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December 5, 2020

**Home-based workers**

In 2018, the Sindh government had promulgated two labour enactments for the welfare of neglected segments of society.

One was the Sindh Empowerment of ‘Persons with Disabilities’ Act, 2018 and the other was the Sindh Home-Based Workers Act, 2018. Although a federal law called the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 exists, the Sindh law is comprehensive and guarantees persons with disabilities those benefits and privileges that are available to the able-bodied industrial workers.

Besides, the Sindh government is the first among the provinces to have passed the Home-Based Workers Act, 2018. In Punjab, the draft of a similar act was finalized in 2015; however, since then the Punjab Home-Based Workers Bill, 2015, has been pending in the legislative committee of their labour department.

Home Based Workers (HBWs) refer to the general category of workers, who work in the informal or unorganized sector carrying out remunerative work. They work from their home or any nearby premises for any industry, undertaking, commercial establishment, contractor, sub-contractor, an agent or a middleman.

There are two main types of HBWs. One is piece-rate workers, who work for an employer and an intermediary. The others are ‘own account workers’, who work and do their marketing themselves. Piece-rate workers are paid a piece rate, according to the number of items produced. They do not have any direct contact with markets for the goods they produce.

Piece-rate workers have to arrange for raw material and other related tools and bear all infrastructure costs to produce goods. These workers are engaged in chains of production, both local (sewing, packing, prawn shelling, Incense stick i.e. agar batti and bidi making etc.) and international (carpet weaving, shoe making, embroidery, football and volleyball making etc.).

The ‘own account workers’ are generally in direct contact with the market and buy their own raw material. They face direct competition from large firms and don’t have easy access to credit. Their economies of scales are lower and their cost of production is usually high.

On November 11, 2020, a memorandum of understanding was signed for the registration of home-based workers in Sindh. This MOU is between the Home-Based Women Workers Federation (HBWWF) and the labour and human resources department of Sindh. There are 100 million home-based workers in the world and 50 million of them are based in South Asia alone. The exact data of the number of home-based workers in Pakistan, is not yet known. Informal estimates indicate that there are 20 million HBWs in Pakistan, of which 12 million are women. The registration of such workers in pursuance of the MOU will facilitate in knowing their precise number.

After long efforts by the Self-Employed Women Association (SEWA) and International Alliance by HBWs (HomeNet), the ILO adopted the Home Work Convention No C177, in 1996. This convention has not yet been ratified by Pakistan. However, provisions of the Sindh Home-Based Workers Act, 2018, have been derived from it.

The convention aspires to promote equality of treatment between homeworkers and other wage earners, taking into account the special characteristics of home work. It broadly prescribes the rights and entitlements of homeworkers, which the ILO member countries ratifying the Convention, have to provide to them through their respective legislations.

Among others, the convention aims to provide to homeworkers the following: (a) the right to establish or join organizations of their own choosing – labour unions; (b) protection in the field of occupational safety and health; (c) remuneration; and (d) statutory social security protection etc.

The convention expects homeworkers to negotiate the terms and conditions of their employment with the employer and reach collective agreement, like other industrial workers. Besides, the government is required to set up an arbitration forum for the settlement of disputes referred to it by the homeworkers or their employers.

The Sindh Act of 2018 has included all the above-mentioned provisions and tends to adopt the ILO Convention in totality. However, it is mandatory for HBWs to get themselves registered in order to get benefits provided under the Act.

The Act guarantees every registered HBW entitlement to all those social, medical and maternity benefits, compensations and marriage and death grants as are available to other industrial workers under the labour laws. The Act provides the same rate of minimum wage for them as for other wage earners.

Despite the above, it will be a challenging task for the government to regularize and bring improvements in the employment conditions of HBWs due to the following: One, HBWs are invisible to policymakers and law-makers. Two, insecure and hazardous workplaces. Three, loose time-keeping systems. Four, no checks and controls over working hours, which are usually long. Five, low wages, which are also not paid in time. Six, no organized labour union and no collective bargaining. Seven, the actual number of HBWs not known. Eight, dependence on middlemen. And nine, women workers that have weak bargaining positions to get a good price for their work.

In view of the foregoing facts, the Sindh government – and especially rights activists – will have to closely monitor compliance with the statutory provisions and ensure that the objectives of the Act are achieved in letter and spirit.

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