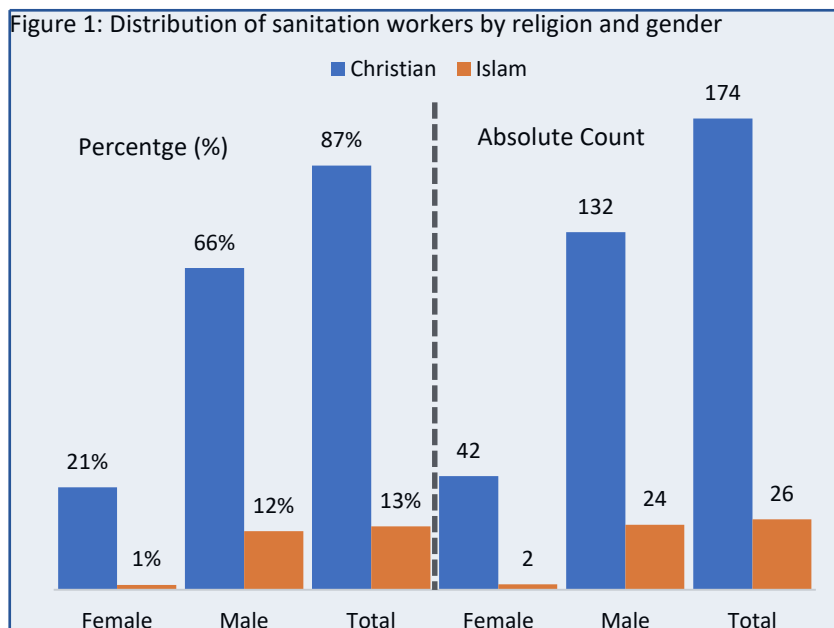
⁴⁴ Ibid.

⁴⁵ Section 4, Bonded Labour System (Abolition) Act, 1992.

⁴⁶ Section 2(e), *ibid.*

⁴⁷ Sections 11-14, *ibid.*

for more than 80 percent of the Lahore’s sanitation workforce (Aqeel and Gill 2021). From survey results of 200 sanitation workers, the Christian minority accounted for 87 percent of the workforce, that is, 174 of the 200 sanitation workers were Christian with only 26 (13%) of them being Muslims. The sanitation sector is dominated by male workers.

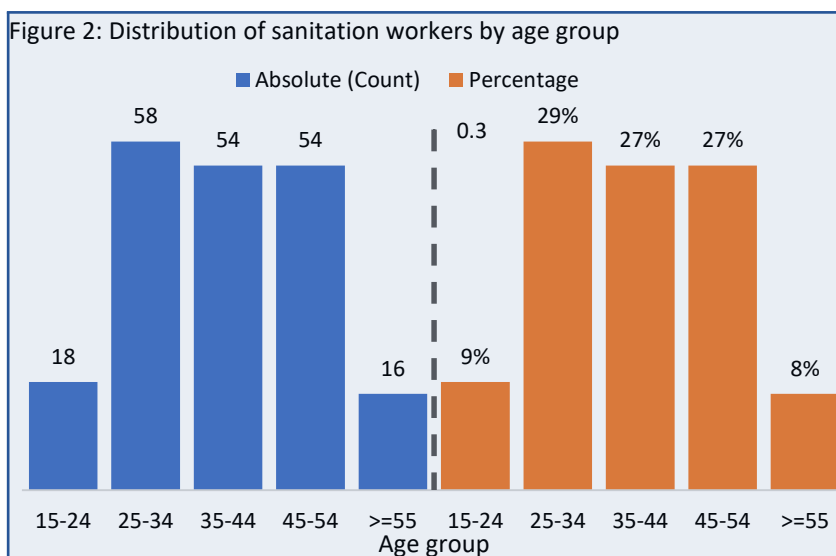


In total, male workers accounted for 78 percent (i.e. 156 out of the 200 sanitation workers) of the workforce. Of the 174 sanitation workers from the Christian faith, 132 (66% of the 200 sanitation workers) were male and 42 (21%) were female.

The Muslim majority only accounted for 13 percent of the sanitation workforce sanitation. The male sanitation workers from the Muslim faith accounted for 12 per cent

(or 24 out of 26 Muslim sanitation workers) of the total sanitation workforce and one per cent for the female workers.

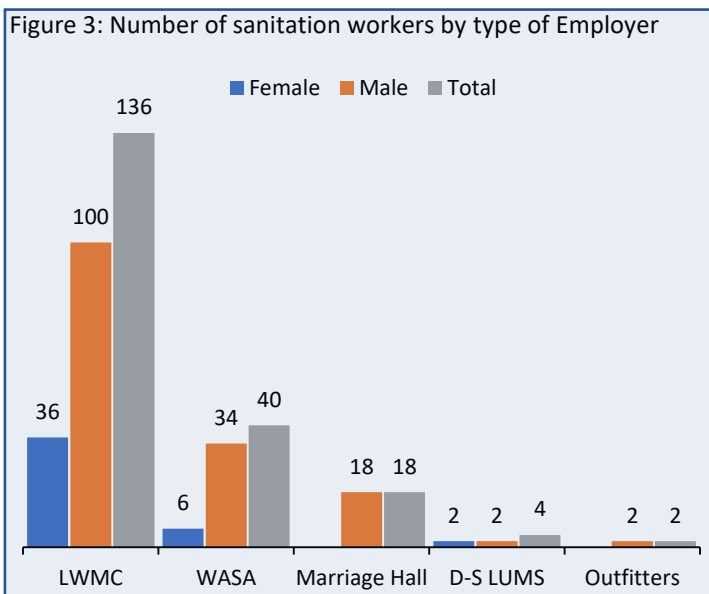
More than half of sanitation workers are aged above 35 years. Of the 200 surveyed workers, 124 (62%) were aged above 35 years. However, the 25 – 34 age group accounted for a majority of the workforce (29%) compared to other age



This was followed by the 35 – 44 and 45 – 55 age groups which accounted for 27 percent of the workforce respectively.

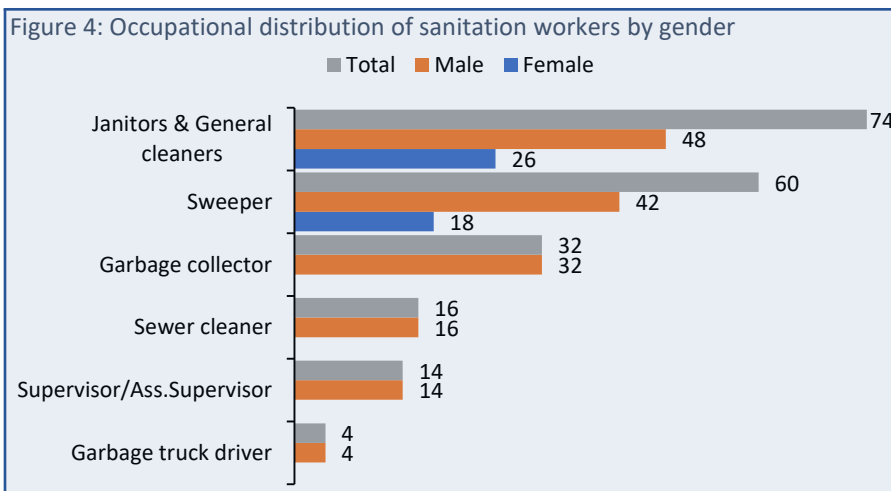
Four (4) of the sanitation workers surveyed were aged below 18 years old and the oldest were aged 69 years (2 workers). The median age was 39 years, meaning that on average, half of the sanitation workers are older than 39 years. Being the largest water utility in Lahore, most of the sanitation workers are employed by the LWMC (i.e. 136 of the 200 surveyed workers or 68%) followed by WASA (i.e. 40 workers or 20%) while the rest (i.e. 24 workers or 12%) work at marriage halls, educational institutions, and retail outlets. Of the workers employed at the LWMC, 26 percent (i.e. 36 of the 136 workers) were female; 15 percent (i.e. 6 of the 40

workers) employed at WASA and 8 percent (i.e. 2 of the 24 workers) of workers at marriage halls, educational institutes, and retail outlets were found to be female workers.



All four (4) sanitation workers aged below 18 years worked for marriage halls, representing 22 percent of the workforce. The employment of workers aged below 18 years sanitation could potentially be a violation of Section 3(3) of the Punjab Restriction on Employment of Children Act, 2016, which prohibits the employment of children under the age of 18 in work that can be classified as “hazardous.” If there is interaction with toxic chemicals and waste during sanitation work in marriage halls, the work performed by these children may be classified as hazardous.

Majority of the surveyed workers identified themselves as janitors and general cleaners – they accounted for 37 percent (74 of the 200 workers) of the sample; 30 percent (60 workers) sweepers; 16 percent (32 workers)



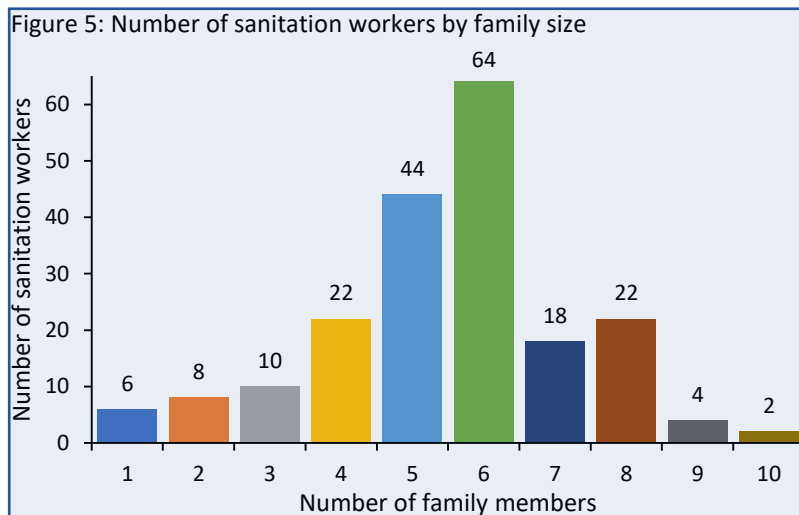
garbage collectors; eight percent (16 workers) sewer cleaners; seven percent (14 workers) supervisors; and two percent (4 workers) garbage truck drivers. There were significant overlaps between sweepers and garbage collectors employed by the LWMC, many of whom reported rotating between the two positions and often performing both functions.

Female workers were only found in sweeping and janitorial jobs at the LWMC, WASA, and retail outlets, while no women were found to be employed in sewer and manhole cleaning. Within sweeping jobs, women accounted for 30 percent of the workforce and 35 percent of the sanitation workers employed in janitorial and general cleaning jobs.

The average household size was 5.5 family members. Approximately, 110 surveyed workers came from households with 6 or more family members which implies a high dependency ratio.

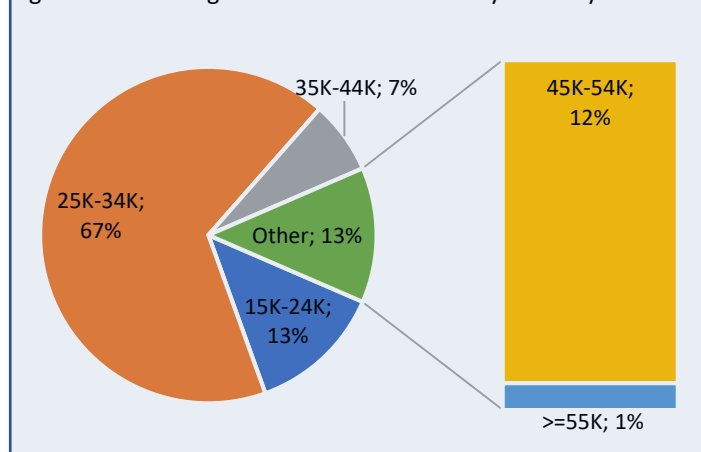
Taking the revised PKR32,000 as the minimum wage, only 40 (20%) sanitation workers were earning a minimum wage or above.

The other 160 (80%) sanitation workers were earning below the minimum wage. A total of 106 sanitation workers were earning PKR25,000 which is way below the revised minimum wage. Out of these 106 workers, 98 of them (92%) worked for LWMC.



The average monthly income was PKR35.8 thousand. The least paid workers were earning PKR15,000 per month followed by those earning PKR17,000 while the highest paid earned PKR60,000 per month – these were 2 assistant supervisors working for WASA of the Christian faith.

Figure 6: Percentage of sanitation workers by monthly income

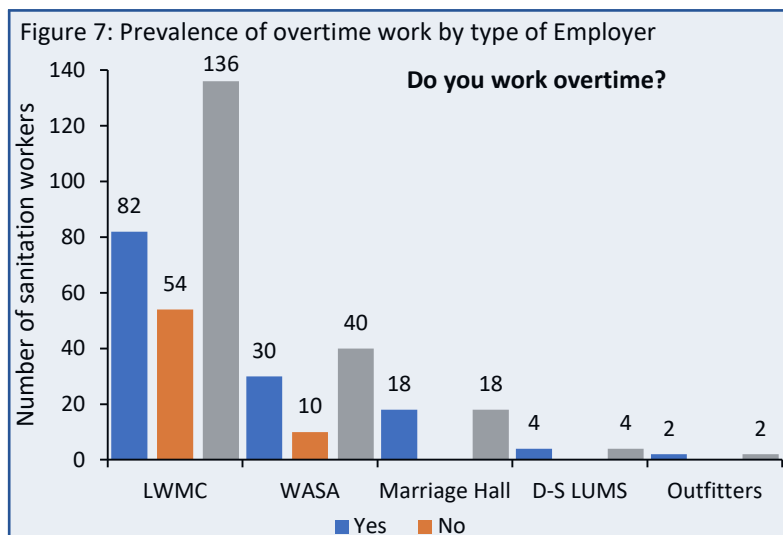


The two least-paid workers were working for Marriage Halls as cleaners. When grouped into income bands, 67 per cent (134 workers) of the workers earned between PKR25,000 and PKR34,000, followed by those earning between PKR15,000 – PKR24,000 per month (26 workers) and those earning PKR45,000 – PKR54,000 (24 workers). Only 1 percent (2 workers) of the workers surveyed earned more than PKR55,000.

- ▶ Working Conditions and Nature of Employment
- ▶ Working Hours and Overtime

Long working hours characterise sanitation work. Overall, 68 per cent (136 of the 200 workers) of sanitation workers are subjected to long working hours compared to 32 percent who are not. At the LWMC, 60 percent (82 of the 200 workers) of the sanitation workers surveyed reported working overtime and 75 percent (30 of the 200 workers) of the WASA sanitation workers. All of the sanitation workers at marriage halls reported working for more than 16 hours a day especially when there are events organized at their workplaces. The case was similar in educational institutions and retail outlets.

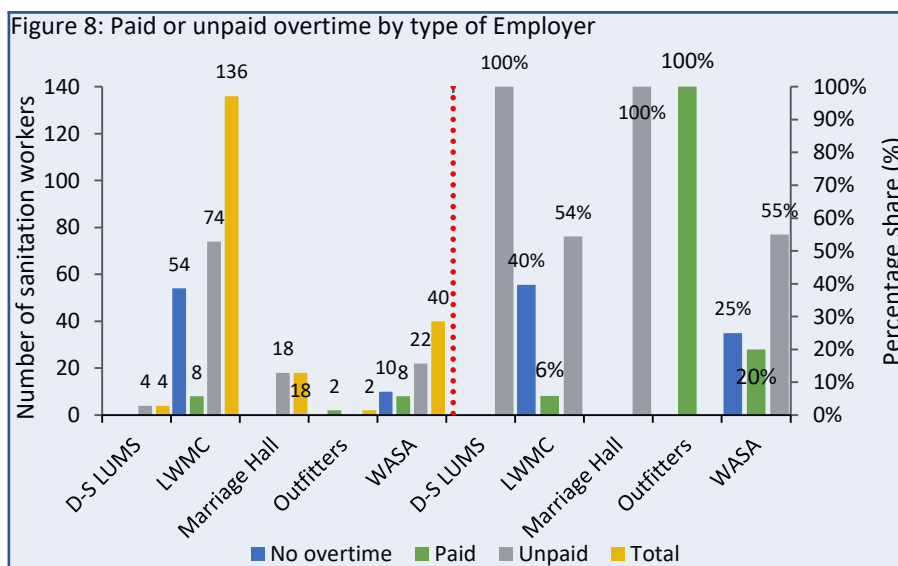
Unpaid overtime is commonplace. Of the 136 sanitation workers who reported working overtime, only 18 (13%) were paid overtime allowance, meaning that 87 percent of sanitation workers across various employers are subjected to unpaid overtime work while 32 percent (64 out of 200) reported having never worked overtime at all. 14 sanitation workers at LWMC complained that they are even called on weekends like Sundays to do work. At the LWMC, as many as 54 percent (74 of the 136 workers) of



sanitation workers reported not being paid for overtime, while only 6 percent (8 workers) reported being paid for overtime. The remaining 40 percent (i.e 54 workers) had not been asked to work beyond regular working hours.

Similarly, at WASA, 55 percent of the respondents reported not being paid for overtime, while 20 percent reported having engaged in paid overtime work and the remaining 25 percent had not engaged in overtime work altogether. However, 2 sanitation workers at WASA also claimed that they bribed their supervisors to get paid

for overtime. In the case of marriage halls, all sanitation workers reported having to work overtime and never being paid for it. Sanitation workers at WASA also complained that they are often called to work at odd times but are never paid any money in addition to their regular salary while others claimed that they had not been paid overtime for more than a year. It was revealed that at the LWMC, female workers are often called to report for work as early as 4 am in the morning which, at times, has led to instances of harassment.⁴⁸ However, this was rejected by the LWMC, whose officials insisted that work starts at 5:30 am.⁴⁹



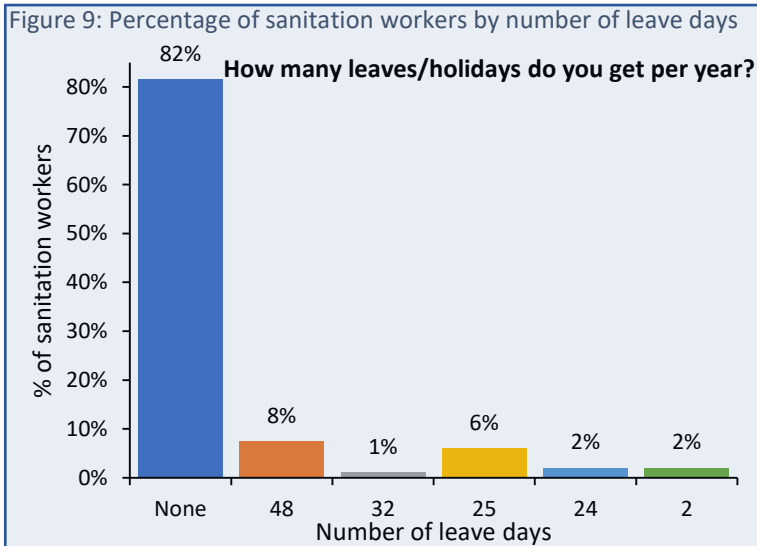
for overtime. In the case of marriage halls, all sanitation workers reported having to work overtime and never being paid for it. Sanitation workers at WASA also complained that they are often called to work at odd times but are never paid any money in addition to their regular salary while others claimed that they had not been paid overtime for more than a year. It was revealed that at the LWMC, female workers are often called to report for work as early as 4 am in the morning which, at times, has led to instances of harassment.⁴⁸ However, this was rejected by the LWMC, whose officials insisted that work starts at 5:30 am.⁴⁹

⁴⁸ Interview with trade union leader 1, 08 November 2022.

⁴⁹ Interview with LWMC official, 01 November 2022.

▶ Leaves and Holidays

Approximately, 82 percent of sanitation workers have no access to leave days. Often, they are called to work on weekends, including Sundays, and public holidays. For example, 21 percent of the sanitation workers (42 out of 200) interviewed reported being called in to work on Sundays. A further 57 percent (114 of 200) reported receiving only two days of holidays in the year, around Christmas (on the 24th and 25th of December) and complained that otherwise no government gazetted holidays are given to sanitation workers. Only 11 percent of the sanitation workers interviewed reported receiving annual gazetted holidays and other occasions.



The idea of sick leave or casual holidays did not exist among sanitation workers. Many reported being fired without notice for being absent from work due to illnesses. Trade union leaders at the LWMC also confirmed a spate of firings at LWMC without notice, despite the fact that the workers in question had submitted leave applications.⁵⁰ The LWMC justified their actions by stating that “if workers are not coming

for five days, LWMC is legally entitled to fire them. If people are not coming for work, this simply means they are not interested in work.”⁵¹ While this attitude seems commonplace amongst employers of sanitation workers, there is no legal entitlement for employers to fire workers due to absences with cause. However, as stated above, the protections provided by the law, through the Standing Orders in this case, are difficult to enforce in case of sanitation workers at the LWMC, most of whom continue to be employed as contract workers, with no written employment contract or proof of the terms and conditions of employment.

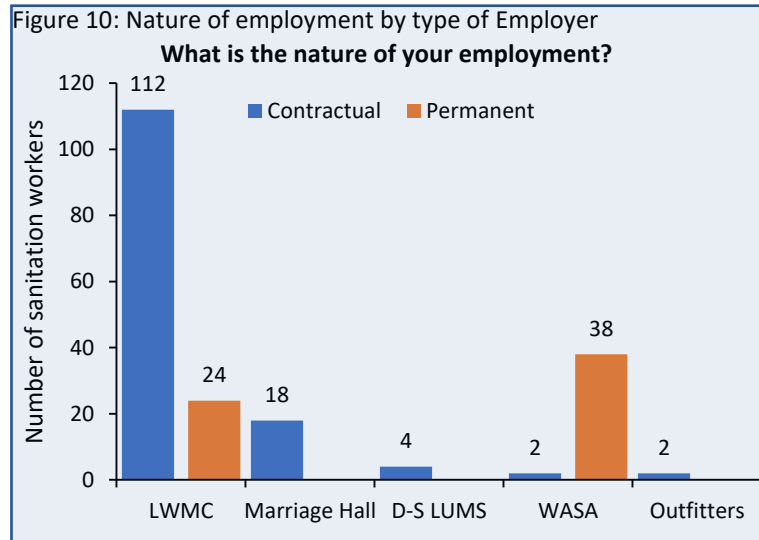
During religious and national holidays, the workload increases manyfold. It was revealed that on holidays like Eid, sanitation workers “are not allowed to go on holiday but are rather made to clean the entire city” without any incentives be it in-kind or financial.⁵² Sanitation workers at marriage halls and educational institutes all confirmed that they are called to work on Christmas and other holidays when events are being organized at the workplace.

The situation was different at WASA. Most of the sanitation workers reported getting 25 leave days every year. However, these leave days are not taken during the monsoon season (June, July, and August) when sewer and manhole cleaning is most required.⁵³

⁵⁰ Interview with trade union leaders 1 and 2, 08 November 2022
⁵¹ Interview with LWMC official, 01 November 2022.
⁵² Interview with trade union leader 3, 08 November 2022.
⁵³ Interview with trade union leader 3, 08 November 2022.

► Nature of Employment

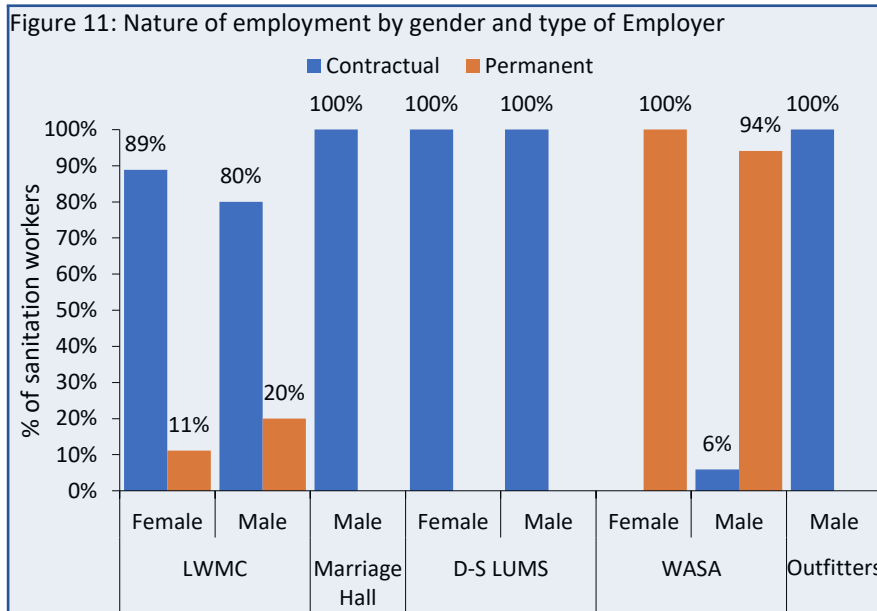
Generally, the sanitation workforce is predominantly hired on temporary contracts. This can be partly attributed to outsourcing and privatisation of utility services. For example, the government-supported WASA has 95 percent (38 of the 40 sanitation workers) of its sanitation workers on permanent employment, while the remaining 5 percent are recent hires awaiting regularization of their employment. On the other hand, none of the sanitation workers employed by marriage halls, retail outlets, or educational institutions were permanent employees. This is largely because sanitation services in these establishments are outsourced to third-party contractors. Sanitation workers at retail outlets and marriage halls were directly hired through verbal contracts by their employers with no job security or written contract, while those employed by educational institutes were all hired through third-party contractors who treat them as contract workers regardless of the length of service.



At LWMC, of the 136 workers interviewed, only 18 percent (i.e. 24 sanitation workers) were permanent employees while the remaining 82 percent (112 sanitation workers) were contractual employees hired through verbal contracts with no written contracts or a policy for regularization in place. These workers complained that they had been serving the LWMC for several years, for some as far back as 2010 when the company was incorporated but their services are yet to be regularized. sanitation

It was discovered that this was, in part, due to the Services and Asset Management Agreement for Solid Waste Management Services in Lahore executed between the LWMC, the CDGL, and all Town Municipal Administration within Lahore in 2011 (“SAMA”). Under the SAMA Agreement, LWMC has been contracted to undertake all solid waste management services in Lahore. The agreement also gives exclusive mandate to the LWMC to “manage, supervise, and control” sanitation workers who were already engaged by the CDGL at the time of execution, for the 20-year duration of the SAMA Agreement, until 2031 (SAMA 2011, §.2(e)).

Standing Order 1 of the Standing Orders provides for any worker employed in a job of a permanent nature (which is likely to last more than 9 months) and has satisfactorily completed a probation period of 3 months to be made a permanent employee but the prevailing labour environment at the LMWC contradicts this provision.

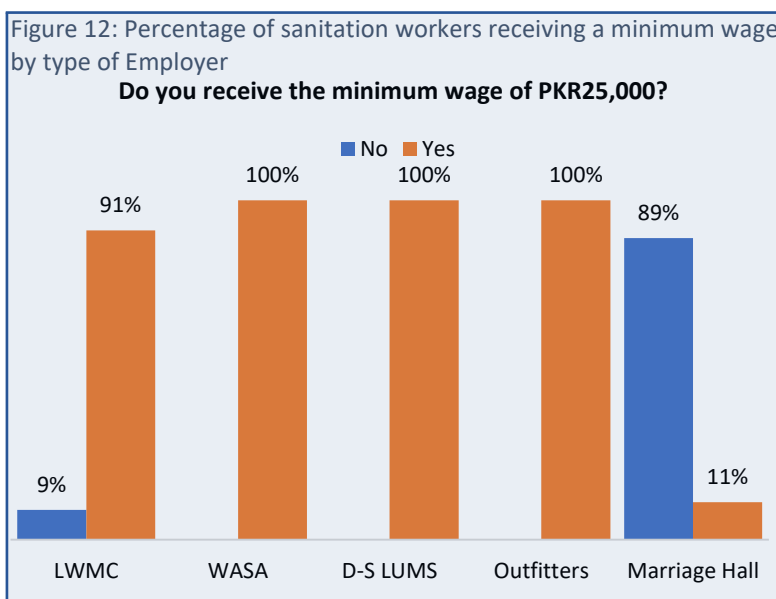


All female workers working at WASA were on permanent contracts including 94 percent of the male sanitation workers. The case was different at the LWMC where only 11 percent of female sanitation workers had permanent contracts while 89 percent were contractual workers – which was higher than the share of contractual male sanitation

workers. Only 20 percent of male sanitation workers at the LWMC had permanent contracts with 80 percent being contractual workers. In the rest of the enterprises, both male and female sanitation workers were engaged as contractual workers.

► Adequate Earnings

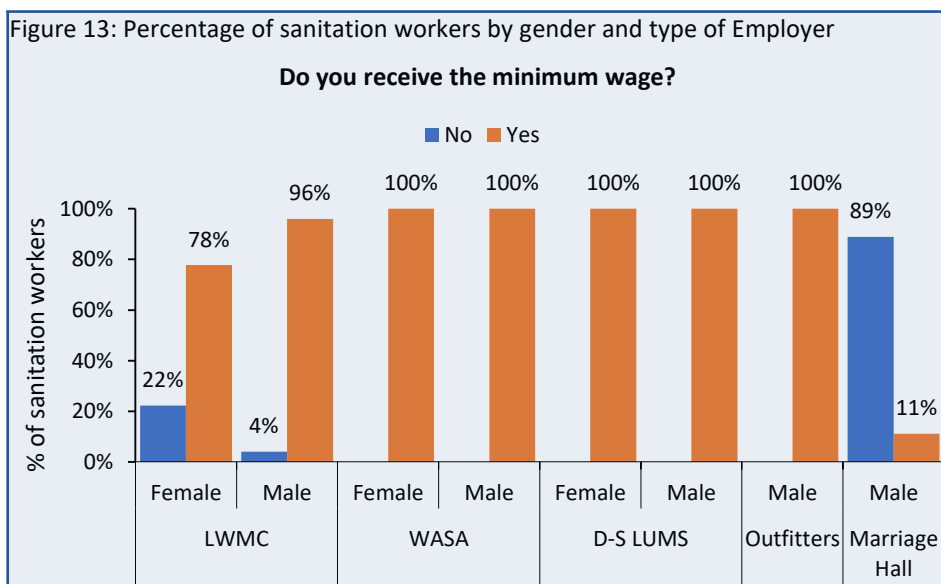
Generally, sanitation workers are among the lowest-income earners in Lahore. As noted by the Draft Sanitation Policy, 2015 for Punjab, sanitation workers are often low-paid and looked down upon due to the nature of their work. Public sector sanitation workers are more likely to be on permanent contracts and more likely to earn a minimum wage or above. This is the case in Lahore where 100 percent of sanitation workers employed by WASA – a government entity, earn a minimum wage of PKR25,000 or more compared to 91 percent (or 124 of 136 sanitation workers) of sanitation workers working for the LWMC – a non-profit company registered under Section 42 of the Companies Ordinance 1984. Thus, approximately 9 percent (or 12 of the 136 sanitation workers) of sanitation workers earn below the minimum wage.



The caveat to sanitation workers in public utilities is the type of contract given to them by government departments. It has been established that a significant number of sanitation workers are employed on 89-day contracts (Aqeel and Gill 2021). This allows employers to avoid the responsibility of providing permanent employment under Standing Order 1 of the Standing Orders to workers employed for 90 days or more in work of a permanent nature (which is likely to last for more than 9

months.

Most of the least-paid sanitation workers were those working at event venues such as marriage halls. It was found that over 89 percent of these workers earned less than the minimum wage. Overall, only 14 percent of the 200 respondents earned below the minimum wage (PKR 25,000/- per month equivalent to US\$90 or PKR 961.53/- per day equivalent to US\$3.4). The applicable minimum wage in Lahore (which falls in the Punjab province) was PKR 25,000/- per month (for 26 working days) and PKR 961.53/- per day (for eight working hours) at the time when the research was conducted.⁵⁴ This has now been increased to PKR 32,000/- per month equivalent to US\$116.⁵⁵ However, instances of sanitation workers not receiving the minimum wage and delayed payments were commonplace.



The share of female sanitation workers who do not receive a minimum wage is higher than that of male workers. At the LWMC, 22 percent of female workers indicated that they earn below a minimum wage compared to only 4 percent of male workers.

Most sanitation workers at WASA were employed in sewer and manhole cleaning jobs and their monthly remuneration includes a portion towards hazard pay, medical allowances, as well as some increments based on length of service. When these earnings are accounted for, the monthly income increases to between PKR 30,000 and PKR 60,000 (well above the minimum wage). On the other hand, while a majority of the workers in LWMC (91%) were paid the minimum wage of PKR 25,000 per month, there are no increments or differences between the wages of newly hired sanitation workers and those who had been working for many years. There is also no substantial difference between the wages of sweepers and garbage collectors at LWMC. However, drivers are paid more (approximately PKR 30,000 per month) across the board compared to sanitation workers involved in sweeping and garbage collection.

There are no differences between the wages of supervisors and ordinary sanitation workers at WASA or LWMC. Asked why workers would opt for supervisory roles despite the lack of wage increase a trade union leader at WASA noted that workers chose to become supervisors

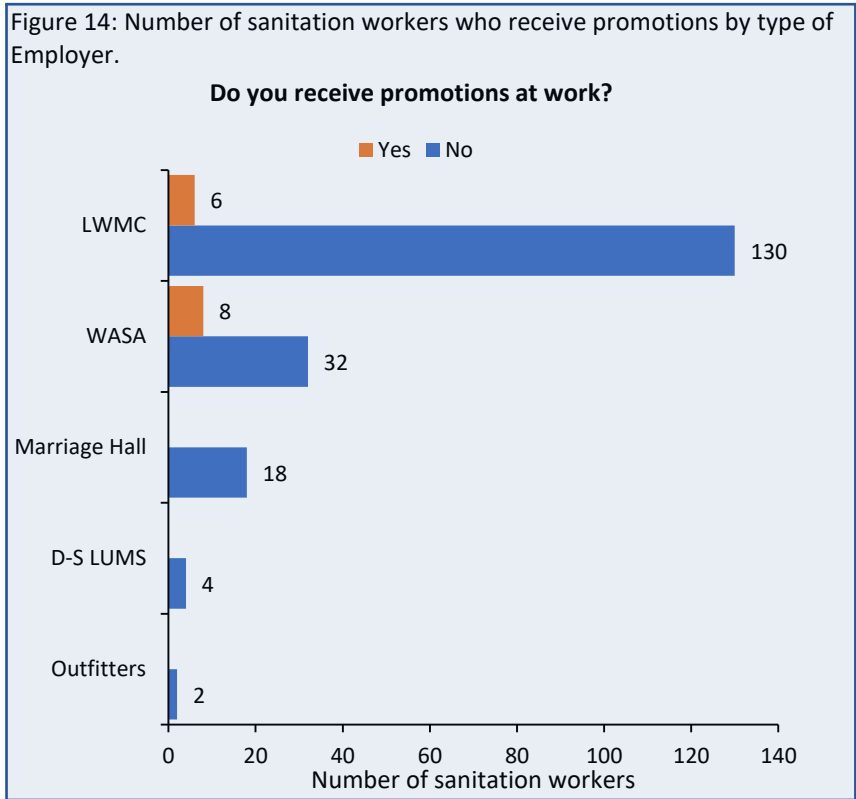
⁵⁴ Notification No. SO(D-II)MW/2011(Vol-VI), 22 June 2022, Labour and Human Resource Department, Government of the Punjab, Pakistan. https://labour.punjab.gov.pk/system/files/Punjab%20Minimum%20Rates%20of%20Wages%20Notification%202022_0.pdf.

⁵⁵ Notification No. SO(D-II)MW/2011, 19 September 2023, Labour and Human Resource Department, Government of the Punjab, Pakistan. https://labour.punjab.gov.pk/system/files/Gazette_Notification_of_minimum_wages_rs_32000.pdf.

“only to avoid the work like sweeping and garbage collection, otherwise, there is no incentive in it.”⁵⁶

Unlike the slightly more structured working conditions at LWMC, janitors working at marriage halls earn below the minimum wage, approximately PKR 18,000 per month. This is mainly because they are unorganized, and work in shifts and small numbers across different workplaces. In educational institutions such as universities, the janitorial staff are paid the minimum wage regardless of experience. For example, janitors with more than 10 years of experience earned just as much as newly hired janitors (PKR 25,000 per month).

Promotions at the workplace are rare, which further limits career progression opportunities. Workers spend their lives doing the same job with no chance of alternative livelihoods. Only 7 percent (8 sanitation workers at WASA and 6 sanitation workers at LWMC) of the survey respondents mentioned having been promoted.



Although most of the sanitation workers are paid PKR 25,000 per month, they rarely take this amount in full at the end of the month due to deductions imposed on them by supervisors for absences, and in lieu of bribes. These deductions can amount to between PKR2,000 and PKR5,000 per month.

When asked, officials at the LWMC denied the assertions that the company imposes unwarranted deductions adding that the wages of all workers employed by LWMC are directly transferred into their bank accounts, making deductions before wages are processed unlikely.⁵⁷

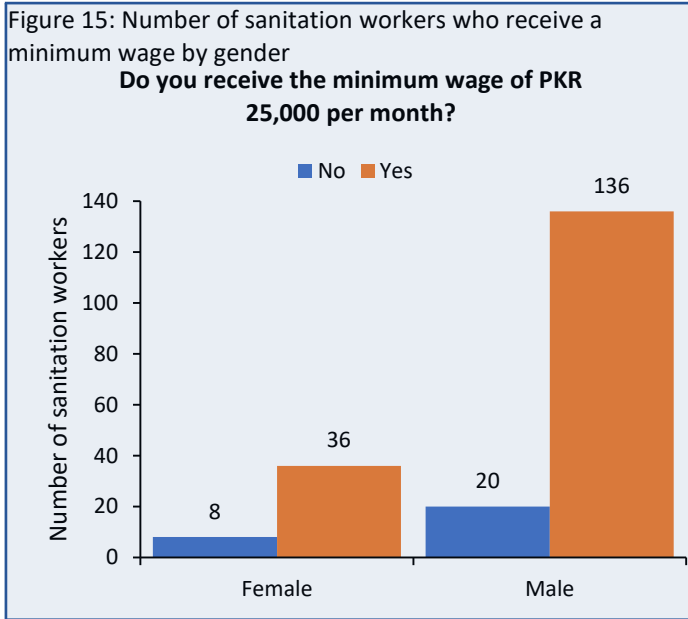
► **Wage disparity between male and female workers**

Wage disparities exist but there is also a lack of awareness among sanitation workers of such disparities. At least 6 percent (i.e., 12 sanitation workers) of the sanitation workers noted the existence of wage differentials between the female and male workers while 11 percent of the workers were unaware. As earlier discussed, only 6 of the survey respondents at WASA were women (see Figure), and they all worked as cleaners at the WASA offices and not as sewer or manhole cleaners. As such, they were earning lesser amounts than the sewer and

⁵⁶ Interview with trade union leader 3, 08 November 2022.

⁵⁷ Interview with LWMC official, 01 November 2022.

manhole cleaners whose wages included an additional element of hazard pay and medical allowances.



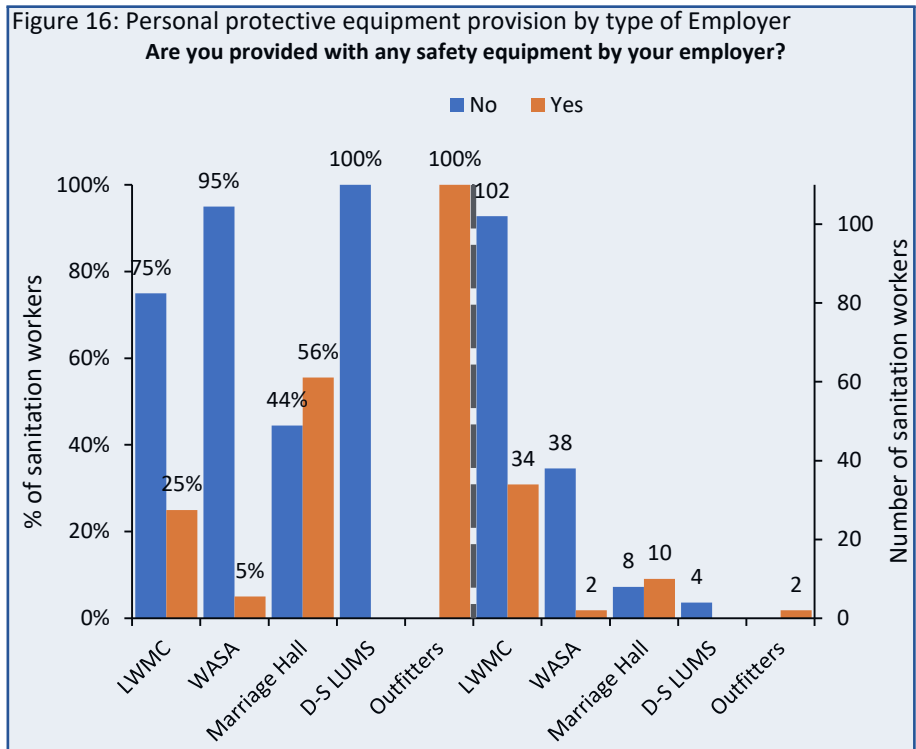
On average, the male sanitation workers surveyed earned PKR 29,840/- per month, while the female sanitation workers earned PKR 27,318/- month. Over 18 percent (8 out of 44) of the 44 female respondents complained that they did not receive the minimum wage. Almost all of them said that they are supposed to receive the minimum wage, but deductions are always made by their supervisors, so the wages they end up taking home are always less than the minimum wage.

- ▶ Occupational Safety and Health
- ▶ Safety Equipment

An overwhelming 75 percent of all sanitation workers at the LWMC, 95 percent at the WASA, 44 percent at marriage halls, and 100 percent at educational institutes reported not having received any form of personal protective equipment (PPE) required in their work from their employers. However, all sanitation workers working in retail outlets had access to personal protective equipment from the employers.

The lack of provision for personal protective and safety equipment to most sanitation workers from the LWMC, WASA, and other employers is in direct contravention of Section 3 of the OSH Act, which requires all employers to provide safety and protective equipment, and all other tools and machinery required to perform their jobs safely.

Even the few sanitation workers that reported having access to personal protective equipment indicated that it was not up to safety standards. In some instances, workers reported using their own money to buy safety equipment. This was the case for 23 percent of the sanitation workers. At LWMC, 16 percent (22 of 136) of sanitation workers reported



having to buy their own brooms for street sweeping. Sometimes, brooms and safety equipment are displayed at the employer’s offices when in reality such equipment is not provided to workers.⁵⁸ This again appears to contravene Section 3 of the OSH Act, which requires employers to provide all tools and machinery workers need to be able to perform their jobs.

While some workers at both LWMC and WASA recalled having been provided with shoes, gloves, and uniforms when they joined, they were never replaced later. At LWMC, 15 percent (20 of 136) of the sanitation workers recalled receiving some safety equipment in 2010 when the LWMC was formed but reported that the practice no longer exists. A trade union leader also reiterated that there are instances when workers buy safety equipment from their own wages.⁵⁹ Officials at the LWMC denied these reports, insisting that “we do provide safety equipment to all workers.”⁶⁰ However, they did acknowledge that there was no proper department or policy for OSH or training sanitation workers. This also appears to violate Section 9 of the OSH Act which requires all employers to create a written OSH policy in consultation with their employees and approved by the Chief Inspector appointed under the OSH Act.

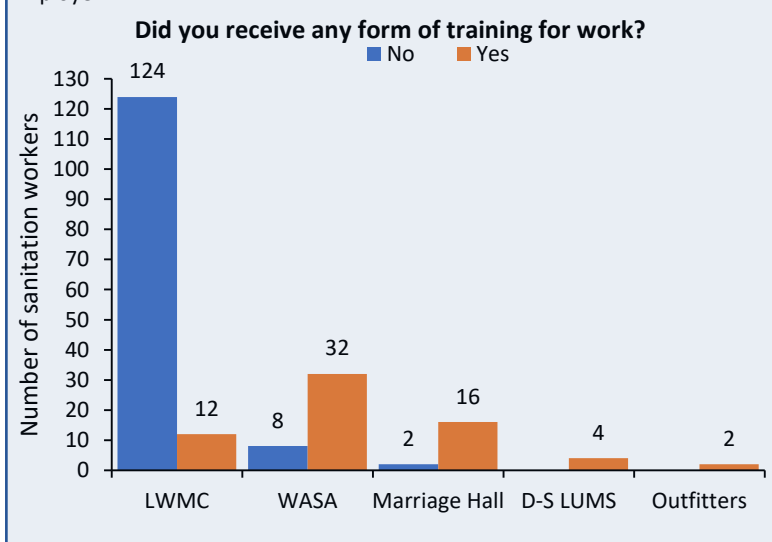
Even the WASA, an established public sector department was reported as not providing safety equipment to its sanitation workers including workers handling faecal sludge in the process of sewer and manhole cleaning. This was also the case in educational institutions where the janitorial staff were not provided with basic safety equipment as gloves and masks. Similarly, marriage halls were reported to not provide any safety or personal protective equipment to sanitation workers.

⁵⁸ Interview with trade union leader 1, 08 November 2022.
⁵⁹ Ibid.
⁶⁰ Interview with LWMC official, 01 November 2022.

► Training

Section 3(h) of the OSH Act requires employers to provide their workers with “information, instructions, training and supervision.” However, it was found that most sanitation workers are not provided with any training and learning opportunities on such topics as occupational safety and health. Training and lifelong learning are important, especially in the sanitation sector where workers are always handling contaminated, toxic, and gaseous materials. Relevant topics would include occupational safety and health, labour rights, social protection, and safe approaches to faecal sludge management.

Figure 17: Number of sanitation workers who had received training by type of Employer



Over 91 percent of the sanitation workers at LWMC reported not having received any form of training and 11 percent of those working in marriage halls. They were only provided with verbal instructions on how to “behave, and clean properly”. Some workers claimed that instructions on occupational safety and health were only given when some dignitaries like the commissioner, governor, or minister are visiting the area. Some workers

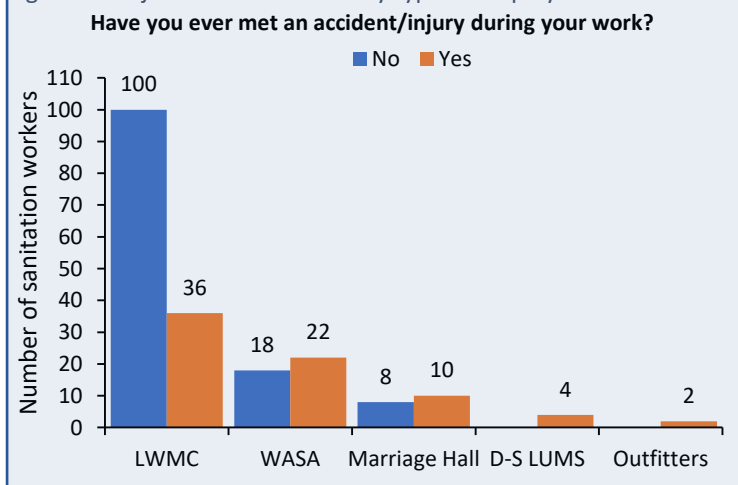
at the LWMC noted that they informally received instructions from their supervisors. Other workers seemed unconvinced regarding the necessity of proper training. They argued that sweeping does not require any form of training.

Unlike the LWMC, WASA has institutionalised training. Over 80 percent of the sanitation workers at WASA reported having received training every year or once in 5-year intervals. This was because WASA has established WASA centres where sanitation workers are trained periodically.

► Injuries and Accidents

Due to the unavailability of safety equipment and training, accidents and injuries are inevitable and common among sanitation workers. For the LWMC workers dealing with sweeping and garbage collection, their hands often get injured as they do not have even the simplest of safety equipment such as hand gloves. The common causes of injury differed from employer to employer based on the type of sanitation work performed.

Figure 18: Injuries and accidents by type of Employer



At LWMC, 8 sanitation workers reported getting severe rashes and skin allergies due to the hazardous garbage they handle with their hands, while 10 sanitation workers reported incurring injuries after being hit by moving vehicles on roadsides while collecting garbage or sweeping. Another worker reported getting a snake bite from the garbage and another developed severe backache from lifting loads of garbage. Generally, it is common for sanitation workers to suffer broken ankles and other injuries caused by broken glass in the garbage. Traffic accidents were especially commonplace among sweepers and garbage collectors who clean streets amidst heavy traffic, They complained of not being provided with barriers to block the traffic or traffic cones to cordon off the area in which they are working.



An LWMC Sanitation Worker collecting garbage from the road amidst moving traffic. (Source: PWF)

The severity of injuries received by sewer and manhole cleaners was much greater. At WASA, the largest cause of injury was through inhalation of harmful gases



1A WASA Sanitation Worker being lifted into a sewer for cleaning purposes with no safety or protective equipment. (Source: PWF)

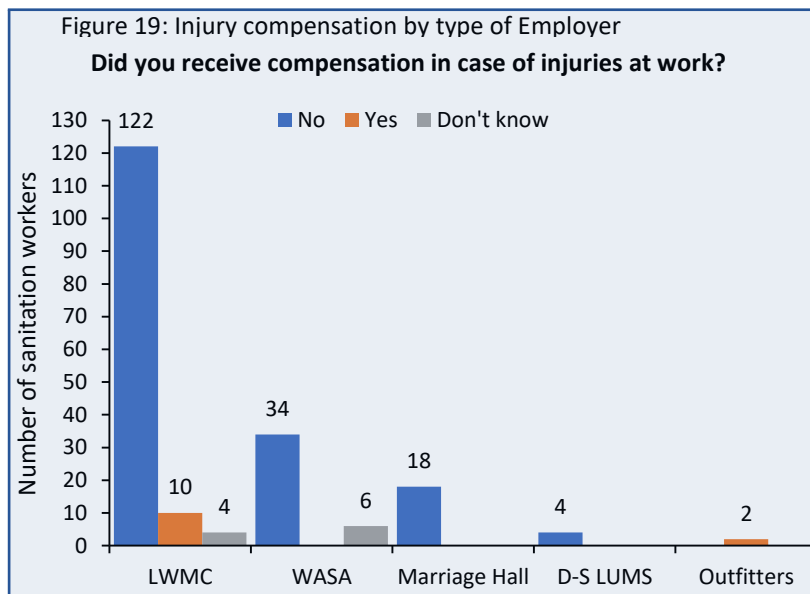
inside sewers. The sanitation (sewer) workers at WASA complained of falling severely ill due to the gases inhaled during their sewer cleaning duties. These workers also reported suffering from fractured bones caused by faulty or no ropes while going down into the sewers for cleaning.

Compensation for Injuries

There is a general lack of any compensation for workplace injuries suffered by sanitation

workers. Almost all workers of LWMC (122 workers) said they were not provided with any compensation in cases of workplace injuries and had to bear medical expenses out of pocket. Some reported instances of wage deductions in instances where the employer covers medical expenses (in contravention of Section 3 of the Workmen's Compensation Act which places the liability for compensation on the employers). Other workers reported that workers were fired when they can no longer report for work due to injuries suffered in the course of their duties.

One worker remarked that the tools given to them to do the work are better treated than the “bodies of the workers” in that “we are made to pay for the tools such as a wheelbarrow when it is accidentally damaged, but we are not compensated for the injuries we suffer at the workplace”. Similarly, other workers were not aware of the existence of any compensation measures in their utility



enterprise. Some workers felt content with the meals that employers give them. For example, some workers stated that “it is **generous** (*emphasis added*) of them [employers] that they are giving us food to live, what more can we expect.”

At WASA, 85 percent (i.e. 34 of the 40 sanitation workers) of sanitation workers had not received any compensation for injuries or accidents suffered while on duty. It was recounted by workers that one worker had fallen into the sewer and severely injured his ribs, but the employer deducted 15 days’ worth of wages for absencing himself from work due to the rest and treatment he needed.

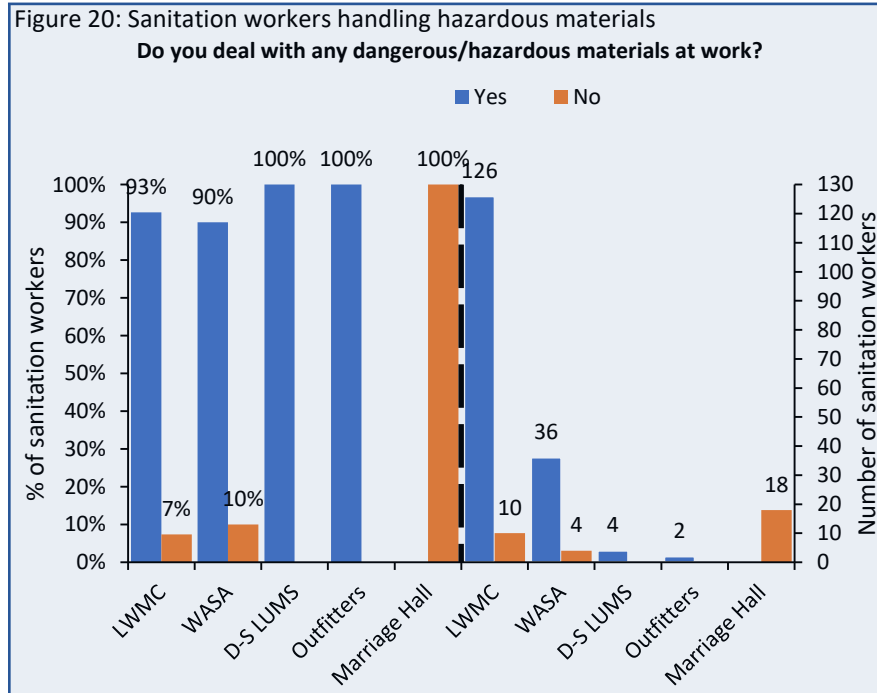
At least 15 percent of the sanitation workers did not know whether compensatory measures exist at their workplace. All sanitation workers working at marriage halls and educational institutions had no access to compensation benefits resulting from workplace injuries except for 2 workers working at retail outlets.

It was also established that both employers and workers did not know the provisions of the Workmen’s Compensation Act, 1923 which provides the scheme and framework for compensation in the case of workplace injuries, accidents, and illnesses in the Punjab province.

► Hazardous Material

Sanitation workers are constantly exposed to hazardous biological and chemical agents and work in dangerous environments. Except for sanitation workers working in marriage halls, an overwhelming majority of workers (93%) at LWMC acknowledged that they are constantly dealing with dangerous and hazardous materials at the workplace. Notably, two workers explained that the waste from medical stores and hospitals was particularly injurious to their health while others recounted how they pick up animal carcasses from roads and other public spaces without any safety equipment.

At WASA, 90 percent of workers reported dealing with hazardous materials, with some specifically mentioning poisonous gasses and fumes inside sewers and manholes to have seriously impacted their health. Among the most dangerous cleaning services provided was the cleaning of gutters in factory areas. It was reported that some of the workers cleaning sewers in factory areas come into contact with



more harmful chemicals and gasses than in other areas. Sanitation workers working in educational institutions explained how harmful the use of toxic cleaning materials, and acids used in toilet cleaning can cause rashes and allergies.



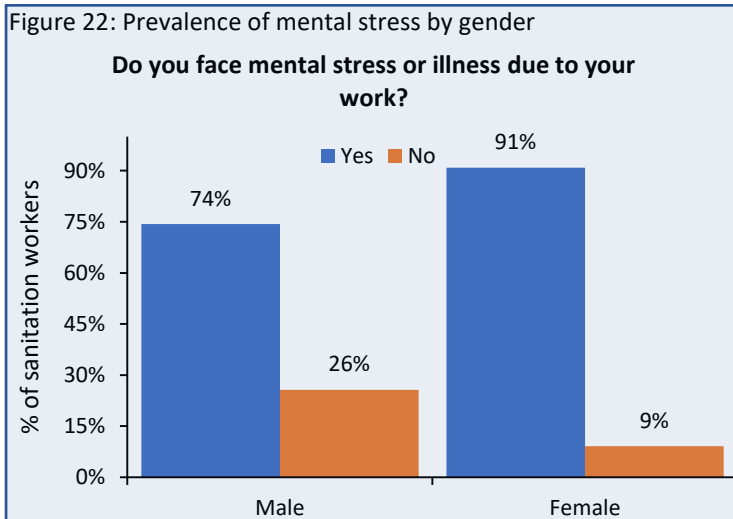
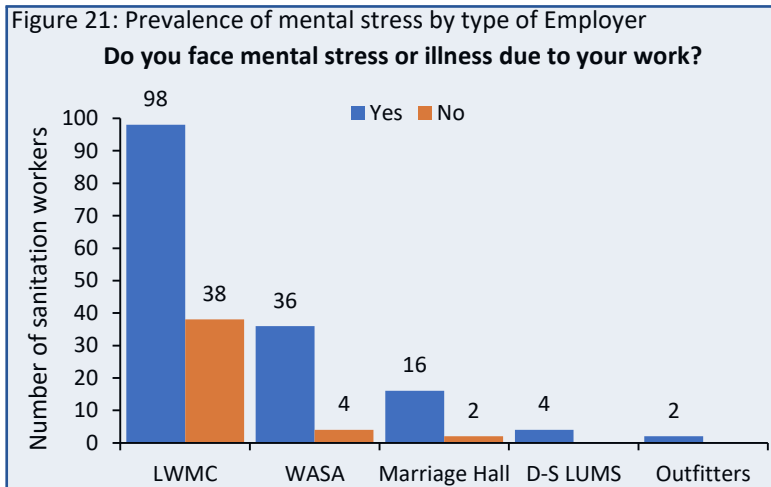
A WASA Sanitation Worker cleaning a sewer. (Source: PWF)

As a result of their hazardous working conditions, the most common complaints amongst sanitation workers were respiratory illnesses and diseases. Some workers at WASA also complained that they were suffering from high blood pressure as a result of their work.

► **Mental Stress and Illness**

Added to the hazardous nature of the work of sanitation workers is the psychological and social stigma attached to the nature of their work. While sanitation work as a whole is socially seen as sub-standard work attached to individuals from historically oppressed castes and religions, work performed by sewer and manhole cleaners is especially ostracized.

As a result, sanitation workers often suffer from mental stress regardless of gender, religion, and place of work. Overall, 78 percent (i.e. 156 of the 200 surveyed workers) of respondents had suffered mental stress in their work life. At WASA, as many as 90 percent (i.e. 36 of the 40 sanitation workers) of sanitation workers stated that

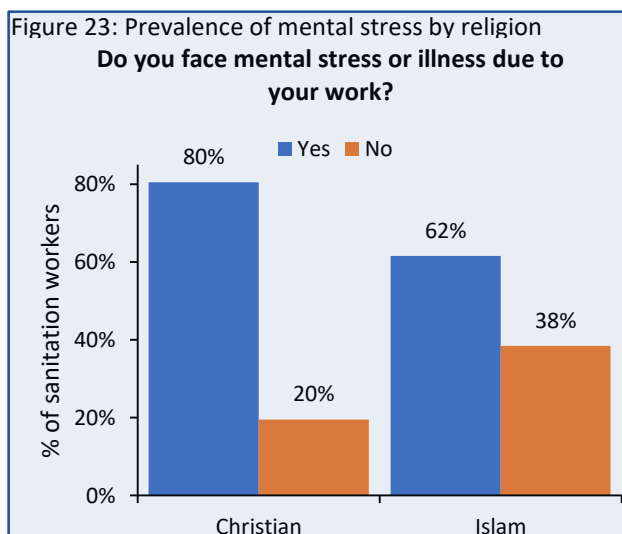


they had experienced mental stress and 72 percent (i.e. 98 of the 136 sanitation workers) of LWMC sanitation workers reported the same. A lot of workers showed clear signs of depression and psychological trauma, with some responding that “we are used to it now” and others reporting that “everyone around us is depressed.”

Mental health issues were more pronounced among female

sanitation workers than male workers. Survey results showed that 91% of all women had experienced stress or mental illness compared to 74% among male workers, which is also alarmingly high.

Similarly, the proportion of Christian respondents facing mental stress or illness due to their work was much greater as compared to their Muslim colleagues. From the survey, 80 percent of Christian workers had faced mental stress or illness compared to 62 percent of sanitation workers of the Muslim faith.



It was clear from the responses that while financial burdens played a role in the causes of mental stress and illness amongst sanitation workers, the preponderance of mental stress

and illness amongst WASA workers (90%) who earn above the minimum wage compared to workers at LWMC (72%), could be attributed to the nature of sanitation work (particularly sewer and manhole cleaning). Similarly, the disproportionate responses between Christian sanitation workers (80% of whom reported facing mental stress or illness) and Muslim workers (62% of whom reported facing mental stress or illness) shows that the stress and illness also have a social component attached to it – with ostracization and treatment based on caste and religion being a primary factor.

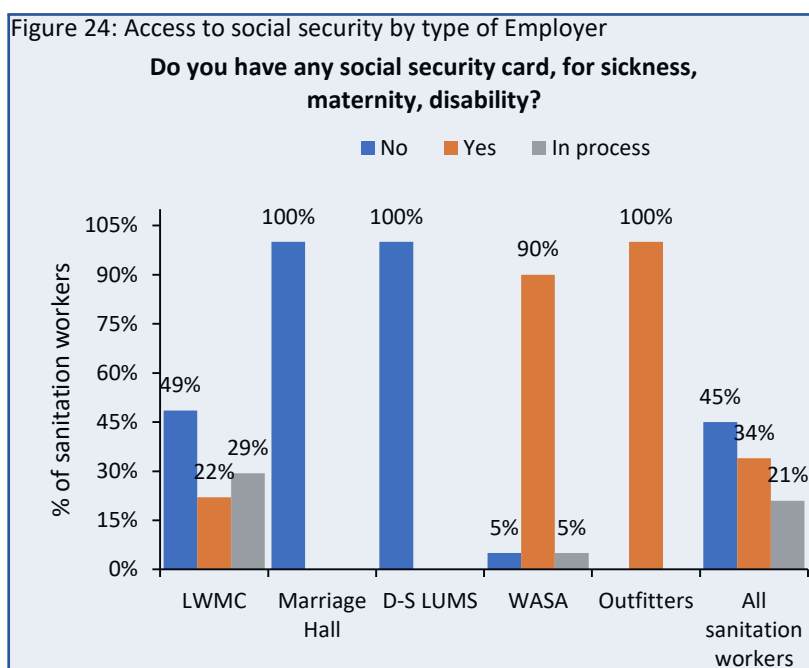
► **Women’s Health and Safety**

Of the 44 female workers interviewed in the survey, 34 (77%) reported the absence of any rest, maternity leaves, or special consideration (e.g. prevention from lifting heavy weights, etc.) for female workers. They also complained of worse working conditions and greater risks to health compared to male workers. The female workers (5%) at educational institutions such as universities reported getting 45 days maternity leave in case of pregnancy, while 14 percent of female sanitation workers (employed at WASA) reported the absence of any maternity leaves or special considerations in cases of pregnancy. Trade union leaders lamented the lack of any maternity leaves for female workers and recalled an incident where the “husband of the woman died and she could not even get leave for a few days.”⁶¹

► **Social Security and Adequacy of Coverage**

Under the provincial laws of Punjab, employees registered with PESSI and performing skilled or unskilled, manual, or clerical work, and earning between PKR 25,000 and 34,685 per month⁶² were entitled to social security benefits under the SSO (with the 2023 revised minimum wage in Punjab, the range has increased to PKR 32,000/- to PKR 44,397/- per month). These benefits are administered by PESSI and include a vast range of benefits from sickness and maternity benefits to the provision of medical care (through the specially created social security hospitals), death grants, and disability allowances. Employers are required to make fixed contributions towards each worker’s social security fund which are collected by PESSI.

Overall, 34 percent of all workers interviewed in the



survey had been issued social security cards by PESSI while 21 percent were in the process of obtaining one and the rest (45%) did not have any form of social security card. However, no sanitation workers interviewed at marriage halls or educational institutes had any social security cards. At LWMC, 22 percent of the workers interviewed reported having social security cards while 29 percent were in the process of obtaining them and the other 49

⁶¹ Ibid.

⁶² Interview with Mr. Arshad Manzoor, Director General PESSI/DG Labour Welfare, 01 November 2022 (on file) (hereafter “**Interview with DG PESSI**”).

percent did not have any form of social security. Similarly, at WASA 90 percent of the workers reported having social security cards while 5 percent were in the process of obtaining them and the other 5 percent did not have any social security.

PESSI acknowledged that most LWMC workers are registered for social security services.⁶³ However, given that most LWMC workers are temporary contract workers whose employment had not been regularized and made permanent, many of them (i.e. 49%) remain unregistered with PESSI. As a result, they continue to be precluded from most legal protections under the SSO that provide a social safety net to workers in Lahore.

Some sanitation workers reported having been issued with a social security card but not using it, while many others seemed to prefer private medical care. For example, one female worker remarked that “I do not have a social security card and I go for private treatment when needed.” Most of the WASA workers falling within the ambit of social security protection do have social security cards and they reported using them. However, 16 workers claimed that they have a health insurance card issued by the government which they have been using instead of the social security cards. The health insurance cards include a list of hospitals where they can go for medical treatment. These health cards were issued by the federal government under the “Sehat Sahulat Program” to provide medical insurance up to a fixed limit to low-income individuals who can access medical treatment from hospitals pre-approved under the program (Government of Pakistan n.d.).

What became apparent was the waning interest of workers in public health services even for ordinary medical treatment. It was evident that many LWMC workers did not bother to use their social security cards where these had been issued. Most of them (20 out of 30 who had been issued with social security cards) were not satisfied with the medical services provided in social security hospitals. As opposed to this, all sanitation workers at WASA who had social security cards (20 out of 20) were satisfied with the treatment and doctors at social security hospitals. This shows how formal WASA workers (who were all permanent employees of the government) know more about their social security rights and can benefit from them probably because they are unionized and have expectations of a social and welfare state apparatus. There was a strong connection between the provision, awareness, and usage of social security and other legally mandated benefits among the formal and organized labour (such as at WASA). The disadvantages faced by informal and unorganized labour (as is the case with most of the sanitation workers at LWMC) were also obvious and evident.

An official from PESSI explained that the social security infrastructure in Punjab was choked by existing workers and was lacking new investments to expand the coverage of the social security system⁶⁴ He explained that the health card has a monetary limit on annual usage while the social security card was uncapped but was limited to public health facilities so that no exorbitant fees are charged at any stage.⁶⁵ He remarked that “unlike the health card and other private sector focussed insurance schemes, the PESSI infrastructure provides social security services to eligible workers from the cradle to the grave, covering all sorts of services in addition to medical treatment, with no monetary cap on usage.”⁶⁶ However, it was obvious that due to the introduction of multiple health insurance schemes by the government, which

⁶³ Ibid; Interview with LWMC official, 01 November 2022.

⁶⁴ Interview with PESSI.

⁶⁵ Ibid.

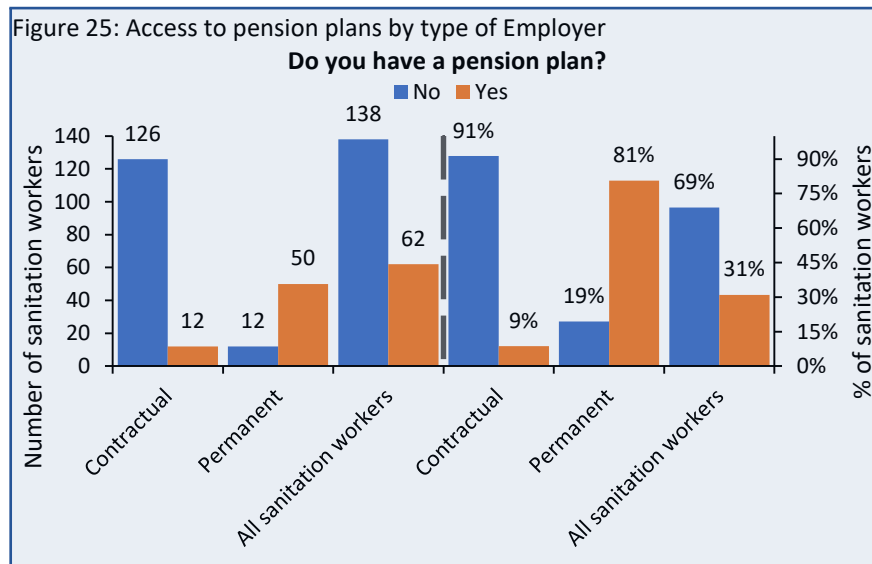
⁶⁶ Ibid.

are intended to provide services through the private sector, the existing social security infrastructure is crumbling given the lack of attention and investment.

► Pensions

In Pakistan, government employees across all departments are provided with government-regulated pension plans. While the SSO provides pensions for non-government employees in the case of disablement or death on the job, there is no clear policy in place for pension plans. Some employers set up pension plans or provident funds for their employees with financial institutions and insurers, however, there is no law that mandates the requirement.

As a result, there was a glaring disparity between permanent and contractual employees on pensions. Only 31 percent of the total workers surveyed (62 workers in total) said they had a pension plan. Unsurprisingly, 81 percent of sanitation workers with a pension plan were permanent employees while 91 percent of contractual



employees had no access to any pension plan. Furthermore, 14 of the sanitation workers with no pension plans attributed this to lack of a permanent position, while other workers seemed to not know the requirements or the process of applying for a pension plan.

Overall, very few sanitation workers had a clear understanding of pension entitlements including pension cards especially after they are regularised and become permanent employees. A trade union leader pointed out how promises to set up pension plans had been made to workers but had not been followed up by the management.⁶⁷

► Labour Relations in the Sanitation Sector

► Freedom of Association

Freedom of association is enshrined in Article 17 of the Constitution, which grants every citizen the right to form or belong to associations or trade unions and the right to strike. As stated above, the Eighteenth Amendment to the Constitution decentralised the administration of labour issues from the federal to the provincial governments which effectively prevented national trade unions from engaging in collective bargaining at the level of industries of national scope and importance.⁶⁸ Additionally, the limited scope of the IRAs across Pakistan practically allows the creation of trade unions only at a single workplace or establishment, making it difficult for employees to join together across a sector or different establishments operated by multiple employers. Added to this is the issue of contract work, which makes it difficult for employees to prove their employment and register trade unions.

Figure: Presence of a trade union at workplace by type of Employer Given the nature of

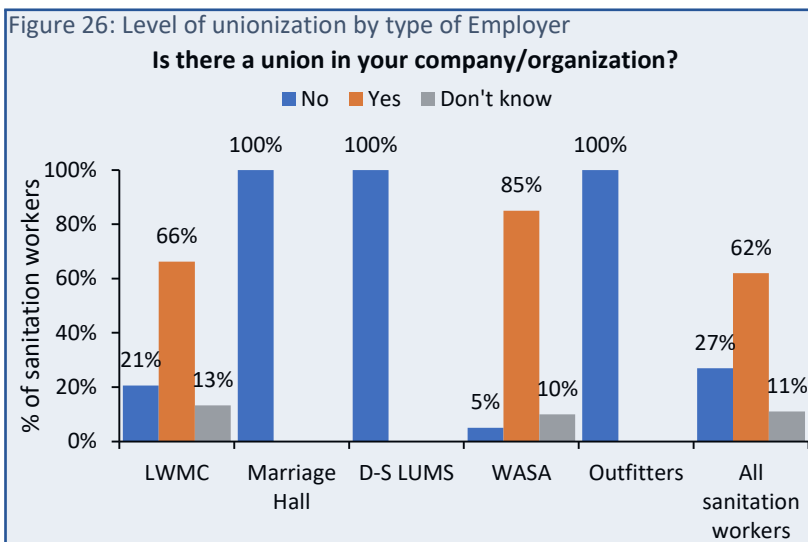
⁶⁷ Interview with trade union leader 2, 08 November 2022.

⁶⁸ [Punjab Industrial Relations Act](#), 2010; [Complaint](#) by the Pakistan Workers Federation (PWF) supported by the International Trade Union Confederation (ITUC).

sanitation work and its spread across different types of employers in Lahore, sanitation workers (particularly those working as contractual employees with no written contract) continue to face limits on their freedom of association.

Over 66 percent and 85 percent of the sanitation workers at LWMC at WASA respectively knew at least one trade union at their place of employment. At WASA, workers listed several unions such as *Sher Union*, *Phool Union*, *Mashal Union*, and *Gayanti union*. The Punjab Sanitation Workers Union was relatively new.⁶⁹ There were 4 trade unions at the LWMC but

none of them was a collective bargaining agent. These trade unions consist of CDGL permanent workers who joined the LWMC at the time of its formation and do not represent contract sanitation workers who are in the majority at the LWMC.



Sanitation workers working at marriage halls, retail outlets, and educational institutes who are mostly hired through third party contractors, remain unorganised. Given the number of trade unions at WASA and amongst the permanent public sector employees at the LWMC, it was clear that the public sector and formal employment are more conducive to union formation and worker organization. Conversely, in sparsely located industries with limited sanitation workers such as retail outlets and other businesses, union formation appears to be much harder.

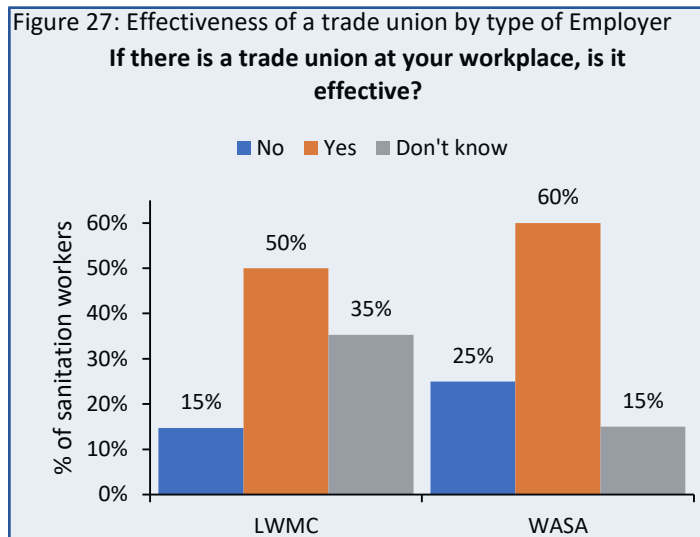
In general, most workers expressed satisfaction with the work of trade unions. At LWMC, 50 percent of sanitation workers stated that they were effectively represented by their union; the share was even higher at WASA (60%). However, this was not without negative sentiments. At LWMC, some sanitation workers felt that unions “only work for its members” and that “only permanent workers get the benefits”. Similarly, at WASA, it was alleged that “the unions are patronized by WASA, so they work in their favour instead of the workers.”

⁶⁹ Interview with trade union leader 2, 08 November 2022.

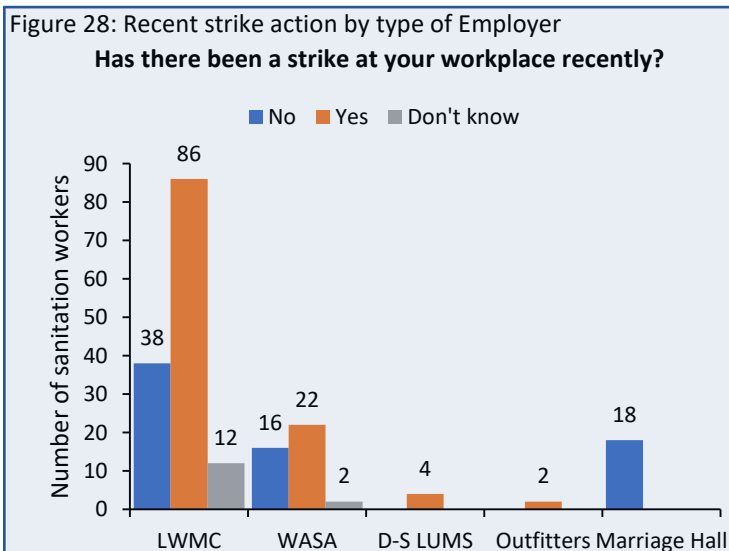
Nevertheless, there was a clear desire by non-unionised workers at LWMC for a union which they believed would help improve the conditions of contract workers. This was also recognized through the formation and registration of the Green Clean Labour Union in December 2022 primarily to represent the interests of contract sanitation workers.

At WASA, more than half (55%) of the unionised sanitation workers reported having participated in a strike action while 40 percent said there had not witnessed any strike action and a further 5 percent did not know if one had taken place or not.

At LWMC, 63 percent of the sanitation workers were aware of recent strikes, while 28 percent said there had been none and 9 percent did not know if any had taken place or not. It was found that the Green Clean Labour Union had organized 40 strikes of contract workers in the



last 2 years alone, during which time it had been acting as an unregistered union. There was a seeming dissatisfaction among workers over the strikes as they did not achieve the objectives but rather resulted in some workers losing their jobs. On the other hand, none of the 4 registered unions of permanent CDGL sanitation workers at the LWMC had taken any strike action during the same time.⁷⁰



⁷⁰ Ibid.

► Social Dialogue

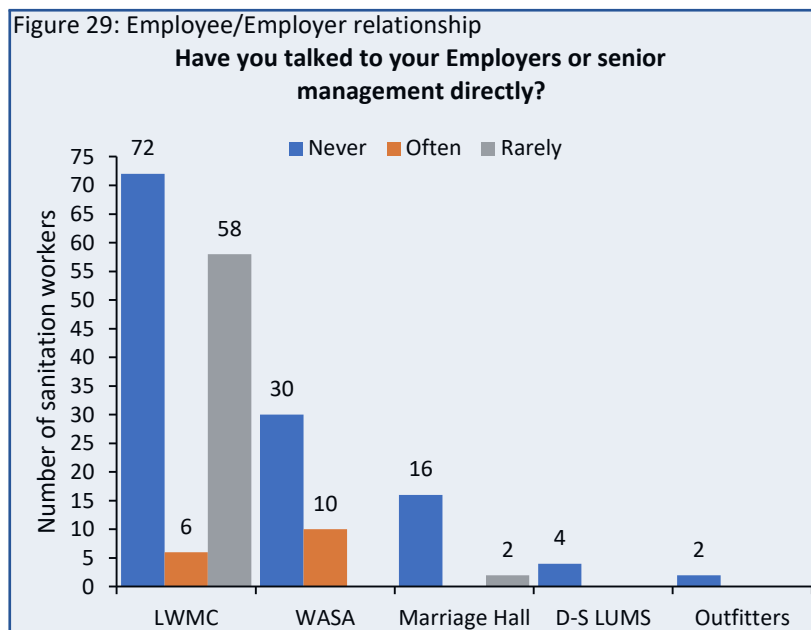
Meaningful social dialogue and workers' representation in tripartite forums can help steer labour policies in a more inclusive direction and promote sound labour relations. This is demonstrated in the absence of strike actions at WASA where most workers are unionised and the prevalence of industrial action at the LWMC before the registration of the Green Clean Labour Union. However, the bargaining power of sanitation workers to negotiate with the state authorities and the employer's organizations is weak and often non-existent. Due to low educational attainment and lack of legal awareness coupled with little freedom of association, sanitation workers struggle to realise their labour rights and entitlements. Social dialogue enables workers and employers to participate in decision-making and policy development at all levels, including national, sectoral, and enterprise levels.

Communication between workers and employers is limited. More than half (62%) of all sanitation workers had never talked to their employers/senior management directly. At WASA, only 25 percent of the workers reported having regular communication with their employers/senior management directly and described their conversations to have been good and cordial. None of the workers at retail outlets and educational institutions

had met or talked to their employers/senior management. At marriage halls, 2 workers reported having rare opportunities to speak to management on labour matters.

At LWMC, 43 percent (i.e. 58 sanitation workers) of the sanitation workers reported having rarely talked to their employers/senior management with only 4 percent (i.e. 6 sanitation workers) acknowledging having regular engagements with most of them (53%) reporting not to have had any form of engagement with the employer. Of the workers who had talked to their employers/senior management, most reported that this had only been at instances where the senior management had visited them to provide instructions or to review their work and scrutinize them or their supervisors. There were no opportunities for workers to present their concerns or issues before their employers/senior management. As a result, sanitation workers choose to send complaints directly to the labour department but still do not get any responses to their concerns.

Although PIRA 2010 provides for conciliation, mediation, and arbitration procedures to settle labour disputes, these mechanisms are not adequately afforded to sanitation workers. PIRA 2010 also provides for the creation of a Workers Management Council (WMC) in every establishment employing fifty persons or more to among other things secure and preserve good labour management relations including the "settlement of differences and disputes



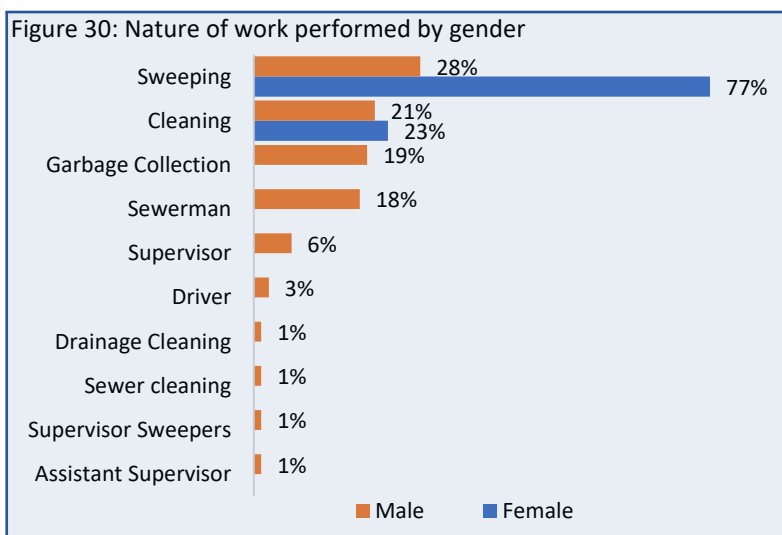
through bilateral negotiations”⁷¹. However, in establishments where the WMC exists, the concerns of sanitation workers are seldom considered. A vast majority of the sanitation workers (60%) stated that disputes are resolved through mediation and in most instances, the mediators are supervisors. However, 13 percent of the workers (20 at LWMC, 2 at WASA, and 4 at educational institutes) responded that if the management finds out, all workers involved are immediately fired. The remaining workers responded either that there were no disputes or that they were not aware of the occurrence of any.

An overwhelming majority (97%) of sanitation workers had never been contacted by any public official in any capacity.

► **Discrimination and Harassment**

► **Gender Discrimination**

As previously noted, different types of sanitation work have a gender aspect to them. For example, cleaning and janitorial services have a strong presence of female workforce regardless of the nature and type of the utility enterprise. At LWMC, all 36 female sanitation workers were employed as street sweepers and cleaners. Similarly, all 6 female sanitation workers employed at WASA performed janitorial and cleaning duties including the other 2 sanitation workers working at institutions of learning, while almost all of their male colleagues were employed as sewer and manhole cleaners. In other words, 77 percent (i.e. 34 female workers) of the 44 female sanitation workers were sweepers and the other 23 percent (i.e.



10 female workers) were working as cleaners. It was also established that most of the female workers at LWMC were surviving spouses of the late male sanitation workers and were only hired to clean the office premises.

None of the women were involved in jobs including driving, garbage collection and processing. Women are also denied leadership roles. Their unique circumstances such as

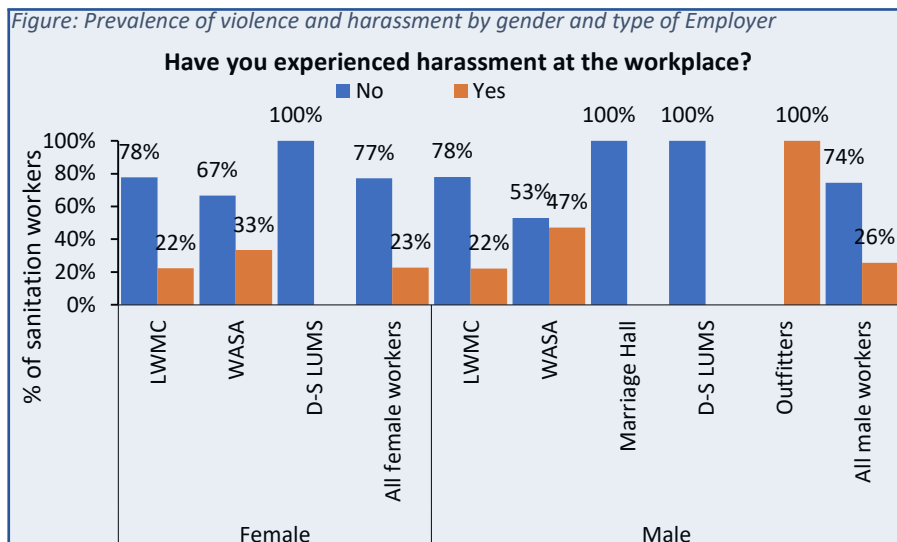
childrearing and family responsibilities are also not considered when they are transferred farther away from their residences. This has resulted in some female workers leaving the profession because they could not afford the travel expenses that come with such changes. Other women are quitting due to odd working hours.

► **Violence and Harassment**

Sanitation workers are subjected to different forms of harassment at the workplace. Overall, 25 percent (50 of the 200 sanitation workers) of all sanitation workers had faced harassment at their workplace. Across employers, 22 percent (30 of 136 LWMC’s sanitation workers) of the sanitation workers at the LWMC, 45 percent (18 of 40 WASA’s sanitation workers) of the

⁷¹ Section (5) (viii), PIRA 2010.

workers at WASA, and all workers employed at retail outlets had experienced some form of harassment. On the other hand, none of the workers employed at marriage halls or educational institutes reported any instances of harassment.



At WASA, workers who had experienced harassment were all involved in manual sewer and drainage cleaning. When disaggregated by gender, 26 percent of all men had experienced harassment compared to 23 percent of women. The high incidences of harassment among male workers could partly be explained by the fact that most women were employed in cleaning and janitorial jobs which are seen as more socially acceptable forms of sanitation work.



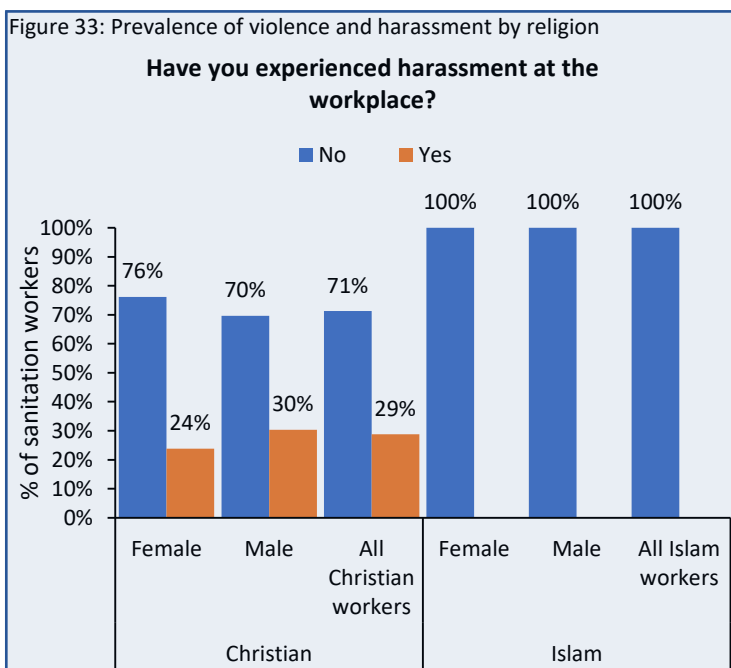
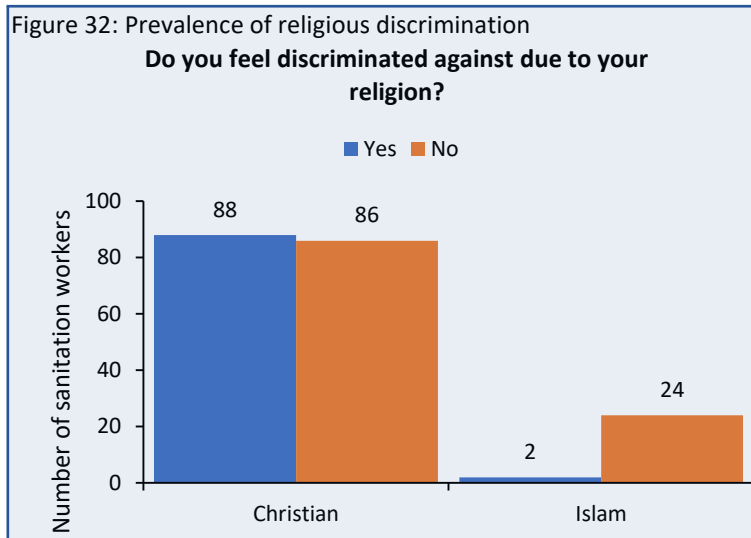
Notably most harassment was faced by sanitation workers of the Christian faith. While 29 percent of all Christian sanitation workers reported experiencing harassment at the workplace, no Muslim sanitation workers, male or female, reported experiencing any harassment. Reported forms of harassment included verbal and physical abuse, rebukes, and uncomfortable treatment usually from supervisors, residents, elected councillors in various areas, and passers-by in the vicinities where sanitation workers are performing their duties.

There are no redressal mechanisms in place to deal with cases of harassment at the workplace. Even when complaints are reported, they always go unheard.

► **Religious Discrimination**

The existence of religious discrimination against sanitation workers was evident in all aspects of the work. Over half of the Christian sanitation workers (51%) had been discriminated against on religious grounds compared to only 8 percent of Muslim sanitation workers.

Christian sanitation workers recounted their experiences of religious slurs used against them mostly by supervisors and community members. They reported being called ‘churrah’ (a derogatory term used for Christian sanitation workers) or “churhi” when referring to female sanitation workers of the Christian faith. Religious discrimination is also manifested in working conditions and opportunities for growth. For example,



Muslim sanitation workers tend to have more access to leave days and holidays compared to their Christian counterparts. They are also overrepresented in administrative roles and often promoted to senior positions than Christian sanitation workers who remain working in sewer cleaning and other degrading work. In certain utility establishments, Muslim sanitation workers received food rations from the employers in Ramzan (the Muslim holy month of fasting), while Christian workers were not given anything for Christmas.

Christian sanitation workers are discriminated against in welfare facilities and meals as well. They are subjected to regular usage of religious slurs and are provided with separate glasses and eating utensils for food and water. It was explained that “when we provide our services to Muslims and ask for water, they give us the glass and then ask us to take it with us or throw it away.” To a large extent, society expects the Christian minority to work as sewer cleaners and nothing else. Trade union leaders and LWMC officials of the Muslim faith denied the existence of religious discrimination.⁷² They claimed that Christian sanitation workers are promoted to supervisory roles because they are the majority.⁷³

► Skills and Lifelong Learning

Only 26 of the 136 sanitation workers interviewed at the LWMC, pointed out that they understood the need for higher education to move to some higher and better paying

⁷² Interview with LWMC official 01 November 2022; Interview with trade union leaders 1,2, and 3, 08 November 2022..

⁷³ Interview with LWMC official 01 November 2022.

positions. When asked about the difference in skill levels amongst the workers, one sanitation worker at the LWMC claimed that “all are equally degraded here.” Similarly, at WASA, a group of 4 workers when interviewed, complained about “the same state of all workers in WASA, that is skilled and unskilled are paid and treated equally”.

When asked about the differences between skilled and unskilled workers, trade union leaders at LWMC remarked that “all sanitation workers should be considered skilled because no one else can do the work they do.”⁷⁴ Similarly, in marriage halls, educational institutes, and retail outlets, all sanitation workers interviewed denied the existence of any differences around skill level between them. Across the board all sanitation workers who responded to the survey complained of not getting any promotions or increments despite their many years in employment with the same organizations as sanitation workers.

▶ Child Labour

There was no evidence of child labour in the sector. Only 2 workers at LWMC and 1 worker at WASA mentioned that children sometimes come to work in place of their parents when their parents are sick. However, as mentioned above, 22 percent of the sanitation workers employed at marriage halls were found to be under the age of 18 (4 out of 18). Given the hazardous nature of sanitation work, Section 3(3) of the Punjab Restriction on Employment of Children Act, 2016 which prohibits the employment of children under the age of 18 in work that can be classified as “hazardous” might apply.

▶ Forced Labour

Article 11 of the Constitution explicitly prohibits any forced labour in Pakistan, and the system of bonded labour has been abolished in Pakistan and Punjab through the Bonded Labour System (Abolition) Act, 1992. As stated above, work that is forced because of debt, familial obligations, or social obligations, can be considered forced labour and is prohibited under the law. While there were no signs of forced labour due to debt bondage, 40 percent of the sanitation workers (80 workers - all Christian except 2) mentioned the unavailability of any other job, 11 percent of the sanitation workers (22 individuals – all Christian) had other family members doing the same job, and 8 percent of the sanitation workers mentioned a lack of education as the main reason for joining sanitation work. As a result, Christian sanitation workers seemed to be forced into their work due to the unavailability of other jobs, given their social, caste, and religious backgrounds, and the preponderance of sanitation work in their families. Muslims facing similar levels of poverty do not seem to be joining the sanitation workforce in the same numbers because they have other options available to them.

Given the social dimensions of caste and its historical association with sanitation work, many individuals performing sanitation work due to social obligation and the lack of other options could be considered forced labour.

▶ Conclusion

In the absence of any policies at the national or provincial levels in Pakistan regulating sanitation work, the conditions of sanitation workers continue to be regulated by the labour laws applicable to all workers across different industries. Following, the Eighteenth Amendment to the Constitution, the creation and enforcement of labour laws have been devolved to the provincial legislatures and governments in Pakistan. In Lahore District, which falls in the Province of Punjab, a complex and diverse range of labour laws apply to sanitation

⁷⁴ Interview with trade union leader 1, 08 November 2022.

workers. However, a majority of the sanitation workers continue to be employed through verbal and informal contractual arrangements which preclude them from accessing many of the protections and benefits provided by existing labour laws, resulting in major Decent Work Deficiencies.


The largest employers of sanitation workers in Lahore are the LWMC and WASA, which employ sanitation workers in sweeping, waste collection, disposal, and sewer and manhole cleaning jobs. While WASA, a government entity, provides permanent employment to its sanitation workers, most LWMC workers are employed through temporary verbal contracts without any policies for regularization into permanent employment in place, in contravention of the Standing Orders which require workers performing jobs of a permanent nature to be made permanent employees by their employers. As a result, these sanitation workers are unable to access the protections against arbitrary dismissals, and for most social security and other benefits available under the labour laws in Punjab.

Consequently, most workers in the LWMC and those employed by other private sector establishments such as educational institutes and retail and other businesses, are made to work overtime without pay, with no provisions for leaves, holidays, and other entitlements in case of sickness, disability, maternity, and other issues. Given the lack of protections, workers are also often dismissed due to absences when they are unable to come in to work for health and related reasons.

The situation is equally dire when it comes to remuneration, given the precarious nature of employment in the sanitation sector. While sanitation workers employed as permanent workers at LWMC and WASA receive the minimum wage, and above in jobs such as sewer and manhole cleaning due to the provision of hazard pay and other allowances, most contract workers at LWMC and all other workers, employed generally as contract workers or through third-party contractors, receive less than the minimum wage in Lahore. Even where the minimum wage is paid, contract workers, given their insecure and precarious positions, are often subjected to bribes and deductions to ensure continued employment. As a result, the wages they take home are often less than the minimum wage.

Given the hazardous and often dangerous nature of sanitation work, which requires workers to handle faecal sludge and other hazardous waste and toxic chemicals, OSH is one of the most important areas of regulation in the sanitation sector. However, in the absence of specific OSH laws and protections for sanitation workers, the provisions of the OSH Act in Punjab apply to sanitation workers in Lahore. Unfortunately, despite the requirement to provide safety equipment, training, personal protective equipment, and safe working environments, almost all sanitation workers across different establishments and employers in Lahore are not receiving any equipment or materials to ensure their safety during work. Similarly, while the OSH Act requires written OSH policies in place at all establishments, these seem to be non-existent, especially in the private sector.

While WASA provides regular training to sanitation workers, no measures for training are in place at the LWMC or with other employers such as educational institutes, retail outlets, and event venues such as marriage halls. As a result, most sanitation workers continue to face workplace injuries and accidents while cleaning on the roads and in public places including respiratory and other illnesses. Despite the existence of laws allowing for Workmen's Compensation in cases of such injuries, accidents, and illnesses, both employers and workers are unaware of their existence or the mechanisms in place for their enforcement.



Similarly, while the SSO and PESSI allow for the distribution of a wider range of social security benefits to workers, including sanitation workers, such as medical care and cash benefits in cases of injuries, disablement, death, and maternity, most contractual sanitation workers remain unsecured due to the nature of their employment and the lack of regulation and oversight in case of contract workers.

Given the gaps in protections from the government and employers, the only recourse sanitation workers in Lahore have for the redressal of their grievances is through collective bargaining and union organizing. However, the industrial relations law applicable in Lahore, PIRA 2010, makes it difficult for contract workers to unionize. As a result, while most permanent workers have access to unions, contract workers, except for the newly created union for contract workers at the LWMC, remain unrepresented. The situation is made worse by the fact that social dialogue between sanitation workers, employers, and public authorities in the sanitation sector is non-existent, with most sanitation workers having no access to their employers, senior management, and public officials.

Given this state of labour conditions in the sanitation sector in Lahore, religious and gendered discrimination is also prevalent in the sector. The Christian minority are not only subjected to some of the most degrading and low-paid work available in Lahore but are also subjected to religious, caste-based, and gendered discrimination in the form of slurs, lack of leaves and holidays, and employment opportunities. Most Christian sanitation workers in Lahore continue to perform sanitation work due to the lack of alternative employment opportunities, which results in a situation of forced labour where entire families from the Christian faith are only able to find employment as sanitation workers.

The situation is made worse in the case of female sanitation workers, who are relegated to the lowest-paid work within the sanitation sector, sweeping and janitorial duties. In addition to the wage disparity caused as a result of the type of sanitation jobs available to female workers, they also experience increased cases of harassment at the hands of supervisors and the general public while performing their duties. Female workers are also not provided maternity benefits across the sanitation sectors and no provisions are made to protect them against hazardous work in cases of pregnancy.

The labour laws in Pakistan, and Punjab, as well as employment practices in the sanitation sector, continue to ignore the most important links in the sanitation chain, the sanitation workers. While Pakistan continues to formulate policies to promote and increase safe and hygienic sanitation, in the absence of better protection for sanitation workers, it is unlikely to achieve its goals. It is also impossible to separate sanitation work from its historic religious and caste-based realities, which continue to ostracize and marginalize sanitation workers in Lahore who remain one of the most marginalized segments of the working class.

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► Appendix :

Ratification and application of fundamental conventions and relevant technical ILO instruments

Instrument	Status	
	Ratified	Domesticated
FUNDAMENTAL CONVENTIONS		
Forced Labour Convention, 1930 (No. 29)	Yes	Yes
Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)	Yes	Yes
Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	Yes	Yes
Equal Remuneration Convention, 1951 (No. 100)	Yes	Yes
Abolition of Forced Labour Convention, 1957 (No. 105)	Yes	Yes
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Yes	No
Minimum Age Convention, 1973 (No. 138)	Yes	Yes
Worst Forms of Child Labour Convention, 1999 (No. 182)	Yes	Yes
Occupational Safety and Health Convention, 1981 (No. 155)	No	Yes
Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	No	No
GOVERNANCE (PRIORITY)		
Labour Inspection Convention, 1947 (No. 81)	Yes	Yes
Employment Policy Convention, 1964 (No. 122)	No	No
Labour Inspection (Agriculture) Convention, 1969 (No. 129)	No	No
Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	Yes	Yes
TECHNICAL CONVENTIONS		
Protection of Wages Convention, 1949 (No. 95)	No	No
Migration for Employment Convention (Revised), 1949 (No. 97)	No	No
Minimum Wage Fixing Convention, 1970 (No. 131)	No	Yes
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No	No
Violence and Harassment Convention, 2019 (No. 190)	No	No
Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)	<i>Not subject to ratification</i>	No



▶ Questionnaire

0- Background Information

Name:

Age:

Gender:

Religion:

No. of Family members:

Type of Sanitation Work:

Employer:

Monthly Income:

1- Employment

1.1 Employment opportunities

1. Why did you join this job?
2. What is your job (nature, what does it include)?

1.2 Wage Adequacy

3. What is your wage?
4. Do you receive the minimum wage?
 - Yes
 - No
5. Do you think, women earn less wages than men in your work?
 - Strongly agree
 - Agree
 - Neutral
 - Disagree
 - Strongly Disagree
6. Do you receive promotions at work?
 - Yes
 - No

1.3 Conditions of work

7. How many hours do you work?
8. How many leaves/holidays do you get?
9. Do you work overtime? Is it paid or unpaid?

10. What is the nature of your employment?

- Permanent
- Contract

11. If contractual, for how long you have been on contract? If permanent, how long were you on contract before being made a permanent employee?

1.4 Health and Safety

12. Are you provided any safety equipment? If yes, which equipment?

13. Are you satisfied with the provided safety equipment?

- Very unsatisfied
- Unsatisfied
- Neutral
- Satisfied
- Very satisfied

14. Did you receive any training for work? If so, please describe the nature and mechanism of training?

15. Have you ever met an accident/injury during your work?

- Yes
- No

16. Did you receive compensation in case of injury at work?

- Yes
- No

17. Do you deal with any hazardous chemicals or waste?

18. Do you think you get sick due to work?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

19. Do you face mental stress from work?

20. (If the worker is female) Are there any hazards or safety issues at work you face that male workers do not?

2- Social Security

21. Do you have any social security card, for sickness, maternity, disability?

- Yes
- No

22. Do you have a pension plan?

- Yes
- No

2.1 Adequacy of coverage

23. Are you satisfied with this social security?

- Very unsatisfied
- Unsatisfied
- Neutral
- Satisfied
- Very Satisfied

24. When you try to access your social security, do doctors attend to you?

- Never
- Rarely
- Sometimes
- Often
- Always

Note: We'll place this within public expenditure on social security and around three levels of social security: i-Basic needs: nutrition, health, education, clean water, shelter; ii-Contingencies: sickness, accident, death, disability, old age and natural disasters, floods etc.

3- Basic workers' rights

3.1 Forced Labor (bonded labor)

25. To be asked while interviewing but seems to hardly exist in the sector.

- Other method is to review ILO and other reports, etc.

3.2 Child labor

Note: To be asked while interviewing. There is a possibility of this with private contractors.

3.3 Abuse and Discrimination

3.3.1 Discrimination around sex

26. How many women in each sector of sanitation workers?

27. Do you feel, women are paid less than men?

- Yes
- No

28. Have you experienced harassment at the workplace?

- Yes
- No

29. Is there discrimination between skilled and unskilled workers?

30. Gender ratio on administrative jobs?

3.3.2 Discrimination around religion/caste

31. Do you feel discriminated against due to your religion?

- To a large extent
- To some extent
- Not at all

32. Do you feel you do not have access to administrative jobs?

33. Do you feel you can receive promotions? If not, can you explain why?

34. Do you feel the type of work you get is influenced by your religion?

- Highly influenced
- Slightly influenced
- Neutral
- Not influenced

35. Do you feel you are paid less due to your religion?

- To a large extent
- To some extent
- Not at all

4- Freedom of association

36. Is there a union in your company/organization?

- Yes
- No

37. If not, then why you could not form it?

38. If yes, is it effective?

39. What do employees think about the union?

40. Has any strike happened recently?

- Yes
- No

41. How is contract labor organized, if in any other form?

Note: There are two parts of this aspect: one is, Quantitative, yes or no. We'll place it within overall union density and freedom of association in the country. External reports will also be better in gauging this part. However, the question of effectiveness of the union is a qualitative measure. Overall situation of civil rights, freedom of expression, human rights can also be assessed from reports and can better explain the context within which freedom of association should be assessed.

5- Social Dialogue

Note: It has three levels

- i. Between employer and employees for the terms and conditions of employment.
- ii. Management and workers regarding working and functioning.
- iii. Social partners, economic/social policy.

42. Have you ever talked to the employer or your representative?

- Never
- Rarely
- Sometimes
- Often

43. How do admin/supervisors treat you?

44. In case of a dispute what happens?

45. Do you feel that the country's economic and social policies effect your work?

- To a large extent
- To some extent
- Not at all

46. Did any officials, politicians or NGOs ever come to ask you about your conditions?

- Never
- Rarely
- Sometimes
- Often

47. What do you think about elections as a solution to your problems?

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