

Resolution No.6

PAKISTAN

INDUSTRIAL RELATIONS ACT

The 3rd ITUC-AP General Council Meeting in Cebu, Philippines, on 10-12 November, 2009:

EXPRESSES CONCERN

at the arbitrary enactment of the Industrial Relations Act, 2008 without consultation with the trade unions which contain several restrictions on workers rights to organize;

DEPLORES

that several provisions in the Act which violates fundamental trade union and collective bargaining rights of the workers in the following areas:

- exclusion of several establishments from the provision of freedom of association including agriculture workers who constitutes the bulk of the labour force in the country, civil service, teachers, para-medical, contract labour
- appointment of chairmen and members of NIRC and presiding officers of labour courts to be done by the government without consultation with the higher judiciary thus affecting the principle of independence of judiciary
- changing the definition of industry which may exclude many enterprises
- reducing the tenure of collective bargaining agent from 3 to 2 years
- allowing labour courts to pass orders of dismissal of all or any striking workers

IS DISMAYED

that the enactment declared a variety of industries as “public utilities” including generation, production, manufacture, or supply of gas, oil or water to the public, public conservancy or sanitation, hospitals and ambulances services, fire-fighting service, postal, telegraph or telephone service, railways and airways, ports, watch and ward staff and security services, depriving them the trade union rights;

IS CONCERNED

that the definition of “settlement” allows employer to enter into agreement with the workers directly by superseding the union, making the role of unions superfluous;

EXPRESSES SOLIDARITY

with the workers and trade unions of Pakistan in their struggle against these anti-labour enactments;

URGES ON

the Pakistan Government to amend the IRA to bring it in conformity with the ILO Conventions 87 and 98 ratified by the government of Pakistan in full consultation with the representative workers organisation;

CALLS ON

ILO to take up the matter with the Government of Pakistan for changing the law before its expiry in April 2010 in full consultation with the Workers Employers Bilateral Council of Pakistan (WEBCOP).