[**Labour welfare**](https://www.dawn.com/news/1716639/labour-welfare)

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IN April 2010, labour laws were devolved to the provinces by virtue of the 18th Amendment. Accordingly, the authority to carry out amendments or promulgate new labour laws was transferred from the centre to the provincial governments. Two years later, the federal Industrial Relations Act, 2012, was introduced, which took out those companies from the purview of provinces that were carrying on business in more than one province. The fact that only federal labour laws will be applicable to trans-provincial companies has been recognised by the Supreme Court in its judgements. On the contrary, there is not a single judgement of any court saying that provincial laws are applicable to trans-provincial companies.

Trans-provincial companies find themselves isolated as no amendments to labour laws have been carried out by the centre since 2012. In the absence of legislation and due to lack of inter-provincial coordination, critical labour welfare laws are gradually losing their usefulness.

Despite devolution, the federal government did not part with the management of the Employees’ Old-Age Benefits scheme or regularise this status through a constitutional amendment. Hence it can neither enhance the monthly amount of EOBI contribution payable by the employers nor increase the amount of pension lawfully. The last time workers’ pension was increased, with great difficulty, was effective from Jan 1, 2020.

Due to the centre’s inaction, the law on workers sharing company profits has become meaningless in provinces other than Sindh. The latter has its own Sindh Companies Profits (Workers’ Participation) Act, 2015, which fulfils the purpose of its enactment. In the absence of an updated act, employers in the other provinces find excuses for not disbursing the share in profit.

Due to the centre’s inaction, some laws have become meaningless.

Since 2010, legal confrontation between the employers and two provincial governments have also deprived workers of a timely increase in minimum wages.

When Gen Ayub Khan assumed power in October 1958, the stage had already been set for industrial progress. The Pakistan Industrial Credit and Investment Corporation had been established in 1957, with assistance from the World Bank. PICIC would extend loans on easy terms to persons interested in setting up industry. Wapda, established in February 1958, provided key infrastructure to developing industries.

To fulfil the deficiency of skilled manpower, the government promulgated the Apprenticeship Ordinance in 1962, making provisions for promoting, developing and regulating apprenticeship programmes in industries and for securing minimum skill standards.

The government made it obligatory for employers with 50 or more workers to operate the apprenticeship scheme. They had to ensure that apprentices received theoretical instruction to the extent of at least 20 per cent of the total working hours. The remaining 80pc would be spent on practical training.

The scheme was beneficial both for the employers who implemented it in letter and spirit, and the apprentices, who learnt their assigned trade with enthusiasm. Some of the latter would get lucrative jobs in the Middle East.

In 1966, the government came up with Apprenticeship Rules, which comprehensively provided the terms and conditions of apprenticeship besides the establishment of the Apprenticeship Advisory Committee. The monthly emolument called ‘stipend’, to be paid by employers to the apprentices, was fixed for the first time.

The two- or three-year duration of apprenticeship was divided into five slabs. In the first 20pc of the duration of apprenticeship, apprentices would be paid not less than 40pc of the skilled worker wages in the concerned trade. In the fifth and last 20pc, the emoluments would not be less than 80pc of the skil­led worker wages. If the skilled worker wages in the late 1960s, were, say, Rs10,000, the appre­ntice in the last slab would be paid Rs8,000, which was a reasonable amount then.

It is unfortunate that no amendments in the rules have taken place over the last 56 years. Consequently, the rule relating to stipends has become redundant. In the meantime, the federal government and Punjab have promulgated their own Apprenticeship Acts in 2017 and 2021 respectively. Both have fixed the rate of stipend at 50pc of the prevailing minimum wage, which is quite low, ie, Rs12,500 per month for the retention and motivation of apprentices.

As suggested by the Technical Education & Vocational Training Authority, Lahore, the stipend should be linked to minimum wages for skilled workers, which is currently Rs27,583 per month in Punjab. Fixing the stipend at a percentage of this amount, which comes to around Rs20,000 per month during the entire period of training, would be reasonable.

The federal government needs to resolve all these issues urgently to restore the desired utility of labour welfare laws.

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